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RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

April 22, 2015

Jose R. Franco
Manager
Carlsbad Field Office
Department of Energy
P.O. Box 3090
Carlsbad, NM 88221-3090

Robert L. McQuinn
Project Manager
Nuclear Waste Partnership LLC
P.O. Box 2078
Carlsbad, NM 88221-2078

**RE: COMPLIANCE EVALUATION INSPECTION
USDOE WASTE ISOLATION PILOT PLANT
EPA ID# NM4890139088**

Dear Messrs. Franco and McQuinn:

Beginning August 5, 2014, the New Mexico Environment Department (NMED) conducted a hazardous waste Compliance Evaluation Inspection at USDOE Waste Isolation Pilot Plant (WIPP), located at 34 Louis Whitlock Drive, Carlsbad. Based on that inspection and review of the information obtained, NMED has determined that your facility is a Large Quantity Generator, a Transporter, and a Permitted Treatment, Storage and Disposal Facility of hazardous waste, as defined in the Notification of Regulated Waste Activity Instructions (EPA Form 8700-12). During this inspection, NMED's Compliance and Technical Assistance Program staff observed no violations of the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC).

At the time of the inspection WIPP was operating at limited capacity due to two February 2014 incidents. As a result of these two incidents, WIPP was operating under three administrative orders (AO) issued by NMED: 1) a February 27, 2014, AO ("Above-ground" Order); 2) a May 12, 2014, AO ("Underground" Order); and a May 20, 2014 AO ("Isolation" Order). WIPP's compliance with these Orders, in addition to the Permit requirements related to above ground activities and standard hazardous waste generator requirements were the focus of the inspection.

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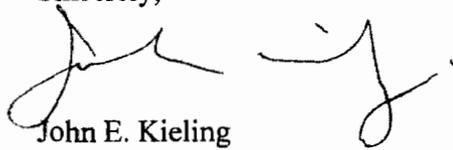
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Also at the time of the inspection NMED requested additional WIPP documentation, including: training records, and maintenance records and inspection data for numerous components of the facility. These documents are scheduled to be delivered to NMED and any findings that may result from a review of those documents will be addressed separately from this inspection.

Because NMED observed no violations, no further action is required at this time with respect to the inspection. However, this letter does not relieve WIPP of its obligation to comply with any other applicable laws and regulations.

If you have any questions regarding this letter, please contact Don Meyer of my staff at (505) 476-6021 or by email at don.meyer@state.nm.us.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

JEK:dm

cc: Steve Pullen, NMED HWB
Janine Kraemer, NMED HWB
Don Meyer, NMED HWB
R. Maestas, NMED HWB
Michael Kesler, NMED Acting District III Manager

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