



State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous Waste Bureau



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BUTCH TONGATE
Cabinet Secretary
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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

June 14, 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 SANDIA NATIONAL LAB/CENTRAL CHARACTERIZATION PROGRAM
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Shrader and Covert:

On June 12, 2018, the New Mexico Environment Department (“NMED”) received the Department of Energy’s (“DOE”) and Nuclear Waste Partnership’s (“NWP”) (collectively, the “Permittees”) June 07, 2018 Request for Extension of Time (“Request”) to perform the Annual Recertification Audit for the Sandia National Laboratory/Central Characterization Program (“SNL/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

June 14, 2018

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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 activities at the SNL/CCP were last performed in August of 2014, with the overall program being suspended in federal fiscal year 2015, at which time shipments of waste to WIPP were discontinued. Desktop recertification audits have been performed annually since the suspension of SNL/CCP through July of 2017, with the last Audit, Audit A-17-10, indicating that operations continue to be in a state of suspension. The Request further states that due to the cessation of activities, DOE is proposing to suspend the certification for the SNL/CCP program and a suspension of annual recertification audits until waste characterization activities have resumed at the SNL host site. According to the Request, once waste characterization activities have resumed, DOE will conduct a full site-specific audit.

NMED has reviewed previous final audit reports for SNL/CCP and has verified the suspension of CCP waste characterization activities. Therefore, NMED hereby grants the Request. It is understood, and NMED reiterates that, once waste characterization activities resume at the SNL/CCP, the Permittees will notify NMED and conduct a full site-specific audit at the Sandia 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 SNL/CCP until NMED has determined, by reviewing and approving a SNL/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 SNL/CCP certification 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