



MICHELLE LUJAN GRISHAM
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CABINET SECRETARY

May 19, 2023

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

Ken Harrawood, Program Manager
Salado Isolation Mining Contractors LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-2078

**Re: Approval of Request for an Additional 180-Day Extension of Storage Time for a Contact-Handled Waste Shipping Package in Storage in the Parking Area Unit Waste Isolation Pilot Plant
EPA I.D. Number NM4890139088**

Dear Messrs. Bollinger and Harrawood,

On April 25, 2023, the New Mexico Environment Department (NMED) received the Department of Energy (DOE) and Salado Isolation Mining Contractors LLC (SIMCO) (collectively, the Permittees) Request for an additional 180-day Extension of Storage Time for a Contact-Handled Waste Shipping Package in Storage in the Parking Area Unit (PAU) Container Storage Unit (Request). 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."

On November 22, 2022, NMED issued an approval for the initial Request for a 180-Day Extension of Storage Time for this Contact-Handled Waste Shipping Package in storage in the PAU, dated November 22, 2022. NMED's approval letter requested a submission date of May 1, 2023 if an additional extension of time is needed by the Permittees. In their April 25, 2023 Request, the Permittees are requesting an additional 180-day storage time extension for this waste, from May 22, 2023 to November 17, 2023.

In the new Request, the Permittees reaffirm the current status of HalfPACT 506 in the following statements: *"The container remains segregated and labeled in the PAU in the sealed ICV [Inner Containment Vessel] of the HalfPACT 506 shipping package pursuant to Permit Part 3, Section 3.1.2.1., and the November 22, 2022 NMED approval letter. The HalfPACT 506 shipping package has been and will*

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continue to be inspected weekly pursuant to Permit Part 3, Section 3.7, Inspection Schedules and Procedures, during its residence under the approved storage time extension."

The basis for the Permittees' current Request, as stated therein, is to await approval by the U.S. Nuclear Regulatory Commission (NRC) to use the outer confinement assembly (OCA) of another HalfPACT unit to transport the HalfPACT 506 ICV back to the Savannah River Site (SRS). This NRC approval is anticipated in May of 2023. The Request lists reasons the extended storage time poses no additional hazards to human health and the environment.

The Request indicates the proposed revised schedule rests on the receipt of the approval from the NRC followed by a period of additional time to prepare and process the shipment. These activities will include the development of a process for transferring the ICV from one OCA to another, task-specific training, job hazard analyses, and other items. NMED requests that the Permittees review the Permit to ensure these activities can be accomplished while remaining in compliance with the Permit.

NMED hereby grants the Request for an additional extension of time of 180 days, from May 21, 2023, the expiration date of the initial request, to November 16, 2023, to store the Contact-Handled Waste Shipping Package HalfPACT 506 in the PAU. NMED further requests an anticipated schedule with calendar dates, detailing the steps necessary to ready HalfPACT 506 for shipment back to SRS, as well as an anticipated date for this shipment. NMED requests that this schedule be submitted within 30 days of receiving the NRC approval, along with the submittal of the NRC approval itself.

HalfPACT 506 will continue to be subject to the inspection requirements of Permit Part 3.7 during this extension period. Due to the length of time HalfPACT 506 will be in the PAU, NMED requests that HalfPACT 506 continue to be physically segregated and identified as containing TRU mixed waste, subject to this extension period.

If you have any questions regarding this correspondence, please contact Megan McLean at (505) 690-5654.

Sincerely,



Ricardo Maestas
Acting Chief
Hazardous Waste Bureau

cc: R. Shean, NMED
M. McLean, NMED
D. Biswell, NMED
A. Donahue, NMED
B. Masse, NMED DOE-OB

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