



**Re: Delegation of Signatory Authority for the Waste Isolation Pilot Plant Permit Renewal**

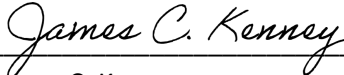
Under Section 74-4-4.2 of the New Mexico Hazardous Waste Act, and 20.4.1.901 NMAC, the Cabinet Secretary of Environment (Secretary) has the authority to issue, issue with conditions necessary to protect human health and the environment, or deny a permit for a facility. The Secretary shall give due consideration and the weight they deem appropriate to all comments received during a public comment period and to all relevant facts and circumstances presented at a public hearing. The Secretary may disapprove in whole or in part, or make reasonable conditions to any permit, if it appears that the permit applied for will not meet the requirements of the Hazardous Waste Management Regulations at 20.4.1 NMAC. At the time that any final permit decision is issued, the Secretary shall issue a response to comments. The Secretary shall notify the applicant or permittee of their decision and the reasons therefore. The Secretary may allow oral argument on the Hearing Officer's Report, and may adopt, modify, or set aside the Hearing Officer's recommended decision, and shall set forth in the Final Order the reasons for the action taken, pursuant to 20.1.4.500 NMAC.

Under Section 9-7A-6 of the Department of Environment Act, the Secretary has the authority to delegate authority to subordinates as he deems necessary and appropriate.

The Secretary hereby delegates the following authority regarding the Waste Isolation Pilot Plant permit renewal to Michelle Miano, Environmental Protection Division Director, New Mexico Environment Department:

1. Consider all relevant facts and circumstances presented at a public hearing;
2. Give due consideration to all comments received during the public comment period;
3. Disapprove in whole or in part, or make reasonable conditions to any permit, if it appears that the permit applied for will not meet the requirements of the Hazardous Waste Management Regulations;
4. Issue the Final Order regarding the issuance or denial for the permit;
5. Issue a response to comments;
6. Notify the permittee of their decision and the reasons therefore;
7. Allow or deny any request for oral argument on the Hearing Officer's Report; and
8. Adopt, modify, or set aside the Hearing Officer's recommended decision and set forth in the Final Order the reasons for the action taken.

The Secretary retains all other authority as stipulated in the Department of Environment Act, the Hazardous Waste Act, and all corresponding regulations.

  
\_\_\_\_\_  
James C. Kenney  
Cabinet Secretary of Environment

April 7, 2023  
\_\_\_\_\_  
Date