



State of New Mexico **ENTERED**
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

July 27, 2017

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

Bruce C. Covert, Project Manager
Nuclear Waste Partnership, LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-2078

**RE: NMED APPROVAL OF THE OAK RIDGE NATIONAL LABORATORY/CENTRAL
CHARACTERIZATION PROGRAM (ORNL/CCP) FINAL AUDIT REPORT A-17-21
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Shrader and Covert:

On June 15, 2017, the New Mexico Environment Department (“NMED”) received the Final Audit Report of the Oak Ridge National Laboratory/Central Characterization Program (ORNL/CCP) Audit A-17-21, from the Department of Energy’s Carlsbad field Office (“CBFO”). CBFO and Nuclear Waste Partnership LLC (“NWP”) (collectively, “the Permittees”) were required to submit the Audit Report under the Waste Isolation Pilot Plant (“WIPP”) Hazardous Waste Facility Permit (“Permit”), as specified in Permit Section 2.3.2.3. The intended scope of Audit A-17-21 was to ensure the continued adequacy, implementation, and effectiveness of the ORNL/CCP waste characterization program for contact handled (CH) Summary Category Groups (SCGs) S3000 solids, S4000 soils/gravel, S5000 debris wastes, and remote-handled (RH) SCG S5000 debris waste relative to the requirements of the WIPP Permit.

Audit activities were conducted at the ORNL facilities in Oak Ridge, Tennessee, and at the Skeen-Whitlock Building in Carlsbad, New Mexico from April 18-20, 2017. NMED has examined the audit report for evidence of compliance with the requirements of Permit Sections 2.3.1 (Waste Analysis Plan [WAP]) and 2.3.2 (Audit and Surveillance Program).



The Audit Report consisted of the following items in hard copy and electronic format:

- A final narrative report
- Copies of relevant Permit Attachment C6 checklists
- Copies of ORNL/CCP standard operating procedures for characterizing of the waste categories listed above
- Objective evidence examined during the audit:
 - General Information
 - Acceptable Knowledge (AK)
 - Real-time Radiography (RTR)
 - Visual Examination (VE)

According to the Final Audit Report, the audit team concluded that, based on personnel interviews, observations of operations, and review of associated documentation and records, the ORNL/CCP transuranic (TRU) waste characterization program and activities for characterizing CH and RH S5000 debris waste and CH SCG S4000 soils/gravel waste are adequately established, satisfactorily implemented, and effective in achieving desired results. The audit team did not evaluate batch data reports or field activities for characterizing CH SCG S3000 solids waste during this audit due to inactivity of the SCG. The AK auditors also concluded that, with respect to the AK requirements in the Permit-WAP, the CCP processes applied to the four waste streams (OR-NFS-CH-HOM-A, OR-NFS-CH-SOIL, OR-REDC-CH-HET and OR-REDC-RH-HET) representing the four SCGs that were examined during the Audit and are adequate with respect to procedural compliance with Permit-WAP requirements. The audit team identified no Permit-WAP related concerns during the audit. The audit team did identify four non-Permit-WAP related concerns and offered two non-Permit-WAP related recommendations. These non-Permit-WAP concerns are described in the Interim Audit Report that was issued by CBFO on May 11, 2017.

NMED concludes that the Final Audit Report for Audit A-17-21 demonstrates that ORNL/CCP has implemented the applicable characterization requirements of the Permit-WAP, and hereby approves the Permittees' Final Audit Report for ORNL/CCP Audit A-17-21. NMED also amends the previous audit report approval for Final Audit Report A-16-15, issued by NMED on March 9, 2017, 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 ORNL/CCP, and does not constitute approval of individual waste characterization procedures, or 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.

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

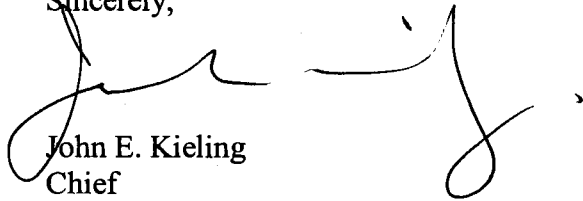
Messrs. Shrader and Covert

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If you have any questions regarding this matter, please contact Ricardo Maestas at (505) 476-6050.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Kieling". The signature is fluid and cursive, with a large initial "J" and a long horizontal stroke.

John E. Kieling

Chief

Hazardous Waste Bureau

cc: R. Maestas, NMED HWB
D. Biswell, NMED HWB
S. Lucas-Kamat, NMED DOEOB
L. King, EPA Region 6
T. Peake, EPA ORIA
File: WIPP '17

NMED COMMENTS ON THE ORNL/CCP A-17-21 FINAL AUDIT REPORT

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 comments for the Permittees consideration:

- 1) The following CCP Procedures were referenced in the C6 Checklists but were not included in the Final Audit Report:
 - CCP-PO-002
 - CCP-PO-047
 - CCP-TP-033
 - CCP-TP-068
 - CCP-TP-507

- 2) Note typographical error for question 56a; CCP-TP-001 should be CCP-PO-001.

- 3) Note typographical error for question 59; CCP-TP-05 should be CCP-TP-053.