



**NEW MEXICO
ENVIRONMENT DEPARTMENT**



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RYAN FLYNN
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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

July 15, 2015

Dana C. Bryson, Acting Manager
Carlsbad Field Office
Department of Energy
P.O. Box 3090
Carlsbad, New Mexico 88221-3090

Philip J. Breidenbach, Project Manager
Nuclear Waste Partnership, LLC
P.O. Box 2078
Carlsbad, New Mexico 88221-2078

**RE: MODIFICATION TO MAY 20, 2014, ADMINISTRATIVE ORDER AND AMENDMENT TO
REPORTING REQUIREMENTS PERTAINING TO CY 2014 ADMINISTRATIVE ORDERS
WASTE ISOLATION PILOT PLANT
EPA I.D. NUMBER NM4890139088**

Dear Messrs. Bryson and Breidenbach:

On May 20, 2014, the New Mexico Environment Department ("NMED") issued an Administrative Order ("AO3") to the U.S. Department of Energy ("DOE") and Nuclear Waste Partnership, LLC ("NWP"; collectively, with DOE the "Permittees") requiring the submittal of a WIPP Nitrate Salt Waste Container Isolation Plan ("Plan") (paragraph 22) and that updates be provided on the Plans implementation via technical calls and written updates in (paragraph 23).

The Plan was received by NMED on May 30, 2014 and on August 5, 2014 NMED approved Section 3.22 and 3.41 of the Plan and requested additional information. On September 30, 2014, the Permittees submitted Revision 1 to the Plan. On October 7, 2014, NMED issued a letter that modified paragraph 23 of AO3 to reduce the frequency of technical calls and updates.

On March 30, 2015, NMED approved Revision 1 of the Plan with the exception of Sections 3.2.3 and 3.3.3 and stated that the approval process for permanent, final closure of all panels, including Panel 6, would be subject to the public participation requirements in accordance with 40 CFR Part 270 of the regulations. On May 20, 2015, NMED issued a letter that modified paragraph 23 of AO3 to again reduce the frequency of technical calls and updates.

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Initial closure of Panel 6 and closure of Panel 7, Room 7 have been completed, in accordance with the Plan and therefore this letter hereby modifies paragraph 23 of AO3 to further reduce the frequency of the technical calls and updates. The technical calls shall cease after the next scheduled call, currently scheduled for July 23, 2015. The Permittees shall notify NMED by e-mail or phone if any issues arise during the implementation of the Plan.

The Permittees shall include the written updates regarding the Plan with the existing monthly report that addresses requirements pertaining to Administrative Order 1, issued February 27, 2014, and Administrative Order 2, issued May 12, 2014. (Ref: Letter Amending Reporting Requirements under AO1, AO2, and AO3 dated December 9, 2014.) This will provide for submittal of information related to all three Administrative Orders. All other provisions and requirements of AO1, AO2, and AO3 shall remain in effect.

If you have any questions regarding this matter, please contact Ricardo Maestas at (505) 476-6050 or John Kieling at (505) 476-6035.

Sincerely,



Kathryn Roberts
Director, Resource Protection Division
New Mexico Environment Department

cc: J. Kendall, NMED OGC
J. Hower, NMED OGC
J. Kieling, NMED HWB
S. Pullen, NMED HWB
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File: WIPP 2015