



Department of Energy  
Washington, DC 20585

September 8, 2006

Mr. Richard D. Raaz  
President and General Manager  
Washington TRU Solutions, LLC  
P.O. Box 2078  
Carlsbad, NM 88221-2078

Subject: Waste Isolation Pilot Plant Enforcement Letter

Dear Mr. Raaz:

The Office of Price-Anderson Enforcement (OE) has conducted a preliminary evaluation of the deficiencies described in Noncompliance Tracking System (NTS) report NTS-CBFO-WIPP-WIPP-2006-0001. Our evaluation included review of the investigation/causal analysis and discussion with you and other site personnel during an informal conference held on August 1, 2006.

The subject NTS report described Quality Assurance (QA) deficiencies associated with the refurbishment of the Super High-Efficiency Neutron Counter (SuperHENC) non-destructive assay system. The SuperHENC had been acquired as excess material from the Rocky Flats Environmental Technology Site and was being refurbished by MCS under contract to the Washington TRU Solutions, LLC (WTS) Central Characterization Project (CCP).

Based upon receipt of a letter from MCS in February 2006, requesting relief from certain deliverables in the contract, WTS recognized that work had been performed without required contract submittals. Further investigation by WTS identified numerous instances of WTS procurement procedure noncompliance associated with the SuperHENC refurbishment which included the following:

- The supplier (MCS) was not on the WTS Quality Supplier List
- Quality inspection requirements were not established prior to the approval of the Purchase Requisition Change Notice
- Verbal change authorizations were provided to the supplier, rather than through the formal procurement change notice process
- All required submittals from the supplier were not in place prior to initiation of the work

- Two WTS individuals associated with the refurbishment project had not received training and qualification on the CCP QA Program.

WTS's investigation also noted the obvious similarities between the deficiencies identified in association with the SuperHENC and those associated with the 2003 transportainer fabrication project. That project also suffered from deficiencies in procedure compliance and use of unqualified personnel, due in large part to schedule pressures. Violations identified in association with the transportainer project were cited as part of EA-2004-08.

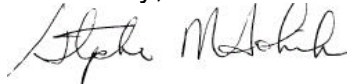
Based on our review, we have concluded that violations of 10 CFR 830.120 (Subpart A Quality Assurance Requirements) did occur in association with the SuperHENC refurbishment. I am particularly concerned that corrective actions undertaken in response to the earlier transportainer event did not prevent the recurrence of these deficiencies.

OE also recognizes, however, that the deficiencies associated with the SuperHENC refurbishment project were limited in safety significance and largely administrative in nature. Actual WTS oversight of the project was fairly rigorous, and involved a knowledgeable employee formerly responsible for SuperHENC operations at Rocky Flats. Unlike the prior transportainer event, no deficiencies were identified with the work actually performed, and no rework of completed work was required. WTS's identification of the deficiencies associated with the SuperHENC occurred much earlier than in the transportainer event, and the WTS follow-up investigation and corrective actions appear appropriate.

In recognition of the above, OE has determined that no formal enforcement action will be taken by our office at this time. We will continue to monitor your corrective actions and overall performance in this area. In this regard, I am requesting that you submit a copy of the effectiveness review that is currently planned after the completion of corrective actions.

No response to this letter is required. Should you have any questions, please contact me at (301) 903-0100 or have your staff contact Tony Weadock at (301) 903-4283.

Sincerely,



Stephen M. Sohinki  
Director  
Office of Enforcement  
Office of Health, Safety and Security

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