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CERTIFIED MAIL - RETURN RECEIPT REQUESTED



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Jennifer J. Pruett
Deputy Secretary

July 15, 2019

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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 OAK RIDGE NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROGRAM (ORNL/CCP) FINAL AUDIT REPORT A-18-13 WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088

Dear Messrs. Shrader and Covert:

On July 13, 2018, the New Mexico Environment Department ("NMED") received the Final Audit Report of the Oak Ridge National Laboratory/Central Characterization Program ("ORNL/CCP") Audit A-18-13, in a letter dated July 10, 2018. The Department of Energy's Carlsbad Field Office ("DOE") 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 Part 2, Section 2.3.2.3.

The intended scope of Audit A-18-13 was to ensure the continued adequacy, implementation, and effectiveness of the ORNL/CCP waste characterization process for contact-handled ("CH") Summary Category Groups ("SCGs") S4000 soils/gravel and S5000 debris wastes as well as Remote-handled ("RH") SCG S5000 debris waste relative to the requirements of the WIPP Permit.

The Final Audit Report consisted of the following items:

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

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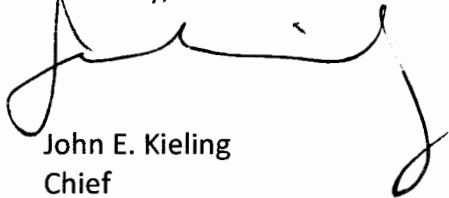
NMED representatives observed Audit A-18-13 on March 26-28, 2018. Additionally, NMED has examined the Final Audit Report for evidence of compliance with the requirements of Permit Part 2, Sections 2.3.1 [Waste Analysis Plan ("WAP")] and 2.3.2 (Audit and Surveillance Program).

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 ORNL/CCP Final Audit Report A-18-13 and amends the previous final audit report approval for Final Audit Report A-17-21 issued by NMED on July 27, 2017, to include only those waste forms and processes evaluated by this recertification audit.

This audit report approval is an approval 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.

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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A. Stone, DOE CBFO
R. Chavez, NWP
File: WIPP '19

**NMED Comments and Conclusions for ORNL/CCP
Final Audit Report A-18-13**

Interim Audit Report A-18-13, issued by DOE on April 17, 2018, indicated that the audit team identified one non-WAP-related concern during the audit. The concern was minor in nature and resulted in a Recommendation to management.

Final Audit Report A-18-13, issued by DOE on July 10, 2018, indicated that the audit team identified no WAP-related concerns during the audit. 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 ORNL/CCP 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, there was no evidence of completed requisite *enhanced* AK products for SCGs S4000 or S5000 provided for review during the audit; therefore, the AK process was deemed indeterminate. Overall, the audit team concluded that the ORNL/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-18-13 demonstrates that ORNL/CCP has implemented the applicable characterization requirements of the WAP during the applicable timeframe.