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Lieutenant Governor

**NEW MEXICO  
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RYAN FLYNN  
Cabinet Secretary  
BUTCH TONGATE  
Deputy Secretary

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

June 19, 2014

Jose Franco, Manager  
Carlsbad Field Office  
Department of Energy  
P.O. Box 3090  
Carlsbad, New Mexico 88221-3090

Robert L. McQuinn, Project Manager  
Nuclear Waste Partnership, LLC  
P.O. Box 2078  
Carlsbad, New Mexico 88221-2078

**RE: CLARIFICATION TO DERIVED WASTE STORAGE  
WASTE ISOLATION PILOT PLANT  
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Franco and McQuinn:

On June 18, 2014 NMED received a request for clarification from George Basabilvazo, Director, Office of Environment, Safety & Health, via e-mail, regarding the handling and storage of derived waste resulting from the filter change-out activities occurring at this time. The Permit does not address derived waste container removal and replacement into the Derived Waste Storage Area (DWSA) and address the addition of wastes during this transit.

NMED understands that storage of partially filled standard waste boxes (SWBs) in the DWSA is necessary to accomplish the Bldg. 413 filter change in a safe and expedient manner. NMED has reviewed the attached procedures provided by DOE and NWP and agrees that provisions in these procedures are appropriate for use of the DWSA during filter change-out activities. NMED will however insist that the container storage time limitations within the Waste Handling Building be based on the date when the partially filled container was first placed in the DWSA. NMED also insists that container labeling reflect this initial placement. NMED recognizes that the Permittees' procedures encompass radiologic safety measures that the Permit did not anticipate



Messrs. Franco and McQuinn

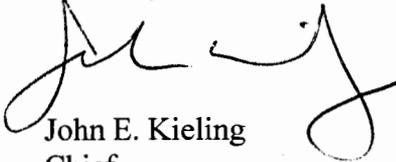
June 19, 2014

Page 2

nor does it regulate. Therefore, NMED is instructing the Permittees to follow the attached procedures and utilize the derived storage area for interim storage of partially filled containers. Note that this clarification only applies to filter change-out and any other situation regarding derived waste should be discussed with NMED.

If you have any questions regarding this matter, please contact Trais Kliphuis at (505) 476-6051.

Sincerely,



John E. Kieling  
Chief  
Hazardous Waste Bureau

JEK: tlk

cc: Tom Blaine, Director, NMED EHD  
Trais Kliphuis, NMED HWB  
Steve Holmes, NMED HWB  
Ricardo Maestas, NMED HWB  
Coleman Smith, NMED HWB  
Steve Pullen, NMED HWB  
Susan Lucas-Kamat, NMED DOEOB  
Laurie King, EPA Region 6  
Tom Peake, EPA ORIA  
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