

No. 6933 P. 2

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**BILL RICHARDSON**  
GOVERNOR

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**  
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**RON CURRY**  
SECRETARY

**DERRITH WATCHMAN-MOORE**  
DEPUTY SECRETARY

September 21, 2004

Mr. Paul Detwiler  
Acting Manager  
Carlsbad Field Office  
U.S. Department of Energy  
Carlsbad, NM 88220

Date 9-22-04 ..... S. D. Warren  
cc: Bignell, D. T.  
Hedahl, T  
Johnson, G. J.  
Kehrman, R. F.  
Reber, D. P.  
GSA-109  
GSA-103  
GSA-202  
GSA-201  
GSA-201

Mr. Steven Warren  
Manager  
Washington TRU Solutions, Inc.  
4021 National Parks Highway  
Carlsbad, NM 88220

Dear Mr. Detwiler and Mr. Warren:

As we have discussed over the last several months, the New Mexico Environment Department (NMBD) has been working to establish schedules for the expedited review and processing of several Requests for Permit Modifications related to operations of the Waste Isolation Pilot Plant (WIPP). I am pleased to inform you that we have completed these schedules, and set the following anticipated timelines:

- Class 3 Construction and Use of Hazardous waste Disposal Units
  - Issue draft permit modification for public comment: 09-10-04
  - Decision on proposed permit modification: 03-22-05
- Class 3 Acceptance of Remote handled waste PMR
  - Issue second Notice of Deficiency to identify need for additional information: 10-15-04
  - Issue draft permit modification for public comment: 03-14-05
  - Decision on proposed permit modification: 10-15-05
- Class 3 Waste Analysis Plan and Monitoring revisions to Implement Section 311 of Public Law 108-137 PMR
  - Issue draft permit modification for public comment: 10-01-04

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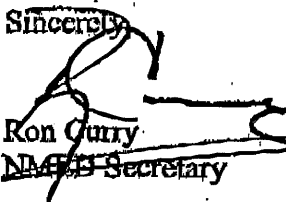
- Decision on proposed permit modification: 05-04-05
- Class 3 Container Management Improvements PMR
  - Issue of Notice of Deficiency to identify need for additional information: 12-01-04
  - Issue draft permit modification for public comment: 03-31-05
  - Decision on proposed permit modification: 10-17-05
- Class 3 Panel Closure Amendment (Design Change) PMR
  - Decision on proposed permit modification: 08-04-06
- Class 2 Procedure for Consideration of Tank Waste PMR
  - Decision on proposed permit modification: 11-05-04

In addition, early this fall, we will complete our review of the combined storage expansion/new shipping container permit modification request in conjunction with the Nuclear Regulatory Commission's review of your request for container certification. We understand that you are contemplating a bifurcation of the request of the PMR into a container request and a storage request. Given our progress on the combined request, we think that NMED consideration of the pending PMR represents the shortest time-line.

In setting these schedules, we are mindful of the continuing efforts of the Carlsbad Field Office (CBFO) and Washington TRU Solutions (WTS) to maintain a productive and genuinely responsive working relationship with NMED -- including your commitment to actively support NMED oversight staff at WIPP. While I recognize that you are now defining corrective measures to address a recent "lost-day" event at the WIPP site, your record of conducting over 2 million hours of work without a serious injury is to be highly commended. I encourage your team to redouble its efforts to achieve and maintain a perfect safety record, and am confident that your workforce will accept and act on this challenge.

NMED looks forward to a continued productive relationship with the CBFO and WTS as we move ahead with the WIPP program, and to working with your team as we pursue our expedited WIPP permitting review.

Sincerely,



Ron Curry  
NMED Secretary