



**BILL RICHARDSON**  
GOVERNOR

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**

*Hazardous Waste Bureau*

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**RON CURRY**  
SECRETARY

**CINDY PADILLA**  
DEPUTY SECRETARY

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

February 27, 2007

Dr. David Moody, Manager  
Carlsbad Field Office  
Department of Energy  
P.O. Box 3090  
Carlsbad, New Mexico 88221-3090

Mr. Richard D. Raaz, General Manager  
Washington TRU Solutions LLC  
P.O. Box 2078  
Carlsbad, New Mexico 88221-5608

**RE: FINAL DETERMINATION, CLASS 1\* MODIFICATION REQUESTS  
WIPP HAZARDOUS WASTE FACILITY PERMIT  
EPA I.D. NUMBER NM4890139088**

Dear Dr. Moody and Mr. Raaz:

The New Mexico Environment Department (NMED) hereby approves with changes the permit modification requests (PMRs) to the WIPP Hazardous Waste Facility Permit as submitted to the Hazardous Waste Bureau in the following documents:

- Request for Class 1\* Permit Modification (Change in Manifest Requirements), Letter Dated 8/31/06, Rec'd 9/5/06
- Request for Class 1\* Permit Modification (Closure Schedule Change, Notice of Planned Change), Letter Dated 1/11/07, Rec'd 1/12/07

The following items were included in these submittals:

1. Revise the requirements for listing hazardous waste numbers on manifests as required by USEPA.
2. Change to closure schedule for Panels 1 – 8.

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These Class 1\* PMRs were processed in accordance with the requirements specified in 20.4.1.900 NMAC (incorporating 40 CFR §270.42(a)(2)). NMED issued a determination of administrative completeness for these PMRs on February 19, 2007. Although no public comment period is specified by regulation, NMED encourages members of the public to submit comments. NMED received written comments from Southwest Research and Information Center, Citizens for Alternatives to Radioactive Dumping, and the Permittees prior to rendering this final determination.

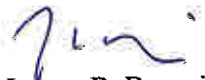
As stated in NMED's administrative completeness determination letter dated February 19, 2007, NMED is also revising the permit to incorporate all previous Class 1 notifications received between September 5, 2006 and January 30, 2007.

NMED hereby approves these Class 1\* PMRs with the changes proposed by the Permittees in their comments dated January 30, 2007. The attachment contains the redline/strikeout pages of the modified permit to help the reader rapidly identify each modification. Language deleted from the permit is ~~stricken out~~. Language added to the permit is **highlighted in redline**. Also enclosed is a CD-ROM containing the modified files in WordPerfect 12 redline/strikeout format as well as files with markings and comments removed. An electronic version of the modified permit with markings removed will be publicly posted on the NMED WIPP Information Page at <http://www.nmenv.state.nm.us/wipp/download.html>.

For purposes of version control, please note that NMED has established the date of these modified pages and attachment as February 27, 2007. The effective date of the permit modification approval is your date of receipt of this letter

If you have any questions regarding this matter, please contact Steve Zappe of my staff at (505) 428-2517.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

JPB/soz

Attachment – redline/strikeout pages

cc w/o Attachment

Cindy Padilla, NMED WWMD  
John Kieling, NMED HWB  
Steve Zappe, NMED HWB

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Laurie King, EPA Region 6  
Sharon White, EPA ORIA

cc w/ Attachments

Chuck Noble, NMED OGC  
Connie Walker, Trinity Engineering  
File: Red WIPP '07