



State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous Waste Bureau



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov

BUTCH TONGATE
Cabinet Secretary
J. C. BORREGO
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

June 22, 2018

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

Bruce C. Covert, Project Manager
Nuclear Waste Partnership LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-2078

**RE: NOTICE OF ADMINISTRATIVE COMPLETENESS OF CLASS 3 PERMIT MODIFICATION
CLARIFICATION OF TRU MIXED WASTE DISPOSAL VOLUME REPORTING
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Shrader and Covert:

On February 2, 2018, the New Mexico Environment Department (“NMED”) received the Department of Energy’s (“DOE”) and Nuclear Waste Partnership’s (“NWP”) (collectively, the “Permittees”) Class 2 Permit Modification Request (“Request”) *Clarification of TRU Mixed Waste Disposal Volume Reporting*, dated January 31, 2018. After a thorough review of the Request and the submitted public comments, NMED made a final decision to elevate the Class 2 Request to follow the procedures for Class 3 modification in accordance with 40 CFR 270.42(b)(6)(i)(C) on June 1, 2018.

The Class 3 modification is currently being processed by NMED in accordance with the requirements specified in 20.4.1.900 NMAC (incorporating 40 CFR §270.42(c)), and NMED has determined that the Class 3 modification is administratively complete. The results of a technical review will be addressed under separate cover.

The New Mexico Hazardous Waste Fee Regulations require the assessment of fees when administrative review of a document is complete, as specified in 20.4.2.301 NMAC. NMED will issue a fee invoice under separate cover, as well.

Messrs. Shrader and Covert

June 22, 2018

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If you have any questions regarding this letter, please contact Ricardo Maestas of my staff at (505) 476-6050.

Sincerely,



John E. Kieling

Chief

Hazardous Waste Bureau

cc: R. Maestas, NMED HWB
D. Biswell, NMED HWB
M. McLean, NMED HWB
H. Tellez, NMED HWB
M. Brown, DOE CBFO
A. Stone, DOE CBFO
R. Chavez, NWP
File: WIPP '18