



SUSANA MARTINEZ  
Governor  
JOHN A. SANCHEZ  
Lieutenant Governor

**ENTERED**

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**

**Hazardous Waste Bureau**

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BUTCH TONGATE  
Cabinet Secretary  
J. C. BORREGO  
Deputy Secretary

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

October 12, 2017

Todd Shrader, Manager  
Carlsbad Field Office  
Department of Energy  
P. O. Box 3090  
Carlsbad, New Mexico 88221-3090

Bruce C. Covert, Project Manager  
Nuclear Waste Partnership LLC  
P. O. Box 2078  
Carlsbad, New Mexico 88221-2078

**RE: NMED INSPECTION OF PHYSICAL ALTERATION TO THE PERMITTED FACILITY TO SUPPORT THE INSTALLATION OF THE SUPPLEMENTAL VENTILATION SYSTEM (SVS) WASTE ISOLATION PILOT PLANT EPA I.D. NUMBER NM4890139088**

Dear Messrs. Shrader and Covert:

On April 27, 2015, the New Mexico Environment Department (“NMED”) received a notification of planned change, dated April 22, 2015, from the Department of Energy Carlsbad Field Office (“CBFO”) and Nuclear Waste Partnership LLC (“NWP”) (collectively the “Permittees”), regarding plans to perform a physical alteration to the permitted facility. The alteration was to upgrade the Underground Ventilation System by adding the Supplemental Ventilation System (“SVS”).

On June 15, 2017, NMED received a Class 1 Permit Modification Notification (“Class 1 Notification”), dated June 14, 2017. Item nine of the Class 1 Notification updated the Underground Ventilation System description by adding descriptive text and figures regarding the SVS to Attachment A2, and descriptive text to Attachment G2, Table G2-9, of the Permit. On July 17, 2017, NMED received the certification by a New Mexico Registered Professional Engineer (“PE”) in support of the SVS installation. The PE certification was submitted, signed, and certified by the Permittees in compliance with the reporting requirements of Permit Section 1.7.11.2, which states in pertinent 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 40 CFR §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 calendar days of the date of submission of the letter required above, has not notified the Permittees of his intent to inspect.”

On August 29 and 30, 2017, NMED conducted an on-site inspection of the SVS installation. The inspection included an opening meeting followed by a full day of document review and interviews with personnel directly involved with the SVS installation and operations, including the PE who submitted the letter certifying the installation of the SVS. The inspection included the review and interviews with personnel on the following documents:

- Class 1 Permit Modification Notification, Permit Attachment A2 (ensuring Permit text is accurate and adequate);
- PE certification letter, Permit Part 1;
- SVS Engineering Start Up Test Report;
- SVS operational procedures (NMED reviewed 12 procedures);
- Underground evacuation process and map, Permit Attachment D;
- Process for inspecting Ventilation Exhaust, Permit Attachment E;
- Process for verifying Total Mine Air Flow, Permit Attachment O;
- Underground Openings Inspection records and procedures, Permit Attachment E;
- Previous Test and Balance Report, Permit Attachment O; and
- Discussions on next Test and Balance Report.

The inspection also included a tour of the underground, and a surface tour of the Central Monitoring Room (“CMR”) and the Waste Handling Building (“WHB”). During the underground inspection, NMED conducted a walkthrough of the underground where the SVS is located, including the locations of air and ground control monitors. NMED appreciated the opportunity to observe and ask questions during the underground contractor readiness review of the SVS operations. During the surface tour of the CMR, NMED observed how the SVS is directly monitored from that location, as well as the overall functions of the CMR during normal and emergency conditions. The tours were followed by a series of document reviews and interviews, and concluded with a closing meeting. NMED had no findings or concerns during the two-day inspection.

Messrs. Shrader and Covert

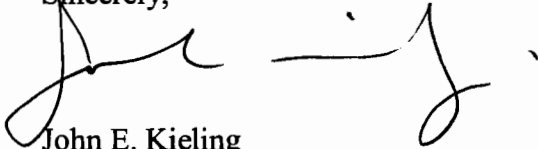
October 12, 2017

Page 3

Based upon a review of the information provided in the PE certification letter, observations of the SVS operations and information gathered during the inspection, NMED finds that the physical alterations to the permitted facility in support of the SVS installation were performed in compliance with the requirements of the Permit.

If you have any questions regarding this matter, please contact Ricardo Maestas of my staff at (505) 476-6050.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Kieling". The signature is fluid and cursive, with a large initial "J" and "K".

John E. Kieling

Chief

Hazardous Waste Bureau

cc: R. Maestas, NMED HWB  
D. Biswell, NMED HWB  
S. Lucas-Kamat NMED DOE OB  
L. King, EPA Region VI  
T. Peak, EPA ORIA  
File: WIPP '17