



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

JAN 17 2006

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

Subject: Comments on the November 23, 2005 Draft Permit, WIPP Hazardous Waste Facility Permit (HWFP), EPA ID No. NM4890139088, NMED Public Notice No. 05-16

Dear Mr. Bearzi:

In accordance with the New Mexico Environment Department (NMED) Public Notice No. 05-16, dated November 23, 2005, the United States Department of Energy and Washington TRU Solutions, LLC (the Permittees), hereby submit their Comments regarding the NMED's Intent to Approve a Class 3 Modification to the Waste Isolation Pilot Plant (WIPP) Hazardous Waste Facility Permit (HWFP).

In the enclosed comments, the Permittees propose alternative text to be included in the draft Permit. The comments address four general areas:

- I. Confirmation at the WIPP
- II. Radiography/Visual Examination Requirements
- III. NMED-Proposed Alternative Dispute Resolution Procedure
- IV. Miscellaneous Proposed Changes to the draft Permit

The Permittees believe these comments clarify not only the language in the draft Permit, but also the Permittees' Permit Modification Request. We believe these comments will facilitate NMED's issuance of a permit that is fully protective of human health and the environment and strengthens NMED oversight of the Permittees' activities.

Sincerely,

David C. Moody, Manager
DOE Carlsbad Field Office

Richard D. Raaz, General Manager
Washington TRU Solutions, LLC

Enclosure

cc: w/enclosure

T. Hughes, NMED	ED
C. Noble, NMED	ED
C. Padilla, NMED	ED
J. Kieling, NMED	ED
S. Zappe, NMED	ED
T. Klein, NMED-AIP	ED
J. Volkerding, NMED, AIP	ED