



SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lieutenant Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

***Hazardous Waste Bureau***

**2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
Phone (505) 476-6000 Fax (505) 476-6030  
[www.nmenv.state.nm.us](http://www.nmenv.state.nm.us)**



RYAN FLYNN  
Cabinet Secretary

BUTCH TONGATE  
Deputy Secretary

TOM BLAINE, P.E.  
Director

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

March 21, 2014

Jose Franco, Manager  
Carlsbad Field Office  
Department of Energy  
P.O. Box 3090  
Carlsbad, New Mexico 88221-3090

Robert L. McQuinn, Project Manager  
Nuclear Waste Partnership LLC  
P.O. Box 2078  
Carlsbad, New Mexico 88221-2078

**RE: WASTE ISOLATION PILOT PLANT, EPA I.D. NUMBER NM4890139088:  
NOTIFICATION OF DRAFT PERMIT WITHDRAWAL REGARDING THE  
CLASS 3 PERMIT MODIFICATION REQUEST FOR 3 ITEMS: ITEM 1, MODIFICATIONS  
TO THE WIPP PANEL CLOSURE; ITEM 2, REPOSITORY RECONFIGURATION OF  
PANELS 9 AND 10; ITEM 3, REVISE VOLATILE ORGANIC COMPOUND (VOC)  
TARGET ANALYTE LIST AND OTHER CHANGES TO THE VOC MONITORING  
PROGRAM**

Dear Messrs. Franco and McQuinn:

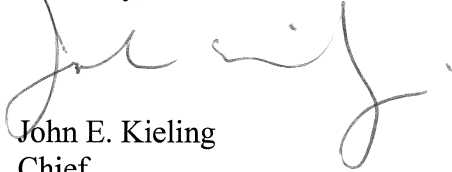
The New Mexico Environment Department (NMED) received a Class 3 modification request to the Waste Isolation Pilot Plant (WIPP) Hazardous Waste Facility Permit on March 18, 2013. The Class 3 modification request included three items: (1) Modifications to the WIPP Panel Closure; (2) Repository Reconfiguration of Panels 9 and 10; and (3) Revise Volatile Organic Compounds (VOC) Target Analyte List and Other Changes to the VOC Monitoring Program.

The draft Permit for the Class 3 modification request was issued by NMED for public comment on February 14, 2014, and was scheduled to conclude on April 15, 2014. In light of the recent

events at WIPP, including a fire in the underground and the radioactive material release, NMED has requested additional information relating to these incidents and the Class 3 modification request, in accordance with 20.4.1.901(B)(5) NMAC and WIPP Permit Section 1.7.8, that may influence the draft Permit language. And, NMED assuredly will request other additional information as further progress is made at WIPP. Therefore, NMED hereby withdraws the draft Permit effective immediately. Due to the withdrawal of the draft Permit, the current public comment period is now closed. Notice of the withdrawal of the draft Permit will be provided to all interested parties and will be posted in the Carlsbad Current Argus. NMED may issue a revised draft when it is appropriate. In such a case, a revised draft Permit will be issued for public comment and a new public comment period will begin in accordance with the requirements specified in 20.4.1.901 NMAC.

If you have any questions regarding this matter, please contact Trais Kliphuis of my staff at (505) 476-6051.

Sincerely,



John E. Kieling  
Chief  
Hazardous Waste Bureau

JEK: TLK

cc: Tom Blaine, Director, NMED EHD  
Trais Kliphuis, NMED HWB  
Steve Holmes, NMED HWB  
Ricardo Maestas, NMED HWB  
Coleman Smith, NMED HWB  
Susan Lucas-Kamat, NMED DOEOB  
Jeffrey Kendall, NMED General Counsel  
Laurie King, EPA Region 6  
Tom Peake, EPA ORIA  
Connie Walker, Trinity Engineering  
File: Red WIPP '14