



*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**



*Office of the Secretary*

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BUTCH TONGATE  
Cabinet Secretary  
J. C. BORREGO  
Deputy Secretary

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

March 23, 2018

Todd Shrader, Manager  
Carlsbad Field Office  
Department of Energy  
PO Box 3090  
Carlsbad, NM 88221-3090

Bruce C. Covert, Project Manager  
Nuclear Waste Partnership, LLC  
PO Box 2078  
Carlsbad, NM 88221-2078

**RE: FINAL DETERMINATION, CLASS 2 PERMIT MODIFICATION DECISION  
WASTE ISOLATION PILOT PLANT  
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Shrader and Covert:

On March 23, 2018, The Department of Energy and Nuclear Waste Partnership LLC (collectively, the "Permittees") submitted a Class 2 Permit Modification Request ("Modification") for the Waste Isolation Pilot Plant Hazardous Waste Facility Permit ("Permit") on November 29, 2017, which was received by NMED on November 30, 2017. The Permit Modification Request was entitled "*Training Program Revision and Changes Due to Construction and Operation of a New Filter Building*" and was submitted as a 2-Item Class 2 Modification. The New Mexico Environment Department ("NMED") hereby approves the Modification with changes.

The Modification was evaluated and processed in accordance with the requirements specified in 20.4.1.900 NMAC (incorporating 40 CFR §270.42(b)) and was subject to a 60-day public comment period running from December 3, 2017 through February 1, 2018. NMED received written comments from several individuals and organizations during the comment period.

Attached is a disc containing the revised applicable sections of the Permit where language deleted from the permit is in redline strike out, language added to the Permit, as proposed in the

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Modification, is displayed in **redline**, and language changes introduced by NMED are distinguished by **redline yellow highlight**. Changes specific to Permit Attachment A2 that are distinguished by gray highlight reflect changes that were proposed in the Modification that were not incorporated by NMED. Language displayed in **redline-strike-out** with gray highlight are changes that were proposed for inclusion that NMED did not incorporate, and **black text** with gray highlight is existing language that was proposed for deletion in the Modification which will remain in the Permit. A clean final version of the applicable sections of the Permit is also included on the disk. This permit modification is effective on April 23, 2018.

Further information on this administrative action, including NMED's response to comments and the final Permit, may be found on the NMED WIPP Information Page at <https://www.env.nm.gov/hazardous-waste/wipp/>.

Sincerely,



Butch Tongate  
Secretary  
New Mexico Environment Department

cc: J.C. Borrego, NMED RPD Acting Division Director  
J. Hower, NMED OGC  
J. Kieling, NMED HWB  
R. Maestas, NMED HWB  
D. Biswell, NMED HWB  
H. Tellez, NMED HWB  
M. McLean, NMED HWB  
S. Lucas-Kamat, NMED DOEOB  
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File: WIPP '18