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Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

January 23, 2018

Todd Shrader, Manager
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Department of Energy
P.O. Box 3090
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Bruce C. Covert, Project Manager
Nuclear Waste Partnership, LLC
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RE: NMED APPROVAL OF THE LOS ALAMOS NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROJECT (LANL/CCP) FINAL AUDIT REPORT A-17-17 WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088

Dear Messrs. Shrader and Covert:

On August 9, 2017, 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-17-17 (“Audit Report”), from the Department of Energy’s Carlsbad Field Office (“CBFO”). The CBFO and Nuclear Waste Partnership, LLC (together “the Permittees”) were required to submit the 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 the annual recertification audit was to ensure the continued adequacy, implementation, and effectiveness of the LANL/CCP waste characterization processes for retrievably stored contact-handled (“CH”) Summary Category Groups (“SCGs”) S3000 homogeneous solids, S4000 soils/gravel, and S5000 debris waste, relative to the requirements of the WIPP Permit.

NMED representatives observed Audit A-17-17 on May 16th through 18th, 2017, and have examined the audit reports 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 Final Audit Report consisted of the following items:

- A narrative report;
- Completed copies of relevant Permit Attachment C6 checklists;
- List of final LANL/CCP standard operating procedures; and
- Objective evidence examined during the audit.

Interim Audit Report A-17-17, issued by CBFO on June 16, 2017, identified five non-WAP-related concerns resulting in the issuance of one Corrective Action Report ("CAR"), one minor isolated deficiency that was corrected during the audit ("CDA"), and three Observations.

Final Audit Report A-17-17, indicated that the audit team concluded that, based on personnel interviews, observations of operations, and review of associated documentation and records, the LANL/CCP TRU waste characterization program and activities for characterizing CH SCGs S3000 solids, CH SCG S4000 soils/gravel, and S5000 debris wastes are adequately established, and in most instances, satisfactorily implemented and effective in achieving the desired results. Batch Data Reports ("BDRs") and field activities for characterizing SCG S3000 solids waste were not evaluated during this audit regarding the area of Visual Examination ("VE") due to inactivity for this SCG. Further, VE work associated with the Off-Site Source Recovery Program ("OSRP") is ongoing; however, objective evidence was not provided for review during the audit so the VE process associated with OSRP implementation and effectiveness was deemed indeterminate. Additionally, the WIPP Waste Information System/Waste Data System ("WWIS/WDS") was also deemed indeterminate due to inactivity in all SCGs. No WAP-related deficiencies regarding Permit Table C6-2 Acceptable Knowledge Checklist were identified during the audit. The AK auditors concluded that with respect to the AK requirements in the WAP, the CCP processes, procedures reviewed, and objective evidence assembled applicable to the three waste streams examined provided evidence confirming that the applicable requirements for AK are adequately established for compliance with upper tier requirements. However, evidence of all completed requisite enhanced AK products was not provided for review. Therefore, the audit team concluded that until all enhanced AK requirements are implemented, the AK process implementation and effectiveness must be deemed indeterminate. The audit team identified no WAP-related deficiencies during the Audit.

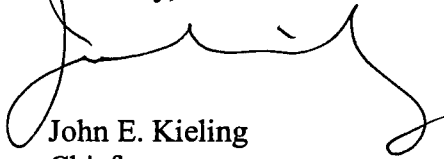
NMED concludes that the Final Audit Report demonstrates that LANL/CCP has implemented the applicable characterization requirements of the WAP during the applicable timeframe and hereby approves LANL/CCP Final Audit Report A-17-17. NMED also amends the previous final audit report approval for Final Audit Report A-16-19, issued by NMED on April 19, 2017, to include only those waste forms and processes evaluated by these recertification audits.

The audit report approval for Final Audit Report A-17-17 is only approval of the broad programmatic implementation of waste characterization requirements at LANL/CCP, and does not constitute approval of individual waste characterization procedures, or inappropriate applications of those procedures. This approval also does not relieve the Permittees of their obligation to comply with the requirements of the permit or other applicable laws and regulations.

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,



John E. Kieling
Chief
Hazardous Waste Bureau

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