



State of New Mexico **ENTERED**
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

April 18, 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: APPROVAL OF REQUEST FOR EXTENSION OF TIME TO PERFORM ANNUAL RECERTIFICATION
AUDIT OF THE HANFORD/CENTRAL CHARACTERIZATION PROGRAM
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Shrader and Covert:

On April 16, 2018, the New Mexico Environment Department (“NMED”) received the Department of Energy’s (“DOE”) and Nuclear Waste Partnership’s (“NWP”) (collectively, the “Permittees”) April 12, 2018 Request for Extension of Time (“Request”) to perform the Annual Recertification Audit for the Hanford/Central Characterization Program (“Hanford/CCP”). The Request was submitted pursuant to Part 1, Section 1.10.3, *Extension of Time*, of the Waste Isolation Pilot Plant (“WIPP”) 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 request for extension following receipt of the request. If the Secretary denies the request for extension, reasons for the denial will be stated.”



Messrs. Shrader and Covert
April 18, 2018
Page 2

The Permittees submitted the Request specific to the condition in Permit Attachment C6, Section C6-3, which states:

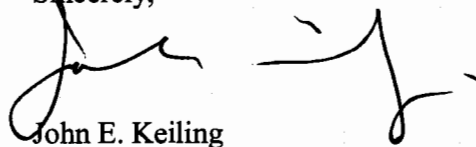
"Audits will be conducted at least annually for each site involved in the waste characterization program. "

The Permittees state in the Request that work at the Hanford site was last performed in August of 2011, with the overall Hanford/CCP being deactivated in fiscal year 2012 at which time shipments of waste to WIPP were discontinued. Desktop recertification audits have been performed annually since the deactivation of the Hanford/CCP through April of 2017, with the last Hanford/CCP Audit, Audit A-17-20, indicating that operations continue to be in a state of suspension. Therefore, the Request proposes a suspension of annual recertification audits at Hanford/CCP until waste characterization activities have resumed at the Hanford host site. According to the Request, once waste characterization activities have resumed, DOE will conduct a full site-specific audit.

NMED hereby grants the Request. It is understood, and NMED reiterates, that once waste characterization activities resume at the Hanford/CCP, the Permittees will conduct a full site-specific audit at the Hanford host site to evaluate compliance with the Permit, pursuant to Permit Part 2, Section 2.3.2; Attachment C, Section C-5a(3); and Attachment C6. NMED further reiterates that, pursuant to Permit Part 2, Section 2.3.2, the Permittees shall not manage, store, or dispose any new TRU mixed waste at WIPP from the Hanford/CCP until NMED has determined, by reviewing and approving a Hanford/CCP Final Audit Report, that waste characterization activities are compliant with Permit requirements. The Permittees will notify NMED once the recertification audit has been scheduled pursuant to Permit Part 2, Section 2.3.2.2. NMED further requests that the Permittees submit the formal DOE suspension of the Hanford/CCP certification, once issued, for our records.

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

Sincerely,



John E. Keiling
Chief
Hazardous Waste Bureau

cc: R. Maestas, NMED HWB
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File: WIPP 2018