



August 5, 2022

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

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

**Re: Submittal of Panel 8 Certification of Construction
Waste Isolation Pilot Plant
EPA I.D. Number NM4890139088**

Dear Messrs. Knerr and Dunagan,

On August 4, 2022, the New Mexico Environment Department (NMED) received a letter from the Department of Energy (DOE) and Nuclear Waste Partnership, LLC (collectively, the Permittees), dated August 4, 2022, submitting a certification of construction for Panel 8 Hazardous Waste Disposal Unit (HWDU) recently excavated at the Waste Isolation Pilot Plant (WIPP). A statement by a New Mexico registered professional engineer was signed and included as an enclosure. This certification of construction was submitted in compliance with the reporting requirements of Permit Part 1, Section 1.7.11.2, which states in relevant 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(l)(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."*

This purpose of this letter is to notify the Permittees of NMED's intent to inspect the modified portion of the facility as specified in Permit Part 1, Section 1.7.11.2.ii. NMED will be on-site August 9 - 10, 2022 to conduct their inspection.

Messrs. Knerr and Dunagan
Panel 8 Certification

If you have any questions regarding this correspondence, please contact Ricardo Maestas of the Hazardous Waste Bureau at (505) 690-6148.

Sincerely,

Rick Shean Digitally signed by Rick
Shean
Date: 2022.08.05 09:27:32
-06'00'

Rick Shean
Chief
Hazardous Waste Bureau

cc: R. Maestas, NMED HWB
D. Biswell, NMED HWB
M. McLean, NMED HWB
B. Masse, NMED DOE-OB
M. Gerle, DOE-CBFO
R. Chavez, RES
L. King, EPA Region 6
T. Peake, EPA ORIA
File: WIPP '22