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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

April 13, 2018

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: SECOND REQUEST FOR EXTENSION OF TIME TO PERFORM ANNUAL RECERTIFICATION
AUDIT OF THE ADVANCED MIXED WASTE TREATMENT PROJECT, AUDIT A-18-04
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Shrader and Covert:

On March 26, 2018, the New Mexico Environment Department (“NMED”) received a Second Request for Extension of Time (“Second Request”), dated March 21, 2018, that was submitted by the Department of Energy (“DOE”). The Second Request seeks an extension of time to perform the annual recertification audit of the Advanced Mixed Waste Treatment Project (“AMWTP”), Audit A-18-04, from April 30, 2018 to August 31, 2018.

On December 1, 2017, NMED approved the first Request for Extension of Time that was submitted by DOE seeking an extension of time to perform this audit. NMED’s December 1, 2017 Approval provided for a deadline of April 30, 2018 to complete the audit.

These Requests were submitted pursuant to Part 1, Section 1.10.3 of the Hazardous Waste Facility Permit (“Permit”) which states:

“The Permittees may seek an extension of time in which to perform a requirement of this Permit, for good cause, by sending a written request for extension of time and proposed revised schedule to the Secretary. The request shall state the length of the requested extension and describe the basis for the request. The Secretary will respond in writing to any



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request for extension following receipt of the request. If the Secretary denies the request for extension, reasons for the denial will be stated."

DOE submitted the extension requests specific to the condition in Permit Attachment C6, Section C6-3, which states:

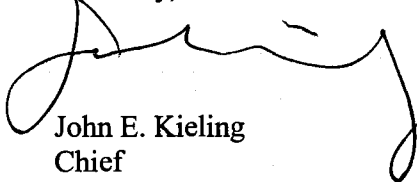
"Audits will be conducted at least annually for each site involved in the waste characterization program."

According to the Second Request, the extension, if granted, would require the AMWTP audit to be scheduled and completed no later than August 31, 2018. The reason for this Second Request, as submitted, is based on the time needed to address issues related to the AMWTP identified by DOE's Office of Environmental Management in December 2017. The issues are associated with the implementation of Chapter 18 of the Waste Isolation Pilot Plant ("WIPP") Documented Safety Analysis and readiness activities. The Second Request further states that NMED approval of the Second Request will allow additional time needed to implement the necessary requirements.

NMED hereby grants the Second Request and directs that CBFO complete the annual recertification audit of the AMWTP, Audit A-18-04, no later than August 31, 2018. CBFO must notify NMED once the recertification audit has been scheduled pursuant to Permit Part 2, Section 2.3.2.2. NMED notes that the last annual recertification audit completed by CBFO at AMWTP, Audit A-17-04, took place in December 2016. NMED also notes that CBFO conducted a surveillance of the Enhanced AK Process at AMWTP in December 2017.

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

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

- cc: R. Maestas, NMED HWB
D. Biswell, NMED HWB
H. Tellez, NMED HWB
M. McLean, NMED HWB
S. Lucas-Kamat, NMED DOE/OB
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File: WIPP 2018