



NEW MEXICO
ENVIRONMENT DEPARTMENT



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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

July 22, 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: TECHNICAL INCOMPLETENESS DETERMINATION
MARCH 18, 2013 CLASS 3 PERMIT MODIFICATION REQUEST
WASTE ISOLATION PILOT PLANT, EPA I.D. NUMBER NM4890139088**

Dear Messrs. Bryson and Breidenbach:

On March 18, 2013 the New Mexico Environment Department (“NMED”) received a Class 3 modification request (“Request”) to the Waste Isolation Pilot Plant (“WIPP”) Hazardous Waste Facility Permit (“Permit”) from the Department of Energy Carlsbad Field Office and Nuclear Waste Partnership LLC (“the Permittees”). The Request included three modifications to the WIPP Permit: 1) WIPP Panel Closure; 2) Repository Reconfiguration of Panels 9 and 10; and 3) Revise Volatile Organic Compounds (VOC) Target Analyte List and Other Changes to the VOC Monitoring Program.

The NMED issued a draft permit for this Request, in accordance with the requirements of 20.4.1.901 NMAC, on February 14, 2014 and was in the public comment process until withdrawn by NMED on March 21, 2014 due to the February 2014 incidents at the facility.

NMED has commenced review of the Request and, at this time, regards the Request as technically incomplete due to the ongoing facility changes resulting from the incidents. Therefore, NMED requests that the Permittees update their Request to reflect current conditions

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at the facility and resubmit the Request to NMED. NMED will determine, upon resubmittal, if the request is administratively and technically complete.

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

Sincerely,



(for IK)

John E. Kieling
Chief
Hazardous Waste Bureau

cc: K. Roberts, NMED RPD
R. Maestas, NMED HWB
S. Holmes, NMED HWB
C. Smith, NMED HWB
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File: WIPP 2015