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RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 20, 2016

Todd A. Shrader, Manager
Carlsbad Field Office
Department of Energy
P.O. Box 3090
Carlsbad, New Mexico 88221-3090

Philip J. Breidenbach, Project Manager
Nuclear Waste Partnership, LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-2078

**RE: REQUEST FOR ADDITIONAL EXTENSION OF THE WASTE HANDLING BUILDING
STORAGE TIME AT THE WASTE ISOLATION PILOT PLANT
EPA I.D. Number NM4890139088**

Dear Messrs. Shrader and Breidenbach:

The New Mexico Environment Department ("NMED") is in receipt of the June 13, 2016 request from the Department of Energy ("DOE") and Nuclear Waste Partnership, LLC ("NWP") (collectively the "Permittees"), concerning an additional extension of storage time for TRU mixed waste in the Waste Handling Building ("WHB") in accordance with NMED's Administrative Order ("Order") dated February 27, 2014, and NMED letter dated May 1, 2015. The June 13, 2016 letter requests an extension of storage time until June 30, 2017 based on the following: 1) DOE estimates that waste disposal operations will resume in December 2016; 2) emplacement of all waste from the WHB into Panel 7 will take three months; and, 3) the request for an additional three months of storage time as a contingency for unforeseen delays.

NMED hereby extends the storage time for TRU mixed waste that is currently stored in the WHB to June 30, 2017. The Permittees will provide notification to NMED once all waste from the WHB has been emplaced in Panel 7 and the projected date of resuming waste shipments from generator sites around the DOE complex is established.

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If the TRU mixed waste stored in the WHB cannot be placed in Panel 7 by the expiration of this deadline, the Permittees shall submit a written proposal to NMED that reevaluates the alternative storage options no later than June 16, 2016 (14 days before deadline). The submittal shall, at a minimum: address any new or updated information related to potential impacts to human health and the environment; information about alternative storage options that includes a thorough analysis of the Permittees' issues with returning waste to generator sites; and a description of any options or plans for emplacement of the waste in the underground. The submittal shall also include the reason(s) for missing the deadline.

In accordance with the May 12, 2014 Administrative Order, the Permittees will not commence normal operating status without the prior inspection and approval of NMED. In addition, NMED expects the Permittees to commence disposal room VOC monitoring once waste emplacement operations resume as the Permittees have committed to in the reports required by the May 12, 2014 Administrative Order.

If you have any questions regarding this matter, please contact Ricardo Maestas, at (505) 476-6050, or John Kieling, at (505) 476-6035.

Sincerely,



Kathryn Roberts
Director
Resource Protection Division

cc: J. Hower, NMED General Counsel
J. Kieling, NMED HWB
R. Maestas, NMED HWB
S. Lucas-Kamat, NMED DOEOP
L. King, EPA Region 6
T. Peake, EPA ORIA
Reading and File: WIPP 2016