



Department of Energy
Carlsbad Field Office
P. O. Box 3090
Carlsbad, New Mexico 88221
June 11, 2008

Mr. James Bearzi
Hazardous Waste Bureau
New Mexico Environment Department
2905 E. Rodeo Park Drive, Bldg. 1
Santa Fe, NM 87502

Subject: Request to Invoke Dispute Resolution Related to Final Audit Report A-07-12 of the Los Alamos National Laboratory/Central Characterization Project

Dear Mr. Bearzi:

This letter is to request that the provisions of the WIPP Permit Condition I, Section I.L, *Dispute Resolution*, be invoked regarding the New Mexico Environment Department (NMED) partial approval of the Final Audit Report for Audit A-07-12 of the Los Alamos National Laboratory Central Characterization Project (LANL/CCP).

We disagree with the NMED conclusion that the LANL/CCP failed to demonstrate compliance with the Waste Analysis Plan requirements for visual examination of remote-handled transuranic waste. Specifically, the NMED position that the loading of uniquely numbered cans of waste into drums is a visual examination activity requiring packaging logs or data forms signed and dated by two operators is incorrect.

We look forward to making all reasonable good faith efforts to informally resolve this dispute as described in Permit Condition I, Section I.L of the WIPP Hazardous Waste Facility Permit. We are available to meet or teleconference to discuss this issue at your convenience.

If you have any questions, please contact me at (575) 234-7300.

Sincerely,

Original Signature on File

David C. Moody
Manager

cc:
C. Gadbury, CBFO * ED
A. Holland, CBFO ED
S. Zappe, NMED ED
R. Kehrman, WRES ED
D. Streng, WRES ED
L. Pastorello, WRES ED
WIPP Operating Record
CBFO M&RC
*ED denotes electronic distribution