



**Department of Energy**

Carlsbad Field Office  
P. O. Box 3090  
Carlsbad, New Mexico 88221

**AUG 15 2019**

Mr. John E. Kieling, Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303

**Subject:** Class 3 Permit Modification Request for the Waste Isolation Pilot Plant Hazardous Waste Facility Permit, Number NM4890139088-TSDF and Notification of Withdrawal Regarding the December 22, 2017 Determination of Class

**Reference:** Department of Energy Carlsbad Field Office and Nuclear Waste Partnership LLC (Permittees) correspondence to John E. Kieling, Chief Hazardous Waste Bureau, New Mexico Environment Department, dated December 22, 2017, Subject: Request for a Determination of Class for a Permit Modification Request for the Waste Isolation Pilot Plant Hazardous Waste Facility Permit, Number NM4890139088-TSDF

Dear Mr. Kieling:

Enclosed is a Class 3 Permit Modification Request consisting of the following:

- Excavation of a New Shaft and Associated Connecting Drifts

This modification was previously submitted to the New Mexico Environment Department (NMED) for a Determination of Class in accordance with 20.4.1.900 New Mexico Administrative Code (NMAC) (incorporating 40 Code of Federal Regulations [CFR] 270.42(d)) as indicated in the Reference letter. This letter withdraws the referenced request for a Determination of Class.

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.

If you have any questions, please contact Mr. Michael R. Brown at 575-234-7476.

Sincerely,

**Signatures of file**

Kirk D. Lachman, Acting Manager  
Carlsbad Field Office

Bruce C. Covert, Project Manager  
Nuclear Waste Partnership LLC

Enclosure

cc: w/enclosure

R. Maestas, NMED

D. Biswell, NMED

M. McLean, NMED

\*ED

ED

ED

CBFO M&RC

\*ED denotes electronic distribution