

ENTERED

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June 26, 2002
Hand-delivered



Mr. Steve Zappe, Project Leader (WIPP)
Hazardous Waste Permits Program
Hazardous Waste Bureau
New Mexico Environment Department
2905 E. Rodeo Dr. Bldg. 1
Santa Fe, New Mexico 87502-6303

RE: Request for Public Hearing for Draft Permit for Drum Age Criteria

Dear Mr. Zappe:

Enclosed please find the original and two copies of the following documents submitted by the Permittees:

- 1) Request for Public Hearing
- 2) Entry of Appearance

When a Hearing Clerk is assigned to this matter, please return endorsed copies of the above documents to our office in the enclosed, stamped envelopes. Thank for your attention to this matter.

Sincerely,
DOLAN & DOMENICI, P.C.

Lorraine Hollingsworth
Lorraine Hollingsworth, Esq.

Cc: Gloria Johnson
Elizabeth Rose



**STATE OF NEW MEXICO
BEFORE THE SECRETARY OF THE ENVIRONMENT**

**CONCERNING INTENT TO APPROVE
A CLASS 3 MODIFICATION TO THE
HAZARDOUS WASTE FACILITY PERMIT FOR THE
WASTE ISOLATION PILOT PLANT
CARLSBAD, NEW MEXICO
EPA ID NO. NM4890139088**



REQUEST FOR PUBLIC HEARING

COME NOW the United States Department of Energy and Westinghouse TRU Solutions, LLC (the "Permittees") by and through undersigned counsel of record, and request that, pursuant to 20.4.1.901 NMAC and the Notice of Public Comment Period and Public Hearing Concerning Intent to Approve a Class 3 Modification to the Hazardous Waste Facility Permit the Waste Isolation Pilot Plant, dated May 13, 2002, a public hearing be held concerning the Class 3 permit modification request for the Waste Isolation Pilot Plant ("WIPP"), Carlsbad, New Mexico, EPA ID No. NM4890139088, and in support of this Request state as follows:

(1) The United States Department of Energy and Westinghouse TRU Solutions, LLC are the Permittees in this matter and submitted the permit modification request that is the subject of the hearing;

(2) The Permittees, through undersigned counsel of record, are requesting a public hearing on behalf of themselves and do not represent the interests of any other parties in this matter;

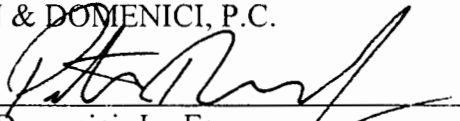
(3) The Permittees, at this time, propose changes that clarify the requirements in the Draft Permit and the application of the DAC modification to contact-handled transuranic waste to be disposed of at WIPP. The proposed changes have been submitted as comments to the draft

permit and the Permittees wish to present testimony on these changes and other aspects of the draft permit at the hearing on this matter;

(4) The Permittees will present both technical and non-technical testimony in support of the approval of the Class 3 permit modification for the WIPP.

WHEREFORE, the Permittees respectfully request that a public hearing be held on August 26, 2002 pursuant to the Notice of Public Comment Period and Public Hearing, dated May 13, 2002.

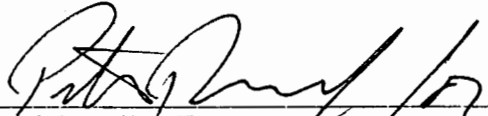
DOLAN & DOMENICI, P.C.



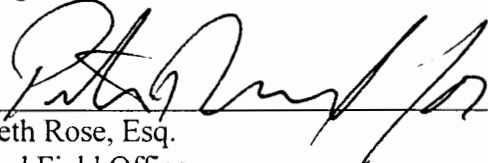
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ENTRY OF APPEARANCE

The following persons hereby enter their appearance jointly on behalf of Permittees

U.S. Department of Energy (DOE) and Westinghouse TRU Solutions, LLC in the matter
referenced above.

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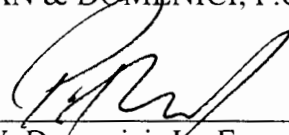
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For purposes of serving pleadings or other documents on the Permittees, such service should be directed to Pete V. Domenici, Jr. at the address listed above.

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