August 26, 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: RESCISSION OF NOTICE OF VIOLATION
WIPP HAZARDOUS WASTE FACILITY PERMIT
EPA I.D. NUMBER NM4890139088

Dear Mr. Detwiler and Dr. Warren:

The New Mexico Environment Department issued a Notice of Violation (NOV) and resolution to the U.S. Department of Energy Carlsbad Field Office and Washington TRU Solutions LLC (collectively, the Permittees) on July 20, 2004 for failure to close an open container labeled as containing hazardous waste located near the bottom of the Waste Shaft. I hereby rescind the aforementioned NOV. No action is necessary on behalf of the Permittees vis-à-vis the NOV.

Sincerely,

[Signature]

James P. Bearzi
Chief
Hazardous Waste Bureau
cc: Charles Lundstrom, NMED WWMD
    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

WIPP File - Red '04