



## OFFICE OF AIR AND RADIATION

WASHINGTON, D.C. 20460

July 31, 2025

Mr. Mark Bollinger  
Manager  
U.S. Department of Energy Carlsbad Field Office  
P.O. Box 2090  
Carlsbad, New Mexico 88221

Subject: EPA's Review and Approval of DOE's RPPCR for Waste Panels 11 and 12 at WIPP

Dear Mr. Bollinger:

The U.S. Environmental Protection Agency approves the Department of Energy's (DOE) Replacement Panels Planned Change Request (RPPCR), submitted on March 12, 2024. This request involves the use of replacement waste Panels 11 and 12 at the Waste Isolation Pilot Plant (WIPP) for the disposal of defense-related transuranic (TRU) waste. These panels are intended to restore lost waste disposal capacity primarily due to the 2014 radiological incident and other operational issues.

This approval is based on a thorough review of information submitted by DOE, independent technical analyses, and public comments. Initially, the DOE submitted an analysis for a 19-panel repository, reflecting expectations for seven future waste panels beyond the two for which approval was requested. The EPA evaluated the DOE's 19-panel RPPCR performance assessment (PA) and requested a focused analysis on the 12-panel repository. The DOE provided the requested analysis on February 20, 2025. After conducting a detailed review of the DOE's 12-panel sensitivity study and supporting documentation, the EPA generally agrees with the DOE's approach and interpretation of the PA results. Although the EPA had concerns regarding several of the DOE's input parameters, these were alleviated by the EPA's independent sensitivity analysis, which demonstrated that, even with adjustments made by the EPA, the total mean normalized releases remain below the EPA's regulatory limits outlined in 40 Code of Federal Regulations (CFR) Part 191. Further, the EPA has not identified any concerns at this time that would result in the facility being out of compliance with the WIPP compliance criteria in 40 CFR Part 194. As a result, the agency finds that there is a reasonable expectation that the WIPP will comply with the requirements in 40 CFR Parts 191 and 194.

The EPA's review report is enclosed with this letter. That report, along with responses to public comments and this correspondence, will be available in the docket, EPA-HQ-OAR-2024-0309. The public notice of the agency's approval will be published in the Federal Register. In addition, the EPA is preparing a report summarizing its review of the 19-panel RPPCR PA and addressing issues specific to that analysis.

If you require any clarification, please contact Dan Schultheisz, Acting Director for the Center for Waste Management and Regulations, at [schultheisz.daniel@epa.gov](mailto:schultheisz.daniel@epa.gov) or (202) 343-9349.

Sincerely,

A handwritten signature in black ink, reading "Abigale Tardif". The signature is written in a cursive, flowing style.

Abigale Tardif  
Principal Deputy Assistant Administrator

Enclosure: EPA Review of DOE Replacement Panels Planned Change Request, Part 1: Review of DOE 12-Panel Sensitivity Study

cc: James Garza, CBFO  
Michael Gerle, CBFO  
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