



**Michelle Lujan Grisham**  
Governor

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Lt. Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

**Hazardous Waste Bureau**

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**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:

- 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