



Department of Energy
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 NOV 17 2008

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Mr. James Bearzi, Chief
 Hazardous Waste Bureau
 New Mexico Environment Department
 2905 Rodeo Park Drive East, Building 1
 Santa Fe, New Mexico 87505-6303

Subject: Transmittal of the Waste Isolation Pilot Plant Quarterly Progress Report for Solid Waste Management Unit Activities from August 1, 2008, through October 31, 2008

Dear Mr. Bearzi:

The purpose of this letter is to submit the subject report, as required by Permit Condition VII.I.1 of the Hazardous Waste Facility Permit No. NM4890139088-TSDF. This report addresses activities from August 1, 2008, through October 31, 2008. With the issuance, on October 23, 2008, of the Final Determinant, Class 3 Modification Request for No Further Action by the NMED, this Quarterly Progress Report will be the last report for this permit condition.

We certify under penalty of law that this document and all attachments were prepared under our direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on our inquiry of the person, or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of our knowledge and belief, true, accurate, and complete. We are aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

If you have any questions regarding this transmittal, please contact Mr. H. L. (Jody) Plum at (575) 234-7462.

Sincerely,

David C. Moody, Manager
 Carlsbad Field Office

M. F. Sharif, General Manager
 Washington TRU Solutions LLC

Enclosure

cc: w/enclosure
 S. Zappe, NMED *ED
 C. Walker, Trinity Engineering ED

cc w/o enclosure
 J. Kieling, NMED ED
 *ED denotes electronic distribution



Waste Isolation Pilot Plant

**November 2008 Quarterly Progress Report
for Solid Waste Management Unit Activities from
August 1, 2008 through October 31, 2008**

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List of Acronyms and Abbreviations

AOC	Area of Concern
HWFP	Hazardous Waste Facility Permit
NFA	No Further Action
NMED	New Mexico Environment Department
SWMU	Solid Waste Management Unit

1. Introduction

Permit Condition VII.I.1 of the Waste Isolation Pilot Plant (**WIPP**) Hazardous Waste Facility Permit (**HWFP**), number NM4890139088-TSDF, requires that the U.S. Department of Energy and Washington TRU Solutions LLC, hereafter referred to as the Permittees, submit quarterly progress reports within ninety (90) days of beginning Solid Waste Management Unit (**SWMU**) activities, and succeeding reports every 90 days thereafter until activities are complete. This report summarizes SWMU activities for August 1, 2008 through October 31, 2008.

This report contains the following items, as required by the HWFP:

- Description of the work completed;
- Estimate of the percentage of work completed;
- Summaries of findings;
- Summaries of problems or potential problems encountered and corrective actions implemented;
- Projected work for the next reporting period;
- Summaries of contacts pertaining to corrective action or environmental matters;
- Changes in key personnel;
- Changes in funding which may impact the completion date; and
- Summaries of implementation changes.

2. Description of the Work Completed

On April 20, 2007 the NMED approved the WIPP NFA Petition For SWMUs and AOCs. The NMED approved the petition as an Resource Conservation Recovery Act Facility Investigation. NMED then stated that the Permittees must submit a letter to the NMED requesting deletion of the SWMUs and AOCs listed on table 2 and 3 in Module VII, in order that they would be listed on a new table, table 4 entitled "SWMUs/AOCs Requiring No Further Action". This request has been completed and submitted on August 27, 2007. The public comment period ended October 30, 2007. On February 28, 2008 NMED published the intent to approve the permit modification and began the public comment period. Public comment ended May 6, 2008. No comments were received.

On October 23, 2008 the NMED approved the Class 3 Permit Modification that removed fifteen SWMUs from Module VII, Table 2, "SWMUS REQUIRING AN RFI" and 8 AOCs from Table 3' "AOCs INCLUDED IN THE PERMIT effective November 22, 2008.

As required by Permit Condition VII.I.1 of the WIPP HWFP, the quarterly progress

report has been prepared for submittal. Once the SWMUs and AOCs have been deleted from the permit, the Permittees anticipate no further activities pursuant to the provisions of Module VII that require quarterly reporting. Consequently, Quarterly Progress Reports will no longer be prepared and submitted unless additional SWMUs are discovered and require an RCRA Facility Investigation.

3. Estimate of the Percentage of Work Completed

The work is 100 percent complete.

4. Summaries of Findings

No findings were noted during this quarter.

5. Problems and Corrective Actions

No problems or potential problems were experienced during this quarter. Therefore no corrective actions have been implemented.

6. Projected Work for the next reporting period

Effective November 22, 2008, the HWFP will be modified to remove the 15 SWMUs and eight AOCs.

7. Summaries of Contacts

As stated NMED Approved the Class III Permit Modification and Notified the Permittees by Certified letter on October 23, 2008. published their intent to approve the permit modification on February 28, 2008. No additional contacts concerning SWMUs have been made this reporting period.

8. Changes in Key Personnel

There were no changes in key personnel this quarter.

9. Changes in Funding

There were no changes in funding this quarter.

10. Changes in Implementation

No changes in the implementation of the *WIPP Facility Work Plan for Solid Waste Management Units and Areas of Concern* (DOE, 2001) were made during this quarter. Starting the November quarter no Activity Reports or Workplan modifications will be made until additional SWMUs are defined.

11. **References**

DOE, 2001. *WIPP Facility Work Plan for Solid Waste Management Units and Areas of Concern*. DOE/WIPP-00-2001, Rev. 1.