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**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

December 8, 1995

Mr. Michael H. McFadden  
Carlsbad Area Office  
Department of Energy  
P.O. Box 3090  
Carlsbad, New Mexico 88221

Dear Mr. McFadden:

**RE: Request for further discussion meetings on RCRA Part B Permit Application**

The New Mexico Environment Department (NMED) has received your letter dated December 6, 1995, requesting further discussions regarding the WIPP RCRA Part B Permit Application, Revision 5. As stated in our letter dated November 30, 1995, we have completed our technical review of this document and have provided you with a series of explicit requests for information enumerating our concerns. Your letter requested further discussions to better understand and address these concerns prior to the issuance of a Notice of Deficiency (NOD). NMED is always willing to work with applicants by allowing reasonable time to remedy outstanding issues to an application.

NMED hereby grants your request for a delay in our permitting schedule to hold these discussions between now and January 17, 1996. DOE acknowledges all documents prior to the final response and revision are draft submittals, and that NMED will perform cursory reviews of these documents to determine if they may satisfy or partially satisfy our original requests for information. NOD comments generated by NMED may be impacted from either review of these documents or subsequent discussions. Please schedule the proposed meetings with Barbara Hoditschek and Steve Zappe as soon as possible to allow a coordinated effort between NMED, DOE, and contractors during the busy Christmas season.

NMED anticipates requiring one month following your final submittal on January 17 to conduct technical review of the responses and revised text before finalizing an NOD. Accordingly, we have adjusted our schedule by delaying the issuance of the technical NOD from December 12, 1995, to February 19, 1996 (see attachment). All

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Mr. McFadden  
Page 2  
December 8, 1995

subsequent dates on our schedule will be delayed by the same amount of time based on your request. However, NMED believes the time delay incurred by your request will benefit all interested parties by providing a better application.

Sincerely,



Benito J. Garcia  
Chief, Hazardous and Radioactive Materials Bureau

Enclosure

cc: Barbara Hoditschek, NMED  
Susan McMichael, NMED  
Karen Day, WID  
Craig Snider, DOE  
David Neleigh, EPA Region 6  
Reid Rosnick, EPA OSW  
Connie Walker, A.T. Kearney  
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