



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

**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**



RYAN FLYNN
Cabinet Secretary Designate

BUTCH TONGATE
Deputy Secretary

TOM BLAINE, P.E.
Director

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 9, 2014

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

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

**RE: NMED APPROVAL OF THE ARGONNE NATIONAL LABORATORY/CENTRAL
CHARACTERIZATION PROGRAM FINAL AUDIT REPORT, AUDIT A-13-24
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Franco and Sharif:

On November 25, 2013, the New Mexico Environment Department (NMED) received the Final Audit Report of the Argonne National Laboratory/Central Characterization Project (ANL/CCP) Audit Number A-13-24 (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 ANL/CCP waste characterization for remote-handled (RH) Summary Category Group (SCG) S5000 debris waste 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 ANL/CCP 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
 - Acceptable Knowledge (AK)
 - Visual Examination (VE)

NMED Representatives observed the audit on August 27-29, 2013. 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 there were two Conditions Adverse to Quality that were Corrected During the Audit (**CDA**):

CDA-1

During the review of NCR-RHANL-0509-13, Rev. 1, it was identified that the CCP QA Engineer did not sign the validation block (14) on the Nonconformance Report (**NCR**). The CCP QA Engineer's printed name and a date did appear on the form, but it was not signed, as required by the form and procedure.

CDA-2

Three completed radiological surveys and three completed RLC loading forms were not available in NTPC Records at the time of the audit.

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 concludes that this Audit Report demonstrates that ANL/CCP has implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Recertification Audit Report for ANL/CCP Audit A-13-24 and amends the previous Audit Report approval, A-12-16 issued by NMED on May 1, 2013 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 ANL/CCP, and does not constitute approval of individual waste characterization procedures, nor condone inappropriate applications of those procedures. This

Messrs. Franco and Sharif

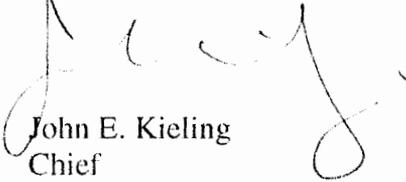
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approval does not relieve the Permittees of their obligation to comply with the requirements of the permit or other applicable laws and regulations.

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
Steve Holmes, NMED HWB
Ricardo Maestas, NMED HWB
Coleman Smith, NMED HWB
Susan Lucas-Kamat, NMED DOEOB
John Riekstins, Illinois EPA
Gordon Appel, IDNS
Joseph Klinger, IDNS
Laurie King, EPA Region 6
Tom Peake, EPA ORIA
Connie Walker, Trinity Engineering
File: Red WIPP '14

NMED COMMENTS ON THE
ARGONNE NATIONAL LABORATORY/CENTRALIZED CHARACTERIZATION
PROJECT (ANL/CCP) FINAL AUDIT REPORT A-13-24

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. Questions 40 and 43 of the C6 Checklist indicate that the procedural citation given, CCP-PO-001, Sections C-0b and C-3b answers the question. These citations discuss AK Sufficiency Determination and Radiography and Visual Examinations, whereas the question discusses the roles and duties of the Site Project Manager. The citation, CCP-PO-001, Section C-0b and C-3b should be removed.