October 16, 2019

Dear Messrs. Lachman and Dunagan:

On August 14, 2019, the New Mexico Environment Department ("NMED") received the Final Audit Report of the Los Alamos National Laboratory/Central Characterization Program ("LANL/CCP") Audit A-19-18, in a letter dated August 12, 2019. The US Department of Energy ("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-19-18 was to ensure the continued adequacy, implementation, and effectiveness of the LANL/CCP waste characterization process for contact-handled ("CH") Summary Category Groups ("SCGs") S3000 solid waste, 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;
- Completed copies of the relevant Permit Attachment C6 checklists;
- List of final LANL/CCP standard operating procedures; and
• Objective evidence examined during the audit.

NMED representatives observed Audit A-19-18 May 21 - June 3, 2019. 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. NMED hereby approves LANL/CCP Final Audit Report A-19-18 and amends the previous final audit report approval for Final Audit Report A-18-14 issued by NMED on April 11, 2019, to include only those waste forms and processes evaluated by this recertification audit.

This final audit report approval is an approval of the broad programmatic implementation of WAP-related waste characterization requirements at LANL/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
     D. Biswell, NMED HWB
     M. McLean, NMED HWB
     B. Masse, NMED DOE/OB
     L. King, EPA Region 6
     T. Peake, EPA ORIA
     File: WIPP ‘19
NMED Comments and Conclusions for LANL/CCP Final Audit Report A-19-18

NMED notes that the LANL/CCP Final Audit Report for Audit A-19-18 was submitted under the revised report format where both WAP and Non-WAP information is summarized. The Final Audit Report indicated that the audit team identified no WAP-related concerns during the audit. Five non-WAP-related concerns were identified with two resulting in the issuance of corrective action reports (“CARs”), two were determined to be isolated cases requiring only remedial action and corrected during the audit (“CDA”) and one was classified as an observation. The audit team offered one recommendation for management consideration.

The processes for characterizing CH SCGs S3000 solids and S5000 debris wastes were satisfactorily implemented and effective in achieving the desired results. However, for CH SCG S4000 soils/gravel waste, characterization activities have not been performed, and batch data reports (“BDRs”) have not been generated, for an extended period of time due to inactivity for this SCG. Furthermore, BDRs for visual examination (“VE”) processes and field activities for characterizing CH SCG S3000 solids waste were not evaluated during this audit due to inactivity for this SCG. Additionally, no WAP-related concerns in the area of Acceptable Knowledge were identified.

NMED concludes that Final Audit Report A-19-18 demonstrates that LANL/CCP has implemented the applicable characterization requirements of the WAP during the applicable timeframe.