



BILL RICHARDSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
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ENTERED



RON CURRY
SECRETARY

DERRITH WATCHMAN-MOORE
DEPUTY SECRETARY

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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,

James P. Bearzi
Chief
Hazardous Waste Bureau

040839



Mr. Detwiler and Dr. War

August 26, 2004

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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