



**Michelle Lujan Grisham**  
Governor

**Howie C. Morales**  
Lt. Governor

## NEW MEXICO ENVIRONMENT DEPARTMENT

**Hazardous Waste Bureau**  
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**James C. Kenney**  
Cabinet Secretary

**Jennifer J. Pruett**  
Deputy Secretary

October 6, 2020

Reinhard Knerr, 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: ADMINISTRATIVE COMPLETENESS DETERMINATION FOR THE PERMIT RENEWAL APPLICATION  
WASTE ISOLATION PILOT PLANT  
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Knerr and Dunagan:

On April 2, 2020, the New Mexico Environment Department ("NMED") received the Department of Energy's ("DOE") and Nuclear Waste Partnership's ("NWP") (collectively, the "Permittees") Ten-Year Permit Renewal Application ("Renewal Application") for the Waste Isolation Pilot Plant ("WIPP"), dated March 31, 2020. The Renewal Application seeks to renew the Permit for the two above-ground container storage units and the eight underground hazardous waste disposal units at the WIPP facility that have been permitted under the current Resource Conservation and Recovery Act ("RCRA") Hazardous Waste Facility Permit ("Permit") which was previously renewed and has been in effect since December 30, 2010.

NMED has determined the Renewal Application to be administratively complete and that it constitutes a timely and complete application, as specified in 20.4.1.900 NMAC (incorporating 40 CFR § 270.51). In accordance with Permit Part 1, Section 1.7.4, *Continuation of Expiring Permits*, the current Permit shall remain in effect until the effective date of the new Permit, because NMED will not have issued a new permit on or before December 30, 2020, the expiration date of the current permit.

NMED may request additional technical information from the Permittees to clarify, modify, or supplement previously submitted material. Once the Renewal Application is determined to be technically complete, NMED will issue a draft Permit for public comment and the opportunity to request a public hearing. A final agency action will not be taken without a thorough public participation process.

Messrs. Knerr and Dunagan

During the reissuance proceeding for the Permit, pursuant to 20.4.1.901(B)(7) NMAC, the Permittees have a duty to comply with all conditions of the existing Permit. The New Mexico Hazardous Waste Fee Regulations require the assessment of fees when administrative review of a document is complete, as specified in 20.4.2.301 NMAC. NMED will issue a fee invoice under separate cover.

If you have any questions regarding this letter, please contact Ricardo Maestas of my staff at (505) 476-6050.

Sincerely,

Kevin M. Pierard, Chief  
Hazardous Waste Bureau

cc: R. Maestas, NMED HWB  
D. Biswell, NMED HWB  
M. McLean, NMED HWB  
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File: WIPP '20