



August 31, 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: Approval 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 US Department of Energy (DOE) and Nuclear Waste Partnership LLC (collectively, the Permittees), submitting a certification of construction for the Panel 8 Hazardous Waste Disposal Unit (HWDU) recently excavated at the Waste Isolation Pilot Plant (WIPP). This certification of construction was submitted in compliance with the reporting requirements of the WIPP Hazardous Waste Facility Permit (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."*

The NMED conducted an inspection of the construction of the Panel 8 HWDU on August 9 - 10, 2022. Based upon review of the information provided before, during and after this inspection, NMED finds that the Panel 8 HWDU and the Disposal Room Volatile Organic Compound Monitoring System were constructed in compliance with the requirements of the Permit. Please update the applicable Permit figures and text pertaining to this authorization to use Panel 8.

Messrs. Knerr and Dunagan  
Authorization of Panel 8

If you have any questions regarding this correspondence, please contact Ricardo Maestas of my staff at 505-690-6148.

Sincerely,

**Rick Shean** Digitally signed by  
Rick Shean  
Date: 2022.08.31  
09:57:31 -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  
L. King, EPA Region 6  
H. Shah, EPA Region 6  
L. Veal, EPA ORIA  
T. Peake, EPA ORIA  
M. Gerle, DOE CBFO  
E. Garza, DOE CBFO  
M. Navarrete, DOE CBFO  
R. Chavez, RES  
File: WIPP '22