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January 11, 2021

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Sean Dunagan, Project Manager
Nuclear Waste Partnership, LLC
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RE: NMED APPROVAL OF THE ARGONNE NATIONAL LABORATORY/CENTRAL CHARACTERIZATION PROGRAM (ANL/CCP) FINAL AUDIT REPORT A-20-17 WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088

Dear Messrs. Knerr and Dunagan:

On September 9, 2020, the New Mexico Environment Department ("NMED") received the Final Audit Report of the Argonne National Laboratory/Central Characterization Program ("ANL/CCP") Audit A-20-17, in a letter dated September 9, 2020. The Department of Energy ("DOE") and Nuclear Waste Partnership, LLC ("NWP") (collectively the "Permittees") submitted the Final Audit Report as required by the Waste Isolation Pilot Plant ("WIPP") Hazardous Waste Facility Permit ("Permit"), as specified in Permit Part 2, Section 2.3.2.3.

The scope of Audit A-20-17 was to ensure the continued adequacy, implementation, and effectiveness of the ANL/CCP waste characterization for characterizing remote-handled ("RH") Summary Category Groups (SCGs) S5000 debris wastes relative to the requirements of the WIPP Permit.

In order to decrease the potential development, spread, and impact of Coronavirus-19 ("COVID-19") and due to COVID-19 travel restrictions, the audit team did not travel to the ANL site. Audit activities were conducted via teleconference. NMED acknowledges that although no field activities were evaluated at the ANL facilities, the Final Audit Report indicated verification of compliance was demonstrated through review of Batch Data Reports, specific waste characterization process logbooks, and interviews conducted with appropriate operations and project management personnel. NMED understands the audit team will evaluate field activities during the next recertification audit, if not sooner, and will provide the results of their findings.

Messrs. Knerr and Dunagan
ANL-CCP A-20-17

The Final Audit Report consisted of the following items:

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

NMED representatives observed Audit A-20-17 on July 28 - 30, 2020. 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).

On April 24, 2020, NMED issued a letter to the Permittees entitled “*New Mexico Environment Department Guidance for the Hazardous Waste Facility Permit Audit and Surveillance Program During COVID-19 Preventative Measures*”. In response to this letter, the Interim and Final Audit Report documents, in detail, the actions taken by auditors and technical specialists to verify compliance to WAP requirements.

Attached are NMED’s general comments and conclusions based upon observation of the audit and review of the Final Audit Report. NMED hereby approves ANL/CCP Final Audit Report A-20-17 to include only those waste forms and processes evaluated by this recertification audit. NMED also amends the previous final audit report approval for Final Audit Report A-18-17 and A-19-24 were issued by NMED on October 10, 2019, to include only those waste forms and processes evaluated by these recertification audits.

This letter represents an approval of the broad programmatic implementation of WAP-related waste characterization requirements at ANL/CCP and does not constitute approval of individual waste characterization 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,

**Kevin
Pierard**  Digitally signed by
Kevin Pierard
Date: 2021.01.11
13:03:23 -07'00'

Kevin M. Pierard, Chief
Hazardous Waste Bureau

cc: R. Maestas, NMED HWB
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File: WIPP ‘21

NMED Comments and Conclusions for ANL/CCP Final Audit Report A-20-17

Final Audit Report A-20-17, issued by DOE on September 9, 2020, indicated that no WAP or non-WAP concerns were identified during the audit. No Observations or Recommendations were offered to management.

The audit team concluded that the ANL/CCP waste characterization program procedures for characterizing RH SCG S5000 debris waste were satisfactorily implemented and effective in achieving the desired results.

NMED concludes that Final Audit Report A-20-17 demonstrates that ANL/CCP has implemented the applicable waste characterization requirements of the WAP during the applicable timeframe.