



Michelle Lujan Grisham
Governor

Howie C. Morales
Lt. Governor

NEW MEXICO  **ENTERED**
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov

CERTIFIED MAIL - RETURN RECEIPT REQUESTED



James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

July 15, 2019

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 ADVANCED MIXED WASTE TREATMENT PROJECT (AMWTP)
FINAL AUDIT REPORT A-18-04
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Shrader and Covert:

On January 18, 2019, the New Mexico Environment Department ("NMED") received the Final Audit Report for Audit A-18-04 for the Advanced Mixed Waste Treatment Project ("AMWTP"), in a letter dated January 17, 2019. The Department of Energy's Carlsbad Field Office ("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 Part 2, Section 2.3.2.3.

The intended scope of Audit A-18-04 was to ensure the continued adequacy, implementation, and effectiveness of the AMWTP waste characterization process for contact-handled ("CH") Summary Category Groups ("SCGs") S3000 homogenous solids, S4000 soils/gravel, and S5000 debris wastes relative to the requirements of the WIPP Permit.

The Final Audit Report consisted of the following items:

- A narrative report;

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- Completed copies of the relevant Permit Attachment C6 checklists;
- List of final AMWTP standard operating procedures; and
- Objective evidence examined during the audit.

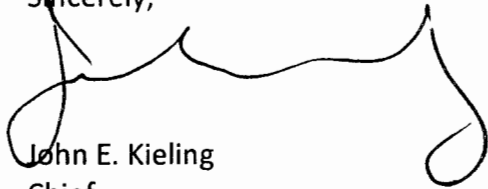
NMED representatives observed Audit A-18-04 on August 27 - 30, 2018. Additionally, NMED has examined the Final Audit Report for evidence of compliance with the requirements of Permit Part 2, Sections 2.3.1 (Waste Analysis Plan ("WAP")) and 2.3.2 (Audit and Surveillance Program).

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 AMWTP Final Audit Report A-18-04 and amends the previous final audit report approval for Final Audit Report A-17-04 issued by NMED on December 28, 2017, to include only those waste forms and processes evaluated by this recertification audit.

The audit report approval for Final Audit Report A-18-04 is an approval of the broad programmatic implementation of waste characterization requirements at AMWTP 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.

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
T. Peake, EPA ORIA
File: WIPP '19

**NMED Comments and Conclusions for the AMWTP
Final Audit Report A-18-04**

Interim Audit Report A-18-04, issued by DOE on September 27, 2018, indicated that the audit team identified fourteen concerns. Of the fourteen concerns, one WAP-related and six non-WAP-related concerns were determined to be conditions adverse to quality ("CAQs") resulting in issuance of seven corrective action reports ("CARs"). There were also three Observations, one of which was WAP-related, and four Recommendations offered for management consideration.

Final Audit Report A-18-04, issued by DOE on January 17, 2019, verified that that AMWTP program for characterization and certification activities continues to be adequate, satisfactorily implemented, and effective with regard to Permit requirements. As discussed above, the audit team identified one WAP-related CAR, CAR 18-054, regarding a quarterly report not being submitted either for Visual Examination or Real-Time-Radiography ("RTR") for the 4th calendar quarter in 2016 and 2017 and one WAP-related Observation regarding an RTR qualification package not addressing the discussion of identifying prohibited items although this is covered in the required reading of AMWTP's Quality Assurance Project Plan.

No WAP-related deficiencies regarding Permit Attachment C6, Table C6-2 Acceptable Knowledge ("AK") Checklist were identified during the audit. The AK auditors concluded that with respect to the AK requirements in the WAP, the AMWTP processes applied to the reviewed waste streams representing the SCGs examined are adequately established for compliance with upper-tier requirements; satisfactorily implemented; and effective in achieving the desired results. However, the implementation and effectiveness of the enhanced AK products, and Waste Stream Profile Form process for waste stream ID-SDA-SOIL from the CH S4000 SCG, must be deemed indeterminate until all AK requirements can be demonstrated for the SCG.

NMED concludes that Final Audit Report A-18-04 demonstrates that AMWTP has implemented the applicable characterization requirements of the WAP during the applicable timeframe. NMED will check the status of the above mentioned WAP-related concerns and the enhanced AK products during the next AMWTP Audit.