



SUSANA MARTINEZ  
Governor

JOHN SANCHEZ  
Lieutenant Governor

NEW MEXICO  
ENVIRONMENT DEPARTMENT



ENTERED



*Hazardous Waste Bureau*

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DAVE MARTIN  
Secretary

RAJ SOLOMON, P.E.  
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

June 21, 2011

Edward Ziemianski, Acting Manager  
Carlsbad Field Office  
Department of Energy  
P.O. Box 3100  
Carlsbad, New Mexico 88221-3100

Farok Sharif, President  
Washington TRU Solutions LLC  
P.O. Box 2078  
Carlsbad, New Mexico 88221-5608

**RE: CERTIFICATION OF TRUPACT-III  
WASTE ISOLATION PILOT PLANT  
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Ziemianski and Sharif:

On June 16, 2011, the New Mexico Environment Department (NMED) received a certification by a New Mexico registered professional engineer (PE) for the TRUPACT-III project from the Department of Energy’s Carlsbad Field Office (CBFO). CBFO and Washington TRU Solutions LLC (the Permittees) were required to submit this certification under the Waste Isolation Pilot Plant (WIPP) Hazardous Waste Facility Permit as specified in Permit Section 1.7.11.2, which states in relevant part:

*...The Permittees shall not store or dispose TRU mixed waste in any modified portion of the facility (except as provided in 20.4.1.900 NMAC (incorporating 40CFR§ 270.42)) until the following conditions specified in 20.4.1.900 NMAC (incorporating 40 CFR §270.30 (1) (2)) are satisfied:*

- i. The Permittees have submitted to the Secretary, by certified mail or hand delivery, a letter signed by the Permittees and a New Mexico registered professional engineer stating that the facility has been constructed or modified in compliance with this Permit, and;*
- ii. The Secretary has either inspected the modified portion of the facility and finds it is in compliance with the conditions of this Permit; or waived the inspection or, within 15*

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*calendar days of the date of submission of the letter required above, has not notified the Permittees of his intent to inspect.*

The certification states that the WIPP Facility has been modified in compliance with the WIPP Hazardous Waste Facility Permit by completing modifications and installation of the following items:

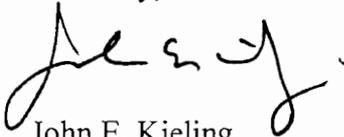
- 1) Remove concrete pad;
- 2) Install hood ventilation system;
- 3) Install bolting robot;
- 4) Install pallet dispenser;
- 5) Install VOC monitoring system;
- 6) Perform electrical work in Room 108;
- 7) Install bolt and cover / lid rack; and
- 8) Install payload transfer station.

On June 17, 2011, the NMED's DOE Oversight Bureau, on behalf of the Hazardous Waste Bureau, inspected the items identified in the PE certification, stating that the eight referenced projects were constructed in a manner that will allow waste handling operations to occur in the affected areas in compliance with the WIPP Hazardous Waste Facility Permit.

Based upon a review of the information provided in the certification and obtained during the inspection, NMED hereby finds that compliance with the requirements of the Permit are acceptable. The Permittees may now process waste utilizing the modified portions of the facility.

If you have any questions regarding this matter, please contact Steve Holmes of my staff at 505-476-6047.

Sincerely,



John E. Kieling  
Acting Chief  
Hazardous Waste Bureau

cc: J. Davis, NMED RPD  
S. Holmes, NMED HWB  
T. Kesterson, NMED, DOEOB  
T. Peake, EPA ORIA  
L. King, EPA Region 6  
C. Walker, Trinity Engineering Associates  
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