



Department of Energy
Carlsbad Field Office
P. O. Box 3090
Carlsbad, New Mexico 88221
February 18, 2026

Mr. JohnDavid Nance, Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

Subject: Class 1 Permit Modification Notification, Waste Isolation Pilot Plant Hazardous Waste Facility Permit Number: NM4890139088-TSDF

Dear Mr. Nance:

The purpose of this letter is to provide the New Mexico Environment Department Hazard Waste Bureau with the Class 1 Permit Modification Notification for the following item:

Revised Permit Part 4, Section 4.2.1.5, Legacy TRU Waste Disposal Plan

We certify under penalty of law that this document and all attachments were prepared under our direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on our inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of our knowledge and belief, true, accurate, and complete. We are aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Mr. Michael Gerle, Director, Environmental Regulatory Compliance Division, is your point of contact regarding any technical questions or comments. Mr. Gerle can be reached at (575) 988-5372.

Sincerely,

Signatures on File

Mark Bollinger
Manager
Carlsbad Field Office

Ken Harrawood
Program Manager
Salado Isolation Mining Contractors, LLC

Enclosure

cc: w/enclosure
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*ED denotes electronic distribution

Class 1 Permit Modification Notification

- 1. Revise Permit Part 4, Section 4.2.1.5, *Legacy TRU Waste Disposal Plan***

**Waste Isolation Pilot Plant
Carlsbad, New Mexico**

WIPP Permit Number - NM4890139088-TSDF

February 2026

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Acronyms and Abbreviations

CFR	Code of Federal Regulations
DOE	U.S. Department of Energy
NMAC	New Mexico Administrative Code
NMED	New Mexico Environment Department
Permit	Waste Isolation Pilot Plant Hazardous Waste Facility Permit
Permittees	U.S. Department of Energy and Salado Isolation Mining Contractors LLC
PMN	Permit Modification Notification
WIPP	Waste Isolation Pilot Plant

Overview of the Permit Modification Notification

This document contains a Class 1 Permit Modification Notification (**PMN**) for the Waste Isolation Pilot Plant (**WIPP**) Hazardous Waste Facility Permit (**Permit**) Number NM4890139088-TSDF.

This PMN is being submitted by the U.S. Department of Energy (**DOE**) and Salado Isolation Mining Contractors LLC, collectively referred to as the Permittees, in accordance with Permit Part 1, Section 1.3.1. (20.4.1.900 New Mexico Administrative Code (**NMAC**) incorporating Title 40 Code of Federal Regulations (**CFR**) §270.42(a)). The PMN in this document is necessary to notify the New Mexico Environment Department (**NMED**) of a change which impacts the Permit. This change does not reduce the ability of the Permittees to provide continued protection to human health and the environment.

The requested modification to the Permit and any related supporting documents are provided in this PMN. The proposed modification to the text of the Permit has been identified using **red** text and double underline and a ~~strikeout~~ font for deleted information.

Attachment A
Description of the Class 1 Permit Modification Notification

Table 1. Class 1 Hazardous Waste Facility Permit Modification Notification

Item No.	Affected Permit Section	Change Description	Category
1	Part 4, Section 4.2.1.5, <i>Legacy TRU Waste Disposal Plan</i>	This modification removes the requirement to develop and submit a Legacy TRU Waste Disposal Plan and maintains the requirement to reserve Panel 12 for disposal of legacy TRU mixed waste as delineated in the Plan.	A.1

Item 1

Description

This modification revises the Permit to remove the non-recurring requirement to develop and submit a Legacy TRU Waste Disposal Plan, since this Permit condition has been met. Permit Part 4 is updated with the following changes:

- Permit Part 4, Section 4.2.1.5, *Legacy TRU Waste Disposal Plan*
 - Deleted “The Permittees shall define legacy TRU and TRU mixed waste and develop the Legacy TRU Waste Disposal Plan (Plan). The Plan will be developed in consultation with the generator/storage sites and stakeholders. Consultation with stakeholders shall begin within 90 days of the effective date of this Permit. The Plan shall be submitted to the Secretary within one year of the effective date of this Permit. The Permittees shall seek public input for 60 days following the submittal of the Plan and submit received comments to the Secretary.”
 - Added “The Legacy TRU Waste Disposal Plan (Plan) previously developed by the Permittees shall be publicly posted on the WIPP website.”

Basis

This change is classified as an “Administrative and informational changes” and is, therefore, a Class 1 Permit modification pursuant to 20.4.1.900 NMAC (incorporating 40 CFR §270.42, Appendix I, A.1).

Discussion

This change is needed to remove the completed and non-recurring requirement to develop and submit a Legacy TRU Waste Disposal Plan. The Permittees developed and submitted a Legacy TRU Waste Disposal Plan in accordance with Permit Part 4, Section 4.2.1.5. This Permit condition was a one-time submittal that the Permittees provided to the NMED on November 4, 2024. The Permittees also revised the Legacy TRU Waste Disposal Plan at the request of NMED and submitted the revised plan on November 17, 2025. Therefore, the submitted Legacy TRU Waste Disposal Plan has satisfied Permit Part 4, Section 4.2.1.5. The revised Legacy TRU Waste Disposal Plan is publicly posted and can be found at <https://wipp.energy.gov/other-documents.asp>.

Revised Permit Text:

PART 4 – GEOLOGIC REPOSITORY DISPOSAL

4.2. PERMITTED AND PROHIBITED WASTE IDENTIFICATION

4.2.1 Permitted Waste

4.2.1.5 Legacy TRU Waste Disposal Plan

The Permittees shall define legacy TRU and TRU mixed waste and develop the Legacy TRU Waste Disposal Plan (Plan). The Plan will be developed in consultation with the generator/storage sites and stakeholders. Consultation with stakeholders shall begin within 90 days of the effective date of this Permit. The Plan shall be submitted to the Secretary within one year of the effective date of this Permit. The Permittees shall seek public input for 60 days following the submittal of the Plan and submit received comments to the Secretary. The Legacy TRU Waste Disposal Plan previously developed by the Permittees shall be publicly posted on the WIPP website. To the extent practicable as articulated in the final Plan, Panel 12 will be reserved for the disposal of legacy TRU mixed waste.