ENTERED

Allen, Pam, NMENV

From: Maestas, Ricardo, NMENV
Sent: Wednesday, April 08, 2015 4:01 PM
To: Allen, Pam, NMENV
Subject: FW: Teleconference regarding audit Summary Category Groups
Attachments: NMED Appvl of LANL_CCP Final Audit Report.pdf; LANL CCP Audit Rpt Approval (A-10-14).pdf; SRS CCP Audit Rpt Approval (A-09-01).pdf

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From: Miehls, Dennis - DOE [mailto:Dennis.Miehls@wipp.ws]
Sent: Friday, August 08, 2014 2:51 PM
To: Kliphuis, Trais, NMENV
Cc: Brown, Mike - DOE; Navarrete, Martin - DOE; Maestas, Ricardo, NMENV
Subject: Teleconference regarding audit Summary Category Groups

Hi Trais,

Here is some information in respect to our phone call earlier this week discussing audit scope and adding or deleting summary category groups for subsequent audits at Waste Generator Sites. A Site can be audited to characterize and ship all 3 Summary Category Groups (SCG) both CH and RH, or it can be certified for only one or two of the SCG's either CH or RH. When a site is prepared to ship a new waste form that falls into one of the approved SCG's (S-3000, S-4000, or S-5000) than the Site is audited by CBFO before receiving certification for that new SCG. And of course before certification by CBFO, approvals from NMED and EPA are required as applicable.

In some cases Sites no longer require the certification of a particular summary category group, such as RH S-5000 at LANL/CCP, once all waste the was shipped. SRS/CCP had SCG's added to their certification as for example S-3000 became available for characterization and then ready to be brought into the program based upon an audit, after S-4000 and S-5000 waste was certified at SRS/CCP. When a Site has had a major problem with a waste stream or a SCG, either the Site identifies the problem and halts shipment of the waste or the problem is identified by CBFO and that waste stream, characterization discipline, or SCG is suspended. From an audit perspective if this happens, until the process undergoes corrective actions and the Site declares readiness to bring this area back into the certified program, it would no longer be included in the scope of an audit.

I've attached several example letters of NMED approval letters and referenced below several areas in the HWFP pertaining to audits and SCG's, as you requested.

Page C-12, lines 14-22
Page C6-1, lines 18-20
Page C6-3, lines 27-30
Page C6-4, lines 6-14

Let's try to set a time to visit, once you've had a chance to review some of this information.

Thanks--Dennis

140816

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 20, 2008

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Farok Sharif, President
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RE: NMED APPROVAL OF THE LOS ALAMOS NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROJECT FINAL AUDIT REPORT, AUDIT A-07-12 WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088

Dear Dr. Moody and Mr. Sharif:

On July 26, 2007, the New Mexico Environment Department (**NMED**) received the initial Final Audit Report of the Los Alamos National Laboratory/Central Characterization Project (**LANL/CCP**) Audit A-07-12 (**Audit Report**), from the Department of Energy's Carlsbad Field Office (**CBFO**). CBFO and Washington TRU Solutions LLC (**the Permittees**) were required to submit this Audit Report under the Waste Isolation Pilot Plant (**WIPP**) Hazardous Waste Facility Permit (**Permit**) as specified in Permit Condition II.C.2.c. The intended scope of this audit was two-fold: to recertify the continued adequacy, implementation, and effectiveness of the LANL/CCP TRU waste characterization and certification activities for Summary Category Groups S3000 homogeneous solid and S5000 debris contact-handled (**CH**) wastes; and to initially certify the adequacy, implementation, and effectiveness of the LANL/CCP TRU waste characterization and certification activities for Summary Category Group S5000 debris remote-handled (**RH**) waste. The Audit Report consisted of the following items:

- A narrative report (hardcopy and electronic)
- Completed copies of relevant Permit Attachment B6 checklists (hardcopy and electronic)
- Final LANL/CCP standard operating procedures (hardcopy and electronic)
- Corrective action report and item corrected during the audit

- Objective evidence examined during the audit
  - General information
  - Acceptable knowledge
  - Headspace gas
  - Real time radiography
  - Visual examination

NMED representatives observed the LANL/CCP audit on May 22-24, 2007. NMED has examined the Audit Report for evidence of compliance with the requirements of Permit Conditions II.C.2 (Audit and Surveillance Program) and II.C.1 (Waste Analysis Plan [WAP]). The Audit Report indicates that there was

- One WAP-related condition adverse to quality requiring the issuance of a CBFO corrective action report that was corrected prior to submittal of the Audit Report;
- One deficiency requiring only remedial action that was corrected during the audit;
- Three observations identifying conditions that, if not controlled, could result in conditions adverse to quality; and
- Four recommendations identifying opportunities for improvement.

NMED provided comments on the Audit Report to the Permittees on March 7, 2008, and the Permittees responded to these comments in their transmittal dated April 7, 2008. On June 2, 2008, NMED issued a partial approval of the Audit Report for the recertification of retrievably stored, newly generated, and repackaged S5000 debris and retrievably stored S3000 homogeneous solids CH waste, but withheld approval with respect to the initial certification of RH TRU waste. Following receipt of NMED's June 2, 2008 letter, the Permittees met informally with NMED on June 10, 2008 to discuss issues related to RH TRU waste certification in an attempt to resolve them. NMED and the Permittees were unable to resolve these issues at the conclusion of this meeting, and on June 11, 2008, the Permittees notified NMED that they were invoking dispute resolution in accordance with the provisions of Permit Condition I.L. Following additional meetings that were later summarized in the Permittees' letter of July 3, 2008, NMED issued a letter pursuant to Permit Condition I.L.3 on July 7, 2008 notifying the Permittees of the terms of agreement concluding dispute resolution negotiations, which included a commitment to amend the previous LANL/CCP Audit Report letter of June 2, 2008 to approve the VE of records process for waste stream LA-MHD03.002 evaluated during Audit A-07-12, based on the information provided during these negotiations.

NMED reiterates one of the two "lingering concerns" identified in the June 2, 2008 letter regarding the CH TRU waste characterization program, and seeks a timely response from the Permittees.

1. NMED's comment 15 in the March 7, 2008 letter required the Permittees to clearly document and justify LANL/CCP's failure to perform any VE as a QC check of radiography during the time frame when the prior version of the Permit was in effect. The Permittees responded, "... the fact that LANL/CCP did not perform VE as a QC check on

> radiography... did not constitute a condition adverse to quality... Because the requirement to perform VE as a QC check was removed from the Permit effective November 16, 2006, the [miscertification rate] data generated by performing [it] in the May 2006 through May 2007 time period would not have been used." The Permittees did, however, provide the LANL/CCP container selection memo for the May 2006 through May 2007 time period.
>
> This response sidesteps the core issue. The record shows that the primary purpose of VE as a QC check of radiography was to *verify the results of radiographic examination*, not simply calculate a miscertification rate. For example, see the pre-October 16, 2006 versions of Permit Attachment B1, Section B1-3b(3) ["Visual examination shall be performed on a statistically determined portion of waste containers to verify the results of radiography."] and Permit Attachment B2, Section B2-1 ["As a Quality Control check on the radiographic examination of waste containers, a statistically selected portion of the certified waste containers must be opened and visually examined."]. The miscertification rate was simply a means to determine how many containers needed to be examined. To conclude that the primary purpose of VE as a QC check of radiography was to calculate the miscertification rate diminishes the ***real*** purpose – to provide feedback to the generator/storage site on the quality of their radiographic examination program. NMED reiterates its request for the Permittees to clearly document and justify LANL/CCP's failure to fulfill the requirement regarding VE as a QC check during the time frame in question.

NMED nevertheless concludes that the previously revised Audit Report, as augmented with the information provided by the Permittees during the dispute resolution negotiations, demonstrates that LANL/CCP has implemented the applicable characterization requirements of the WAP with respect to both CH and RH TRU waste. NMED therefore approves the Permittees' revised Final Audit Report for LANL/CCP Audit A-07-12 for the recertification of retrievably stored, newly generated, and repackaged S5000 debris and retrievably stored S3000 homogeneous solids CH waste, as well as for the initial certification retrievably stored S5000 debris RH waste, and amends the previous Audit Report approval for Audit A-06-11 issued by NMED on August 31, 2006 to include all CH and RH waste forms and processes evaluated by this recertification audit, with the limitation that the Permittees must perform a surveillance, following adequate notice to NMED, of LANL/CCP VE procedures applied to S3000 CH waste prior to LANL/CCP using VE to characterize, certify, and subsequently ship any S3000 CH waste to WIPP.

This Audit Report approval is of the broad programmatic implementation of waste characterization requirements at the generator/storage site, 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 me at (505) 476-6016 or Steve Zappe at (505) 476-6051.

Sincerely,

James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:soz

cc: Marcy Leavitt, NMED WWMD
Steve Zappe, NMED HWB
Chuck Noble, NMED OGC
Laurie King, EPA Region 6
Tom Peake, EPA ORIA
Connie Walker, Trinity Engineering
Susan Stiger, LANS
George Rael, NNSA LASO
Don Hancock, SRIC
Joni Arends, CCNS
File: Red WIPP '08

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 22, 2010

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RE: NMED APPROVAL OF THE LOS ALAMOS NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROJECT FINAL AUDIT REPORT, AUDIT A-10-14
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088

Dear Dr. Moody and Mr. Sharif:

On August 18, 2010, the New Mexico Environment Department (**NMED**) received the Final Audit Report of the Los Alamos National Laboratory/Central Characterization Project (**LANL/CCP**) Audit Number A-10-14 (**Audit Report**), from the Department of Energy's Carlsbad Field Office (**CBFO**). CBFO and Washington TRU Solutions 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 Condition II.C.2.c. The intended scope of this annual recertification audit was to ensure the continued adequacy, implementation, and effectiveness of the LANL/CCP TRU waste characterization processes for retrievably stored Summary Category Group S3000 homogeneous solids and S5000 debris Contact handled (**CH**) wastes relative to the requirements of the WIPP Permit. The Audit Report consisted of the following items:

- A narrative report (hardcopy and electronic)
- Completed copies of relevant Permit Attachment B6 checklists (hardcopy and electronic)
- Final LANL/CCP standard operating procedures (hardcopy and electronic)
- Corrective action reports and items corrected during the audit

- Objective evidence examined during the audit
  - General information
  - Acceptable knowledge
  - Headspace gas sampling
  - Real time radiography
  - Visual examination

NMED representatives observed the LANL/CCP audit on April 27-29, 2010. NMED has examined the Audit Report for evidence of compliance with the requirements of Permit Conditions II.C.2 (Audit and Surveillance Program) and II.C.1 (Waste Analysis Plan [**WAP**]). The Audit Report indicates there were three WAP-related conditions adverse to quality requiring the issuance of CBFO corrective action reports that were corrected prior to submittal of the Audit Report

Attached are NMED's general comments based upon observation of the LANL/CCP audit and 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 requests that the Permittees correct the items listed in the attachment and return them, indicating revisions to any text in the Audit Report and checklists with redline/strikeout annotation. This will ensure the administrative record contains a complete and accurate Audit Report.

NMED concludes that this Audit Report demonstrates that LANL/CCP has implemented the applicable characterization requirements of the WAP. Therefore, NMED approves the Permittees' Final Audit Report for LANL/CCP Audit A-10-14 for the recertification of retrievably stored S3000 homogeneous solids and S5000 debris CH waste, and amends the previous Audit Report approval for Audit A-09-12 issued by NMED on July 24, 2009 to include only those waste forms and processes evaluated by this recertification audit. NMED retains the limitation from the previous Audit Report approval that the Permittees must perform a surveillance, following adequate notice to NMED, of LANL/CCP VE procedures applied to S3000 CH waste prior to LANL/CCP using VE to characterize, certify, and subsequently ship any S3000 CH waste to WIPP.

This Audit Report approval is of the broad programmatic implementation of waste characterization requirements at the generator/storage site, 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 Steve Zappe at 476-6051.

Sincerely,

James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:soz

cc: Marcy Leavitt, NMED WWMD
Steve Zappe, NMED HWB
Chuck Noble, NMED OGC
Thomas Kesterson, NMED DOEOB
Laurie King, EPA Region 6
Tom Peake, EPA ORIA
Connie Walker, Trinity Engineering
Don Hancock, SRIC
Joni Arends, CCNS
File: Red WIPP '10

Attachment 1

NMED COMMENTS ON THE LOS ALAMOS NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROJECT (LANL/CCP) FINAL AUDIT REPORT A-10-14

NMED's review indicated that the body of the Audit Report and the B6 checklists generally appear to address the applicable elements. NMED provides the following comment for the Permittees consideration:

1. In Question 314 of the B6 Checklist, CCP-TP-113 is cited as meeting the VE QAOs for Accuracy, Completeness, and Precision, but not for Comparability; instead, the CCP Training Program (CCP-PO-001 and CCP-QP-002) is cited as meeting the QAO for Comparability. Upon further discussion with CBFO, NMED acknowledges that Questions 2 and 22 of Attachment 3 in CCP-TP-113 (ITR Checklist) do address the Comparability QAO, albeit indirectly. The Permittees should eliminate the following comment for Question 314 because it is incorrect: "Precision, accuracy, and completeness are verified during ITR review per CCP-TP-113. Comparability is assured via the training program described in CCP-PO-001 and CCP-QP-002."

2. In question 313 of the B6 Checklist, there is no basis in Revision 13 of CCP-TP-113 (included in the audit report) for the following statement in the Comments column: "Although this approach is allowed by the Permit for non-transparent containers, CCP would conservatively reject such a container as not containing as little residual liquid as is reasonably achievable." This is, however, addressed in Revision 14. The Permittees must revise this comment or cite (and submit) Revision 14 as the implementing procedure.

3. CBFO CAR 10-025 was written to address the following Condition Adverse to Quality (**CAQ**): "During visual examination (VE) in TA-55 and TA-50, the CCP VE operators record their field observations manually on data forms. These are surveyed out and the data are then transferred to electronic versions of the VE data sheets for the output container that are included in the BDR. The original handwritten field record is destroyed after the data are entered in the final VE data sheets. Therefore, the ITR does not have an opportunity to verify the data have been properly transferred and reduced from the field records."

Section B3-10a(1) of CCP-PO-001 is cited as a requirement that was violated. Section B3-10a(1) of CCP-PO-001 and the Permit require that the independent technical reviewer ensure that "QAOs have been met according to the methods outlined in Sections B3-2 through B3-9."

A requirement of the Corrective Action Plan (**CAP**) was that CCP-TP-113 be revised to require that field records (raw data) be included in the BDR. Question 314 of the B6 Checklist, which corresponds to Permit Section B3-4b (VE QAOs), includes the following statement in the Comments column: "Precision, accuracy, and completeness are verified during ITR review per CCP-TP-113 and CCP-TP-069." However, Revision 13 of CCP-TP-113 (included in the Audit Report) does not include the requirement that the raw data is included in the BDR, and therefore the above statement is not supported because the ITR cannot "verify the data have been properly transferred and reduced from the field records," and therefore cannot meet the Precision QAO. The Permittees must revise the comment to note that CAR 10-025 was written to address the requirement and cite (and submit) Revision 14 of CCP-TP-113 as the implementing procedure.

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 13, 2009

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RE: NMED APPROVAL OF THE SAVANNAH RIVER SITE/CENTRAL CHARACTERIZATION PROJECT AUDIT A-09-01
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088

Dear Dr. Moody and Mr. Sharif:

On January 28, 2009, the New Mexico Environment Department (**NMED**) received the Final Audit Report of the Savannah River Site/Central Characterization Project (**SRS/CCP**) Audit Number A-09-01 (**Audit Report**), from the Department of Energy's Carlsbad Field Office (**CBFO**). CBFO and Washington TRU Solutions 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 Condition II.C.2.c. The intended scope of this annual recertification audit was to ensure the continued adequacy, implementation, and effectiveness of the SRS/CCP waste characterization and certification activities for Summary Category Groups S4000 soils/gravel and S5000 debris contact-handled (**CH**) wastes and S5000 debris remote-handled (**RH**) waste, and to initially certify S3000 homogeneous solids CH waste characterization activities. The Audit Report consisted of the following items:

- A narrative report (hardcopy and electronic)
- Completed copies of Permit Attachment B6 checklists (hardcopy and electronic)
- Final SRS/CCP standard operating procedures (hardcopy and electronic)
- Corrective action reports and items corrected during the audit

- Objective evidence examined during the audit
  - General information
  - Acceptable knowledge (**AK**)
  - Headspace gas
  - Real time radiography
  - Visual examination

NMED representatives observed the SRS/CCP audit on October 28-30, 2008 in Aiken, South Carolina and Carlsbad, New Mexico. NMED has examined the Audit Report for evidence of compliance with the requirements of Permit Conditions II.C.2 (Audit and Surveillance Program) and II.C.1 (Waste Analysis Plan [**WAP**]). The Audit Report indicates that there were

- Two WAP-related conditions adverse to quality requiring the issuance of CBFO corrective action reports that were corrected prior to submittal of the Audit Report;
- Two deficiencies requiring only remedial actions that were corrected during the audit; and
- One recommendation identifying an opportunity for improvement.

Attached are NMED's general comments based upon observation of the SRS/CCP audit and 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 requests that the Permittees correct the items listed in the attachment and return them, indicating revisions to any text in the Audit Report and checklists with redline/strikeout annotation. This will ensure the administrative record contains a complete and accurate Audit Report.

The Audit Report states that the sampling and analysis of S4000 soils/gravel waste for SRS/CCP is performed by Idaho National Laboratory (**INL**), which is approved under a separate certification. The audit team reviewed an existing Waste Stream Profile Form for an S4000 waste stream, and noted that SRS/CCP had performed no characterization activities on S4000 waste since the recertification audit A-06-01 in October 2005.

The Audit Report further states that sampling and analysis of S3000 homogeneous solid waste, which will also be performed at INL, had not taken place at the time of the audit and, as a result, the adequacy, implementation, and effectiveness of solids sampling and analysis were indeterminate. Although the Audit Report addresses the other characterization activities required for S3000 homogeneous solid wastes (i.e., AK and radiography), it makes clear that the Permittees will need to perform an additional oversight activity to complete the solids sampling and analysis portion of the audit.

NMED concludes that this Audit Report demonstrates that SRS/CCP has implemented the applicable characterization requirements of the WAP, with the limitations to solids sampling and analysis identified above. Therefore, NMED approves the Permittees' Final Audit Report for SRS/CCP Audit A-09-01 for the recertification of S4000 soils/gravel and S5000 debris CH wastes and S5000 debris RH waste, and the initial certification of S3000 homogeneous solids CH waste characterization activities, and amends the previous Audit Report approval for Audit A-08-

01 issued by NMED on February 25, 2008 to include all waste forms and processes evaluated by this recertification and initial audit. This approval excludes solids sampling and analysis of S3000 homogeneous solid CH waste because the Audit Report found the adequacy, implementation, and effectiveness of this component of the overall waste characterization program to be indeterminate. This approval also limits solids sampling and analysis of S4000 soils/gravel waste to being performed at INL.

This Audit Report approval is of the broad programmatic implementation of waste characterization requirements at the generator/storage site, 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 me at (505) 476-6016 or Steve Zappe at (505) 476-6051.

Sincerely,

James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:soz

cc: Marcy Leavitt, NMED WWMD
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Connie Walker, Trinity Engineering
Don Hancock, SRIC
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File: Red WIPP '09

NMED COMMENTS ON THE SAVANNAH RIVER SITE/CENTRAL CHARACTERIZATION PROJECT (SRS/CCP) FINAL AUDIT REPORT A-09-01

1. In question 56 of the B6 Checklist, there is a need to cite another portion of procedure CCP-TP-002 to fully answer the question. That citation would be Attachment 2.

2. In question 233a of the B6 checklist, the citation CCP-TP-053, S. 4.2.2 (NOTE) does not exist.

3. In question 235 of the B6 checklist, the cited procedure, CCP-TP-001, S. 3.1 requires the SPM to review 100% of BDRs, but does not completely answer the question. However, NMED recommends other procedures that may provide a more complete answer. For example, CCP-TP-030 appears to require the WCO to certify that each CH container has met all WAP requirements; Attachment 2 of this procedure is a *partial* example of the WCO review form from the WWIS. Although only part of this WWIS form is included in the example, NMED presumes this procedure and the complete WWIS form should satisfy the requirements for VE and/or RTR of 100% of the containers accepted for storage and disposal at WIPP.

4. In question 240 of the B6 checklist, the cited procedure, CCP-TP-066, should not be included in the B6 checklist. CCP-TP-066, Section 1.1, states, "This procedure will NOT be used to certify waste. As a result, CCP-PO-001, CCP Transuranic Waste Characterization Quality Assurance Project Plan, will NOT apply." NMED believes that it is inappropriate for the Permittees to cite a procedure that is not subject to the requirements of the generator site's QAPjP, and, therefore, the Permit. The Permittees must remove this procedure from the B6 checklist.

5. In question 241 of the B6 checklist, the citation CCP-TP-053, S. 2.3 {B] should be S. 2.3.1 [B]. Additionally, S. 4.4.2 [C] does not appear to be an appropriate answer because it has to do with scanning 100% of the container. The question asks about the RTR system's ability to vary the voltage to control image quality and provide maximum penetration of the waste.

6. As requested by NMED during Audit A-09-01, the Permittees added question 314 to the B6-6 checklist for VE. NMED acknowledges that the Permittees have submitted a Class 1 PMR to add this question to the Permit.

7. NMED notes that the procedures cited in many of the B6 checklist questions for Audit Report A-09-01 are different from those in the B6 checklist from last year's SRS/CCP Audit Report A-08-01. NMED requests that the Permittees discuss the following issues in the comments column of the B6 checklist, as appropriate:

- when the same procedures from the prior year's audit report are cited, a discussion of whether and how any revisions to the cited procedures impact the specific B6 question;

- when the same procedures from the prior year's audit report are *not* cited, a discussion of why different procedures are cited; and
- any other relevant information regarding the cited procedures and/or objective evidence.