



NEW MEXICO
ENVIRONMENT DEPARTMENT



Resource Protection Division

SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

Harold Runnels Building
1190 Saint Francis Drive (87505)
P.O. Box 5469, Santa Fe, NM 87502-5469
Phone (505) 827-0419 Fax (505) 827-0310
www.nmenv.state.nm.us

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