



**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

**2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone (505) 476-6000 Fax (505) 476-6030
www.nmenv.state.nm.us**



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

RYAN FLYNN
Cabinet Secretary Designate

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Director

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 10, 2013

Jose Franco, Manager
Carlsbad Field Office
Department of Energy
P.O. Box 3090
Carlsbad, New Mexico 88221-3100

M. Farok Sharif, Project Manager
Nuclear Waste Partnership LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-5608

**RE: NMED APPROVAL OF THE ADVANCED MIXED WASTE TREATMENT PROJECT FINAL
AUDIT REPORT AUDIT A-13-01
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Franco and Sharif:

On August 2, 2013, the New Mexico Environment Department (NMED) received the Final Audit Report of the Advanced Mixed Waste Treatment Project (AMWTP) Audit Number A-13-01 (Audit Report), from the Department of Energy's Carlsbad Field Office (CBFO). CBFO and Nuclear Waste Partnership LLC (the Permittees) were required to submit this Audit Report under the Waste Isolation Pilot Plant (WIPP) Hazardous Waste Facility Permit as specified in Permit Section 2.3.2.3. The intended scope of this recertification audit was to ensure the continued adequacy, implementation, and effectiveness of the AMWTP waste characterization processes for retrievably stored contact handled (CH) Summary Category Group (SCG) S3000 homogeneous solid and S5000 debris wastes, relative to the requirements of the WIPP Permit.



The Audit Report consisted of the following items:

- A narrative report (hardcopy and electronic)
- Copies of relevant Permit Attachment C6 checklists (hardcopy and electronic)
- Final AMWTP standard operating procedures for characterization of the waste categories listed above (hardcopy and electronic)
- Objective evidence examined during the audit:
 - General information
 - Acceptable knowledge
 - Headspace gas sampling
 - Solids sampling and analysis
 - Real-time radiography
 - Visual examination

NMED representatives observed the audit on October 15-18, 2012. NMED has examined the Audit Report for evidence of compliance with the requirements of Permit Sections 2.3.2 (Audit and Surveillance Program) and 2.3.1 (Waste Analysis Plan [WAP]).

The Audit Report indicates that the audit team identified eight concerns during the audit that are discussed in the Interim Audit Report. No concerns regarding WAP or Permit requirements were identified.

Attached are NMED's general comments based upon review of the Audit Report. These are provided to guide future audit report preparation and to assist the Permittees in understanding NMED's concerns.

NMED notes that a discrepancy was discovered with question 314 of Permit Attachment C6 WAP Checklist and its referenced requirement in section C3-2b of the Permit.

- Section C3-2b: "Accuracy is maintained by requiring operators to pass a comprehensive examination and demonstrate satisfactory performance in the presence of the VE expert during their initial qualification. VE operators shall be requalified every two years."
- Question 314: "Accuracy is maintained by requiring operators to pass a comprehensive examination and demonstrate satisfactory performance in the presence of the VE expert during their initial qualification and subsequent requalification."

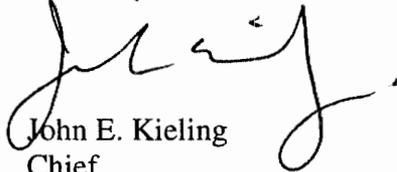
NMED has determined that the language in Permit section C3-2b takes precedence and is the binding requirement. NMED has already discussed with the Permittees a need for a future permit modification to address the discrepancy. NMED concludes that this Audit Report demonstrates that AMWTP has implemented the applicable characterization requirements of the WAP.

Therefore, NMED approves the Permittees' Final Audit Report for AMWTP Audit A-13-01 for continued certification of retrievably stored CH S3000 homogeneous solid and S5000 debris wastes, and amends the previous Audit Report for A-12-03 issued by NMED on May 1, 2012 to include only those waste forms and processes evaluated by this recertification audit.

This Audit Report approval is of the broad programmatic implementation of waste characterization requirements at AMWTP, and does not constitute approval of individual waste characterization procedures, nor condone inappropriate applications of those procedures. This approval does not relieve the Permittees of their obligation to comply with the requirements of the permit or other applicable laws and regulations.

If you have any questions regarding this matter, please contact Trais Kliphuis at (505) 476-6051.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: Tom Blaine, Director, NMED EHD
Trais Kliphuis, NMED HWB
Steve Holmes, NMED HWB
Ricardo Maestas, NMED HWB
Cole Smith, NMED HWB
Susan Lucas-Kamat, NMED DOEOB
Julia Marple, NMED DOEOB
Susan Burke, IDEQ, DOEOB
Toni Hardesty, IDEQ
Laurie King, EPA Region 6
Tom Peake, EPA ORIA
Connie Walker, Trinity Engineering
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**NMED COMMENTS ON THE
ADVANCED MIXED WASTE TREATMENT PROJECT
(AMWTP) FINAL AUDIT REPORT A-13-01**

NMED's review indicated that the body of the Audit Report and the C6 checklists generally appear to address the applicable elements. NMED provides the following comment for the Permittees consideration:

1. Question 4a of the C6 Checklist indicates that the citation given, MP-TRUW-8.13, Section 3.5 answers the question. The question pertains to an AK Sufficiency Determination. MP-TRUW-8.13, Section 3.5 discusses the preparation of an AK Summary Report. MP-TRUW-8.13, Section 3.6 discusses the preparation of an AK Sufficiency Determination and is the correct citation to answer Question 4a.
2. Question 4c of the C6 Checklist indicates that the citation given, MP-TRUW-8.14, Section 3.1 answers the question. The question pertains to complete a Waste Stream Profile Form (WSPF) and Characterization Information Summary (CIS). The question is not answered completely. In order to complete a CIS, MP-TRUW-8.14, Section 3.2 must also be included in the answer.
3. Questions 48 and 55 of the C6 Checklist indicate that the citation given, MP-TRUW-8.9, Section 3.2 answers the question. The question refers to data being transferred to the site project level. MP-TRUW-8.9, Section 3.2 refers to Supplemental Batches. MP-TRUW-8.9, Section 3.1 is the correct citation as it refers to Validation by the SPM, which is the site project level.
4. Questions 296, 297, 298, 298a, and 300 of the C6 Checklist indicate that the citation given, QP-VE-0001, (All) answers the question. QP-VE-0001 was not included in the Audit Report either as a hardcopy or electronically.