



Department of Energy

Carlsbad Area Office
P. O. Box 3090
Carlsbad, New Mexico 88221

September 29, 2000



Mr. Steve Zappe
New Mexico Environment Department
2044 A Galestio Street
Santa Fe, NM 87505

Subject: Withdrawal of Class 2 Permit Modification Dated July 21, 2000

Dear Mr. Zappe:

The purpose of this letter is to inform the New Mexico Environment Department (NMED) that the U. S. Department of Energy, Carlsbad Field Office (DOE) is withdrawing the Class 2 Permit Modification Request submitted to NMED July 21, 2000.

A meeting with members of your staff was held September 14, 2000 to discuss the Class 2 Permit Modification Request and concerns that NMED may have regarding this request. During this meeting NMED raised concerns regarding the sufficiency of DOE's request as submitted. In addition, NMED provided copies of the public comments that had been received by NMED on DOE's request through September 13, 2000. After reviewing these comments and further considering the verbal comments made by your staff, DOE has decided that withdrawal of the Class 2 Modification Request as submitted is appropriate.

The DOE believes very strongly that the proposed modification was an appropriate response to issues that needed to be addressed for the management of waste that is to be disposed at WIPP. Even though we are withdrawing the present Class 2 Modification Request submitted to NMED July 21, 2000, we must also advise NMED of our intent to submit a revised Class 2 Modification Request on the same subject on or about October 9, 2000. DOE believes very strongly that the revised modification will contain significant justification to allow NMED to determine that the modification is complete, approvable, and fully compliant with the hazardous waste regulations promulgated by the State of New Mexico.

Please contact Mr. H. L. Plum at (505) 234-7462 if you have any questions regarding this notification.

Very truly yours,

Dr. Ines R. Triay
Manger



Mr. Steve Zappe

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September 29, 2000

cc:

P. Maggiore

P. Ritzma

S. McMichael