



**GARY E. JOHNSON**  
GOVERNOR

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

*Office of the Secretary*  
*Harold Runnels Building*  
*1190 St. Francis Drive, P.O. Box 26110*  
*Santa Fe, New Mexico 87502-6110*  
*Telephone (505) 827-2855*  
*Fax (505) 827-2836*



**PETER MAGGIORE**  
SECRETARY

**PAUL R. RITZMA**  
DEPUTY SECRETARY

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Contact: Cathy Tyson, Communications Dir., NMED  
Phone: (505) 827-0314

**State Environment Department Responds to Proposed WIPP Modifications**

(Santa Fe, NM) – On Friday, August 31, the New Mexico Environment Department notified the Department of Energy (DOE) of administrative decisions on thirteen of fifteen Class 1 modification submittals implemented in the Waste Isolation Pilot Plant (WIPP) Hazardous Waste Facility Permit. Under the State's hazardous waste program, DOE is required to notify the Environment Department about any Class 1 modification within seven days of putting the change into effect.

The Environment Department reviewed and deemed administratively complete eleven Class 1 permit modifications, thereby confirming their implementation in the permit. The Department deferred administrative action on one Class 1 permit modification, and did not act on another one because the DOE withdrew it. The Department has not yet taken action on the two most recent Class 1 submittals.

The Department also stated that it was evaluating a revised submittal for a temporary authorization and application of a Class 2 process on a previously submitted Class 1 modification. This temporary authorization and Class 2 permit modification propose changes to the headspace gas sampling and selection of containers for visual examination.

Class 1 modifications are minor, nonsubstantive changes to a permit, and include administrative and informational changes and correction of typographical errors. Although the public is notified of Class 1 modifications, no public comment period is necessary due to their nonsubstantive nature.

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Class 2 modifications are also minor changes to a permit, and address common or frequently occurring changes needed to maintain a facility's capability to manage wastes safely or to conform with new regulatory requirements. The public is notified of the modification and is offered an opportunity to submit public comment to the Environment Department before a final action is taken on the modification request.

The final class of modification is a Class 3, which substantially alters the facility or its operation. The public is notified of the proposed changes, and is offered expanded opportunities for public comment on the proposed modification as well as the Department's proposed implementation of the modification in a draft permit. A public hearing may also be held before a final decision is made.

For additional information, contact Cathy Tyson, Communications Director, NMED, at (505) 827-0314.

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