



Michelle Lujan Grisham
Governor

Howie C. Morales
Lt. Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT
Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov

CERTIFIED MAIL - RETURN RECEIPT REQUESTED



James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

October 17, 2019

Kirk Lachman, Acting Manager
Carlsbad Field Office
Department of Energy
P.O. Box 3090
Carlsbad, New Mexico 88221-3090

Sean Dunagan, Project Manager
Nuclear Waste Partnership, LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-2078

**RE: APPROVAL OF REQUEST FOR EXTENSION OF TIME TO SUBMIT DOCUMENTATION
ASSOCIATED WITH CLOSURE OF PANELS 3, 4, 5, AND 6
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Lachman and Dunagan:

On October 11, 2019, the New Mexico Environment Department ("NMED") received the Department of Energy's ("DOE") and Nuclear Waste Partnership's ("NWP") (collectively, the "Permittees") October 9, 2019 Request for Extension of Time ("Request") to submit documentation associated with closure of Panels 3, 4, 5, and 6 at the Waste Isolation Pilot Plant ("WIPP"). The Request was submitted pursuant to Part 1, Section 1.10.3, *Extension of Time*, of the 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. "

The Permittees state in the Request that these panel closures were installed on August 22, 2019 therefore the certification of closure is due to NMED by October 21, 2019. The Request is seeking a 60-day extension of time to submit the certification for the following two reasons:



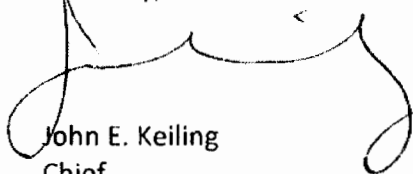
Messrs. Lachman and Dunagan
October 17, 2019
Page 2

- It has taken more time than anticipated for the Permittees to acquire the services of an independent New Mexico registered professional engineer to perform the closure certifications.
- The closure of Panels 3, 4, 5, and 6 represents the Permittees' first completion of panel closure in accordance with Permit Attachment G, Closure Plan. The Permittees would like to ensure that the requirements of the Permit and NMAC are accurately adhered to.

NMED hereby grants the Request. The closure documentation shall be submitted to NMED no later December 20, 2019.

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
D. Biswell, NMED HWB
M. McLean, NMED HWB
B. Masse, NMED DOE/OB
L. King, EPA Region 6
T. Peake, EPA ORIA
File: WIPP '19