

**Table of Changes Between December 20, 2022 NMED Draft Permit
and August 15, 2023 Proposed Final Permit**

Topic	Proposed Final Permit Part/Attachment	Proposed Final Permit Section	Changes Made as a Result of Settlement Agreement shown in Red Line Strike Out with yellow highlighting
Permit Revocation	Part 1	Section 1.3.1	This Permit condition now triggers a notice of revocation and reissuance if the Land Withdrawal Act (LWA) volumetric disposal limit for transuranic (TRU) waste of 6.2 million cubic feet at the WIPP facility is increased, or additional types of waste are authorized, by federal statute.
Permit Application Submittal Date	Part 1	Section 1.6	The most recent renewal application submittal date was corrected to March 2020.
New Requirements for the Duty to Reapply	Part 1	Section 1.7.3	The Permittees must begin the pre-application public participation process at least 360 days before the Permit expiration date; the Permittees must provide an inventory of TRU waste from the Department of Energy (DOE) complex, with a basis for how the quantities were estimated, to support a renewal application.
Safe Transport of TRU Mixed Waste	Part 1 Part 2	Section 1.7.7.1 Section 2.13	In Part 1, deleted Draft Permit language relating to safe transport of waste. In Part 2, added requirement that the Permittees must report non-compliances with federal Department of Transportation requirements to NMED.
Public Participation	Part 1	Section 1.15.2	The forums are now required three times per year rather than quarterly.
Generator Site Technical Reviews	Part 2 Attachment C6	Section 2.3.2.2 Section C6-4	In Part 2, changed the Generator Site Technical Review (GSTR) schedule to reflect new wording in Attachment C6, Section C6-4. In Attachment C6, changed the GSTR condition to include a requirement that the GSTR schedule must be approved by NMED annually.
Siting Another Repository	Part 2	Section 2.14.3	Details of documentation which may be included in the annual report summarizing DOE's progress toward siting another repository for transuranic waste in a state other than New Mexico have been added; the term "geologic" has been removed to provide flexibility in future repository siting.
Future Panels Must Be Requested in Renewal Application	Part 4	Section 4.1.1.2.iii	Future waste panels beyond Panels 11 and 12 must be requested in a renewal application, not through a Permit Modification Request. The application must include a description of the final facility footprint.

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Prioritization and Risk Reduction of New Mexico Waste	Part 4	Section 4.2.1.4	The Permittees must certify that there is sufficient capacity in permitted waste panels for the emplacement of Los Alamos National Laboratory (LANL) stored (including buried) waste.
Legacy TRU Waste Disposal Plan	Part 4 Part 4	Table of Contents Section 4.2.1.5	Created a new Permit condition/section establishing the “Legacy TRU Waste Disposal Plan” which will both define “legacy TRU and TRU mixed waste” and be developed in consultation with generator/storage sites and stakeholders. To the extent practicable, Panel 12 shall be reserved for the disposal of legacy TRU mixed waste.
Laboratory Performance Evaluation Plan	Part 4 Attachment N	Section 4.6.2.1 Section N-5e	Deleted Permit language related to the Laboratory Performance Evaluation Plan (LPEP) because the Permittees have implemented a proficiency testing plan for laboratory analyses.
Closure	Part 6 Attachment G Attachment G Attachment H1	Section 6.5.2 Introduction Section G-1d Introduction	In Part 6, deleted impertinent language here because this section pertains to how the facility closes a HWDU, not the timeframe for closing the facility. In Attachment G and Attachment H1, added “unless a timely Renewal Application has been submitted and the requirements of Permit Part 1, Section 1.7.3 have been met .”
Closure Report	Part 6	Section 6.10.1	Added requirement for placing a panel’s Closure Report on the DOE WIPP Home Page.
Aisle Space	Attachment A1 Attachment A1	Section A1-1c(1) Section A1-1c(2)	Deleted “concrete” to allow flexibility in choice of barrier.
Root Cause Analysis	Attachment A1	Section A1-1d(2)	A report is required if the integrity of a shipping container is compromised and will be required reading; the report will be sent to generator/storage sites and the audit team.
Monitoring of Drilling Activities	Attachment A2	Section A2-5b(2)(a)	A summary annual report is required based on New Mexico Oil Conservation Division data.
Suspension of Waste Shipments	Attachment C	Section C-1d	Deleted repetitive language and changed “allegation” to “evidence.”
WIPP Records	Attachment E	Section E-1	Retained Permit language.
Decontamination at Closure	Attachment G	Section G-1a(1) Section G-1e(2)(c)	Added language recognizing the possible need for decontamination at closure due to the releases in February 2014.

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Topic	Proposed Final Permit Part/Attachment	Proposed Final Permit Section	Editorials* shown in Red Line Strike Out with gray highlighting
Editorial	Part 2	Table of Contents	<i>NMED Editorial:</i> Updated title of Section 2.3.2.2 to include GSTRs.
Editorial	Part 2	Section 2.10.1.1	Changed “plant-based radios” to “facility radio base stations” to avoid confusion.
Editorial	Part 7	Section 7.2	Added “panel” for clarification.
Editorial	Attachment A	Section A-1	<i>NMED editorial:</i> Added the acronym “(SIMCO)”.
Editorial	Attachment A	Section A-4	Added closing parenthesis.
Editorial	Attachment A2	Section A2-2a(3)	Deleted a comma to prevent a fragmented sentence.
Editorial	Attachment A2	Section A2-2b	Added “and Panels 11 and 12.”
Editorial	Attachment C	Section C-4a(3)	Made an acronym plural to match reference.
Editorial	Attachment C3	Section C3-4a	Consistency of language in the same sentence.
Editorial	Attachment C4	Section C4-C43g	Added an “s” to a verb because it refers to a singular noun.
Editorial	Attachment C6	Table C6-1 Checklist Item 24	<i>NMED editorial:</i> Changed the GSTR schedule to reflect new wording in Section C6-4; corrected section reference.
Editorial	Attachment D	Section D-6	Corrected figure reference.
Editorial	Attachment E	Section E-1a(3)	Excess language removed.
Editorial	Attachment E	Table E-1a	Removed incorrect inspection frequency from the “Procedure Number” column.
Editorial	Attachment E	Table E-1a, footnote c	Clarified language.
Editorial	Attachment E	Table E-1a, footnote d	Changed verbs to present tense.
Editorial	Attachment G3	Section G3-3b	Incorrect reference to a Part.
Editorial	Attachment N	Section N-1b	Deleted language remnant.

*Editorials based on Permittees’ April 18, 2023 Draft Permit Comment [AR 230425.163] as stated in the August 15, 2023 Public Notice, except for three noted NMED editorials.