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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

January 27, 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 ADVANCED MIXED WASTE TREATMENT PROJECT FINAL
AUDIT REPORT, AUDIT A-14-01
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Franco and Sharif:

On December 12, 2013, the New Mexico Environment Department (NMED) received the Final Audit Report of the Advanced Mixed Waste Treatment Project (AMWTP) Audit Number A-14-01 (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 for contact-handled (CH) Summary Category Group (SCGs) S3000 homogeneous solids and 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 AMWTP 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)
 - Solids Sampling and Analysis (SS&A)
 - Headspace Gas Sampling and Analysis (HSG S&A)
 - Real-Time Radiography (RTR)
 - Visual Examination (VE)

NMED Representatives observed the audit on October 1-3, 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 that the audit team identified five concerns during the audit that are discussed in the Interim Audit Report. No conditions adverse to quality regarding WAP or Permit requirements were identified in the Final Audit Report.

NMED notes that the Audit Report also states that the certified VE process for characterizing SCG S3000 waste implemented for the South Boxline in the waste treatment facility is no longer being used and the associated procedures have been deactivated.

NMED also notes that since the previous audit, A-13-01, the Supercompactor has been approved as a treatment method for unvented aerosol cans and observable liquid under certain expressed conditions as described in a letter from the Permittees to NMED. The letter, dated April 25, 2013, states, "The Advanced Mixed Waste Treatment Project (AMWTP) has been authorized to utilize the Supercompactor to remediate prohibited quantities of liquids and un-punctured aerosol containers by the Department of Energy Carlsbad Field Office (CBFO) in accordance with the Permit. The CBFO has completed the required reviews and determined that the relevant procedures meet the requirements of the Permit."

Personnel from AMWTP and CBFO were on hand to address NMED questions regarding this new treatment method during this A-14-01 audit. NMED will continue to observe the new treatment method in future audits to ensure it continues to meet the requirements of the Permit.

Messrs. Franco and Sharif
January 27, 2014
Page 3

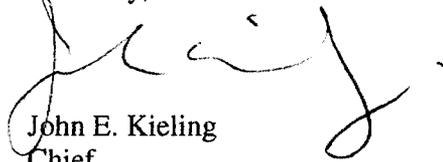
Attached are NMED's general comments based upon review of the Audit Report. These are provided to guide future audit report preparation and to assist the Permittees in understanding NMED's concerns.

NMED concludes that this Audit Report demonstrates that AMWTP has implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Recertification Audit Report for AMWTP Audit A-14-01 and amends the previous Audit Report approval, A-13-01 issued by NMED on September 10, 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 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

JEK: tlk

cc: Tom Blaine, Director, NMED EHD
Trais Kliphuis, NMED HWB
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File: Red WIPP '14

NMED COMMENTS ON THE
ADVANCED MIXED WASTE TREATMENT PROJECT (AMWTP) FINAL AUDIT
REPORT A-14-01

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. Questions 10, 27, 28, and 152 of the C6 Checklist indicate that the procedural citation given, MP-TRUW-8.13, Section 3.8, Notes 1-4 answers the question. MP-TRUW-8.13, Section 3.8 only has three Notes.
2. IN AK-19 of the Audit Report, in the Attachment of AKR-05-236R2, there is a miss-typed brand name of a type of can. AK-19 has it spelled as "volrath can" (listed four times in the document) when the correct spelling should be "Vollrath can".
3. Questions 26, 34, 144, 234, 235, 236, 237,238, 239, 240, 241, 242,243, 245, 247, 265, 266, 267, and 278 of the C6 Checklist indicate that the procedural citation given, INST-OI-81 (All), answers the question. The procedure, INST-OI-81 was not included in the Audit Report in hardcopy or electronically.
4. Questions 296, 297, 298, 298a, and 300 of the C6 Checklist indicate that the procedure given, QP-VE-0001, answers the question. NMED understands that QP-VE-0001 is the AMWTP Qualification Package for documenting VE training and was submitted under VE-2 objective evidence of the final audit report. In the future it would be helpful to NMED if a statement was included in the checklist comment column that indicates that QP-VE-0001 is not included with the list of procedures but is instead included with the objective evidence.