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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 10, 2013

Jose Franco, Manager
Carlsbad Field Office
Department of Energy
P.O. Box 3090
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M. Farok Sharif, Project Manager
Nuclear Waste Partnership LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-2078

**RE: THE NMED APPROVAL OF THE IDAHO NATIONAL LABORATORY ANALYTICAL
LABORATORY/CENTRAL CHARACTERIZATION PROJECT FINAL AUDIT REPORT, AUDIT
A-13-19
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Franco and Sharif:

On November 5, 2013, the New Mexico Environment Department (NMED) received the Final Audit Report of the Idaho National Laboratory Analytical Laboratory/Central Characterization Project (INL/CCP Labs) Audit Number A-13-19 (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 closeout audit was to ensure the adequacy, implementation, and effectiveness of the INL/CCP Labs waste characterization analytical processes of headspace gas (HSG) for Summary Category Group (SCG) S5000 debris wastes and solids analysis of SCGs S3000 homogeneous solids and S4000 soils/gravel 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 INL/CCP Labs standard operating procedures for characterization of the waste categories listed above (hardcopy and electronic)
- Objective evidence examined during the audit (hardcopy and electronic):
 - General information
 - Headspace Gas (HSG) Sampling
 - Solids Sampling (SS)

The 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 closeout audit was performed at the CBFO Skeen-Whitlock in Carlsbad, NM, July 9-11, 2013. This was a closeout audit of the INL/CCP Labs which was a result of the Class 2 Permit Modification Request approved by the NMED on March 13, 2013. The approved modification included the removal of mandatory chemical sampling and analysis.

The Audit Report states that INL/CCP Labs completed all characterization activities on March 13, 2013 and no new containers were introduced into the characterization process after that date. Containers requiring the completion of data generation-level and project-level activities to finalize characterization process were managed for a short time thereafter.

The Audit Report goes on to state that the emphasis of this audit was placed on characterization reporting activities completed since the last certification audit (A-12-14), as well as the process for project termination and closure documentation.

The Audit Report indicates that the audit team identified no concerns during the audit.

Attached are the 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 the NMED's concerns.

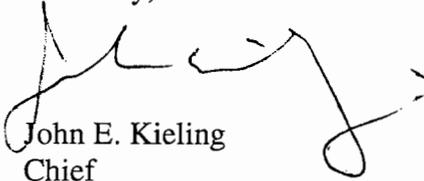
The NMED concludes that this Audit Report demonstrates that INL/CCP Labs has implemented the applicable characterization requirements of the WAP. Therefore, the NMED approves the Permittees' Closeout Audit Report for INL/CCP Labs Audit A-13-19 and amends the previous Audit Report approvals, A-12-14 issued by the NMED on January 25, 2013 and A-11-13 issued on September 29, 2011, respectively to include only those waste forms and processes evaluated by this audit.

Messrs. Franco and Sharif
December 10, 2013
Page 3

This Audit Report approval is of the broad programmatic implementation of waste characterization requirements at INL/CCP Labs, 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

JEK: tlk

cc: Tom Blaine, Director, NMED EHD
Trais Kliphuis, NMED HWB
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File: Red WIPP '13

**THE NMED COMMENTS ON THE
IDAHO NATIONAL LABORATORY ANALYTICAL LABORATORY/CENTRALIZED
CHARACTERIZATION PROJECT (INL/CCP LABS) FINAL AUDIT REPORT A-13-19**

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

1. Question 17 of the C6 Checklist indicates that the procedure citation given, the CCP-PO-030, Section 4.7.2 answers the question. This procedure was not included in the audit report as a hard copy or electronically.
2. Questions 117 and 124 of the C6 Checklist indicate that the procedure citation given, CCP-TP-180, Section 4.10.1 answers the question. The citation does not exist in Revision 3 of the procedure.
3. Question 127 of the C6 Checklist indicates that the procedure citation given, CCP-TP-182, Sections 7.22, 7.23, 7.24, 7.25, 7.26, 7.27, 7.31, 7.31, 8, 9, Appendix B, and Appendix C answer the question. Procedure CCP-TP-182 that was included with the audit report, both hardcopy and electronic, Sections 7.14.1 through 7.35.5 are in an edit mode (redline strikeout) and somewhat difficult to comprehend. Please submit a clean version of the procedure.
4. Question 127a of the C6 Checklist indicate that the procedure citations given, CCP-TP-196, Sections 4.10 and Section 11 answer the question. Section 11 does not exist. The correct citation should be Section 4.11.