



NEW MEXICO ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

SUSANA MARTINEZ Governor

JOHN A. SANCHEZ Lieutenant Governor

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DAVE MARTIN Secretary

BUTCH TONGATE Deputy Secretary

JAMES H. DAVIS, Ph.D. Division Director

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 17, 2012

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

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

RE: ADMINISTRATIVE COMPLETENESS DETERMINATION AND FEE ASSESSMENT FOR CLASS 1 PERMIT MODIFICATION DATED DECEMBER 12, 2012 TO THE HAZARDOUS WASTE FACILITY PERMIT, NUMBER NM4890139088-TSDF, HWB-WIPP-12-007

Dear Messrs. Franco and Sharif:

The New Mexico Environment Department (NMED) acknowledges receipt of modification notifications to the WIPP Hazardous Waste Facility Permit. The specific submittal reviewed for administrative completeness was:

- Notification of Class 1 Permit Modification (Contingency Plan Update), Letter Dated 12/12/2012, Received 12/13/2012

NMED has determined that this submittal is administratively complete. As requested by the Permittees under the conditions specified in 20.4.1.900 NMAC (incorporating 40 CFR §270.42(a)(1)), the modification identified in the Notice of Class 1 Modification listed above is put into effect. NMED will incorporate this Class 1 modification into the WIPP Permit shortly.

The New Mexico Hazardous Waste Permit and Corrective Action Fee Regulations, 20.4.2.201.B(2)(b) NMAC require the assessment of fees. The fee invoice is attached to this letter. Payment is normally due within sixty (60) calendar days from the date that you receive


Table with 4 columns: UNIQUE #, DOE UFC, DATE REC'VD, ADDRESSEES. Row 1: 1203030, 5457.00, DEC 20 2012, See list

Messrs. Franco and Sharif  
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the invoice in accordance with 20.4.2.301.C NMAC. However, because NMED submitted an assessment of supplemental permit fees to the Permittees and the Permittees transmitted payment of these fees, the fee invoice for this permit modification notification has been effectively paid under these supplemental fees.

If you have any questions regarding this matter, please contact me at (505) 476-6035 or Trais Kliphuis at (505) 476-6051.

Sincerely,

  
John E. Kieling  
Chief  
Hazardous Waste Bureau

JEK:tlk

Cc: Trais Kliphuis, NMED HWB  
Steve Holmes, NMED HWB  
James Valdez, NMED HWB  
File: Red WIPP '12

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|--------------|---------------------------|-------------------------------------|
| OOM - 220 ✓  | R. CHAVEZ - GSA 109 ✓     | WIPP OPE. REC. /S. Jones - 486-06 ✓ |
| OQA - 221 ✓  | A. CHAVEZ - GSA 109 ✓     | R. Salness ✓                        |
| OOB - 222 ✓  | L. PASTORELLO - GSA 109 ✓ | D. Sellmer - CTAC ✓                 |
| OSO - 223 ✓  | T. Klien - GSA 109        | P. Hinojos - CTAC ✓                 |
| OESH - 224 ✓ | W. Most - GSA 109 ✓       |                                     |
| NTP - 226 ✓  |                           | P. Gilbert/G. Lyshik ✓              |
|              |                           |                                     |