



NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Resource Protection Division*

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DAVE MARTIN  
Cabinet Secretary  
BUTCH TONGATE  
Deputy Secretary  
JAMES H. DAVIS, Ph.D.  
Division Director

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

November 27, 2012

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

Farok Sharif, Project Manager  
Nuclear Waste Partnership LLC  
P.O. Box 2078  
Carlsbad, New Mexico 88221-5608

**RE: CLARIFICATION OF WIPP PERMIT CONDITION 3.3.1.8  
WIPP HAZARDOUS WASTE FACILITY PERMIT  
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Franco and Sharif:

On November 1, 2012 The New Mexico Environment Department (NMED) approved the shielded container permit modification request. NMED inadvertently left out the phrase "but will be counted towards the volume limits associated with RH TRU mixed waste" at the end of the third sentence in Condition 3.3.1.8. This letter serves as notification that the permit has been corrected and now reads "For the purpose of this Permit, shielded containers will be managed stored, and disposed as CH TRU mixed waste, but will be counted towards the volume limits associated with RH TRU mixed waste."

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

Sincerely,

James H. Davis, Ph.D.  
Director  
Resource Protection Division

Messrs. Franco and Sharif  
November 27, 2012  
Page 2

cc: J. Kieling, NMED HWB  
T. Kliphuis, NMED HWB  
T. Skibitski, NMED DOE-OB  
T. Kesterson, NMED DOE-OB/WIPP  
L. King, EPA Region 6  
T. Peake, EPA ORIA

File: Red WIPP '12