



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

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

September 28, 2012

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

M. Farok Sharif
Washington TRU Solutions LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-5608

**RE: NOTICE OF EXTENSION FOR CLASS 2 PERMIT MODIFICATION DECISION
WIPP HAZARDOUS WASTE FACILITY PERMIT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Franco and Sharif:

On July 6, 2012, the New Mexico Environment Department (NMED) received a Request for Class 2 Permit Modification to the Waste Isolation Pilot Plant Hazardous Waste Facility Permit from the Department of Energy's Carlsbad Field Office and Washington TRU Solutions LLC (Permittees) dated January 10, 2011. This Class 2 modification included the following items:

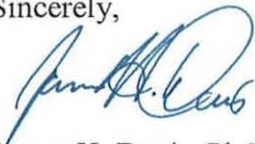
- Add the shielded container as a shipping package
- Description of how the volume of RH TRU mixed waste which is disposed in shielded containers will be tracked
- Related changes to waste handling descriptions

According to 20.4.1.900 NMAC (incorporating 40 CFR §270.42(b)(6)), NMED must take specific action on the modification request no later than ninety (90) days after receipt of the request. In this instance, the date for a decision would be October 4, 2012. By this letter, I am notifying you as the Permittees that NMED will decide on this modification request within the next thirty (30) days, as allowed by 20.4.1.900 NMAC (incorporating §270.42(b)(6)(i)(E)).

Messrs. Franco and Sharif
September 28, 2012
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If you have any questions regarding this matter, please contact Trais Kliphuis of my staff at (505) 476-6051.

Sincerely,

A handwritten signature in blue ink, appearing to read "James H. Davis".

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

cc: John E. Kieling, NMED HWB
Trais Kliphuis, NMED HWB
Thomas Kesterson, NMED DOE-OB/WIPP
Laurie King, EPA Region 6
Tom Peake, EPA ORIA
Connie Walker, Trinity Engineering
File: Red WIPP '12