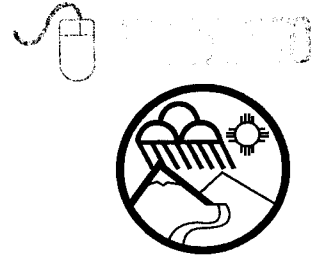


**BILL RICHARDSON**  
GOVERNOR

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**  
*Water and Waste Management Division*  
*Harold Runnels Building*  
*1190 St. Francis Drive, P.O. Box 26110*  
*Santa Fe, New Mexico 87502-6110*  
*Telephone (505) 827-1758*  
*Fax (505) 827-0310*  
*www.nmenv.state.nm.us*



**RON CURRY**  
SECRETARY

**DERRITH WATCHMAN-MOORE**  
DEPUTY SECRETARY

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

February 12, 2004

Mr. R. Paul Detwiler, Acting Manager  
Carlsbad Field Office  
Department of Energy  
P.O. Box 3090  
Carlsbad, New Mexico 88221-3090

Dr. Steven Warren, President  
Washington TRU Solutions, LLC  
P.O. Box 2078  
Carlsbad, New Mexico 88221-5608

**RE: NOTICE OF EXTENSION FOR CLASS 2 PERMIT MODIFICATION DECISION  
WIPP HAZARDOUS WASTE FACILITY PERMIT  
EPA I.D. NUMBER NM4890139088**

Dear Mr. Detwiler and Dr. Warren:

On November 14, 2003, the New Mexico Environment Department (**NMED**) received a Request for Permit Modification to the Waste Isolation Pilot Plant Hazardous Waste Facility Permit from the Department of Energy's Carlsbad Field Office and Washington TRU Solutions LLC (**Permittees**) dated November 13, 2003. This Class 2 modification included the following item:

- LANL Sealed Sources Waste Streams Headspace Gas Sampling and Analysis Requirements

According to 20.4.1.900 NMAC (incorporating 40 CFR §270.42(b)(6)), NMED must take specific action on the modification request no later than ninety (90) days after receipt of the request. In this instance, the date for a decision would be February 12, 2004. By this letter, I am notifying you as the Permittees that NMED will decide on this modification request within the next thirty (30) days, as allowed by 20.4.1.900 NMAC (incorporating §270.42(b)(6)(i)(E)).

040222



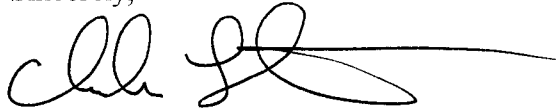
Mr. Detwiler and Dr. Warren

February 12, 2004

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If you have any questions regarding this matter, please contact Steve Zappe of my staff at (505) 428-2517.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles Lundstrom', with a long horizontal line extending to the right.

Charles Lundstrom

Director

Water and Waste Management Division

CL:soz (HWB)

cc: Sandra Martin, NMED HWB  
John Kieling, NMED HWB  
Tracy Hughes, NMED OGC  
Chuck Noble, NMED OGC  
Laurie King, EPA Region 6  
Betsy Forinash, EPA ORIA  
Connie Walker, Trinity Engineering  
**File: Red WIPP '04'**