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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 11, 2019

Todd A. Shrader, Manager
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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 IDAHO NATIONAL LABORATORY/CENTRAL
CHARACTERIZATION PROGRAM (INL/CCP) FINAL AUDIT REPORT A-17-23
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Shrader and Covert:

On September 7, 2017, the New Mexico Environment Department ("NMED") received the Final Audit Report for Audit A-17-23 for the Idaho National Laboratory/Central Characterization Program ("INL/CCP"), in a letter dated September 6, 2017. The US Department of Energy ("DOE") and Nuclear Waste Partnership LLC (NWP) (collectively the "Permittees") were required to submit the Final 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-17-23 was to ensure the continued adequacy, implementation, and effectiveness of the INL/CCP waste characterization for remote-handled ("RH") Summary Category Groups ("SCGs") S3000 solids and S5000 debris wastes relative to the requirements of the WIPP Permit, as well as verification that a generator site technical review had been performed of the site processes. The contact-handled ("CH") SCGs S3000 homogeneous solids, S4000 soils, and S5000 debris wastes were also evaluated to confirm completion of enhanced Acceptable Knowledge ("AK") activities for containers that had been previously certified.

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The Final Audit Report consisted of the following items:

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

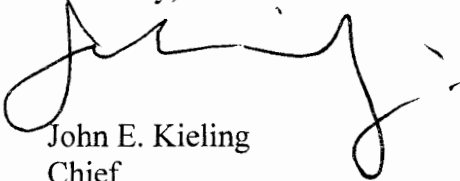
NMED representatives observed Audit A-17-23 on June 13-15, 2017. Additionally, NMED has examined the Final Audit Report for evidence of compliance with the requirements of Permit Sections 2.3.1 [Waste Analysis Plan (“WAP”)] and 2.3.2 (Audit and Surveillance Program).

Attached are NMED's general comments and conclusions based upon observation of the audit and review of the Final Audit Report. Based on NMED's review and conclusions, NMED hereby approves INL/CCP Final Audit Report A-17-23. NMED also amends the previous final audit report approvals for Final Audit Reports A-14-18, A-15-18, and A-16-18 issued by NMED on March 17, 2017, to include only those waste forms and processes evaluated by these recertification audits.

The audit report approval for Final Audit Report A-17-23 is an approval of the broad programmatic implementation of waste characterization requirements at INL/CCP, and do 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.

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

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: R. Maestas, NMED HWB
S. Lucas-Kamat, NMED DOE/OB
L. King, EPA Region 6
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M. Brown, DOE CBFO
A. Stone, DOE CBFO
R. Chavez, NWP
File: WIPP '19

NMED Comments and Conclusions for INL/CCP Final Audit Report A-17-23

Interim Audit Report A-17-23, issued by DOE on July 13, 2017, indicated that the audit team identified three non-WAP-related concerns, one of which was determined to be a condition adverse to quality ("CAQ") resulting in issuance of a corrective action report ("CAR"). Another concern was corrected during the audit ("CDA") and the remaining concern resulted in one Observation.

Final Audit Report A-17-23, issued by DOE on September 6, 2017, identified no WAP-related concerns or deficiencies during the audit. Overall, the audit team concluded that the INL/CCP technical and Quality Assurance ("QA") programs evaluated were adequately established for compliance with upper-tier requirements and were satisfactorily implemented and effective in achieving the desired results. The audit team was unable to verify full implementation of the enhanced AK and any waste certification activities; therefore, the areas of AK and WIPP Waste Information System (WWIS)/Waste Data System (WDS) were deemed indeterminate. The Final Audit Report verified that the INL/CCP program for waste characterization and certification activities continues to be adequate, satisfactorily implemented, and effective with regard to Permit requirements.

NMED concludes that Final Audit Report A-17-23 demonstrates that INL/CCP has implemented the applicable characterization requirements of the WAP during the applicable timeframe.