



BILL RICHARDSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

Water and Waste Management Division

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RON CURRY
SECRETARY

DERRITH WATCHMAN-MOORE
DEPUTY SECRETARY

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 30, 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 July 2, 2004, the New Mexico Environment Department (NMED) received a Request for a Class 2 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 July 2, 2004. This Class 2 modification included the following item:

- Procedure for Consideration of Tank Waste

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 September 30, 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)).

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Mr. Detwiler and Dr. Warren
September 30, 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 flourish extending to the right.

Charles Lundstrom
Director
Water and Waste Management Division

CL:soz (HWB)

cc: James Bearzi, NMED HWB
John Kieling, NMED HWB
Tracy Hughes, NMED OGC
Ashley Schannauer, NMED OGC
Laurie King, EPA Region 6
Betsy Forinash, EPA ORIA
Connie Walker, Trinity Engineering
File: Red WIPP '04