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CABINET SECRETARY

June 25, 2024

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

Ken Harrawood, Program Manager  
Salado Isolation Mining Contractors LLC  
P.O. Box 2078  
Carlsbad, New Mexico 88221-2078

**Re: Final Determination Class 2 Permit Modification Request and  
Incorporation of Two Class 1 Permit Modification Notifications  
Waste Isolation Pilot Plant  
EPA I.D. Number NM4890139088**

Dear Messrs. Bollinger and Harrawood,

On June 25, 2024, the New Mexico Environment Department (NMED) took final administrative action on a Class 2 Permit Modification Request (PMR) [AR 240318] to the Waste Isolation Pilot Plant (WIPP) Hazardous Waste Facility Permit (Permit) submitted by the U.S. Department of Energy (DOE) and Salado Isolation Mining Contractors, LLC (SIMCO), (collectively, the Permittees) This PMR included two items: 1) Addition of Four New Shielded Containers; 2) Revise Site Recertification Audit Scheduling from Annual to Graded Approach.

NMED approved the PMR with changes. The Class 2 PMR 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 April 2, 2024 to June 3, 2024. NMED responded to written comments received during the comment period. The Class 2 PMR as approved with changes is effective on July 25, 2024.

In addition to the Class 2 changes, this revised Permit [AR 240600] incorporates the following two Class 1 Permit Modification Notifications (PMNs):

- March 19, 2024 Class 1 PMN: Two Items [AR 240310]
  - *Revise text in Permit Part 1, Section 1.15.1 through 1.15.5, regarding Tribal Community notice and involvement.*
  - *Revise text in Permit Attachment A1, concerning the flood zone designation for the Waste Isolation Pilot Plant (WIPP) facility.*
- April 29, 2024 Class 1 PMN: Two Items [AR 240413]
  - *Update Permit Attachments D and E with some upgrades to the New Fire Water Distribution*

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Hazardous Waste Bureau - 2905 Rodeo Park Drive East, Building 1 Santa Fe, New Mexico 87505-6313  
Telephone (505) 476-6000 - [www.env.nm.gov](http://www.env.nm.gov)

Final Determination Class 2 Permit Modification Request and Incorporation of Two Class 1 Permit Modification Notifications  
June 25, 2024

*System Description*

- *Update Permit Part 3 and Attachments A3, B, D, and M with the Current Facility layout*

NMED has reviewed the Class 1 modifications, and they have been incorporated into the Permit and are effective as requested by the Permittees under the conditions specified in 20.4.1.900 NMAC (incorporating 40 CFR §270.42.a.1). The Permittees must send a notice to all persons on the facility mailing list within 90 calendar days as specified in 20.4.1.900 NMAC (incorporating 40 CFR §270.42.a.1.ii).

Specific to the Class 2 PMR, attached is a CD containing the revised applicable sections of the Permit. Language that is deleted from the Permit is indicated by ~~redline strike out~~ and language added to the Permit is displayed in redline. Language changes introduced by NMED in Permit Attachment C6 are distinguished by ~~redline strike out~~ yellow highlight. A clean final version of the applicable sections of the Permit is also included on the CD.

Further information on this administrative action and the final Permit, may be found on the NMED WIPP News webpage at <https://www.env.nm.gov/hazardous-waste/wipp/>.

If you have any questions regarding this correspondence, please contact Ricardo Maestas of my staff at the Hazardous Waste Bureau at (505) 690-6148.

Sincerely,

JohnDavid Nance  
Chief  
Hazardous Waste Bureau  
New Mexico Environment Department

cc: Rick Shean, NMED RPD  
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