



June 25, 2024

**Re: Final Determination Class 2 Permit Modification Request and Response to Comments  
Waste Isolation Pilot Plant  
EPA I.D. Number NM4890139088**

Dear Interested Person,

On June 25, 2024, the New Mexico Environment Department (NMED) took final administrative action on a Class 2 Permit Modification Request (PMR) to the Waste Isolation Pilot Plant (WIPP) Hazardous Waste Facility Permit (Permit) submitted by the U.S. Department of Energy (DOE) and Salado Isolation Mining Contractors, LLC (SIMCO) (collectively, the Permittees). This PMR included two items: 1) Addition of Four New Shielded Containers; 2) Revise Site Recertification Audit Scheduling from Annual to Graded Approach.

NMED approved the PMR with changes. The PMR was evaluated and processed in accordance with the requirements specified in 20.4.1.900 NMAC (incorporating 40 CFR §270.42.b) and was subject to a 60-day public comment period running from April 2, 2024 through June 3, 2024. NMED responded to written comments received during the comment period. The Class 2 PMR as approved with changes is effective on July 25, 2024.

In addition to the Class 2 changes, this revised Permit [AR 240600] incorporates the following two Class 1 Permit Modification Notifications (PMNs):

- March 19, 2024 Class 1 PMN: Two Items [AR 240310]
  - *Revise text in Permit Part 1, Section 1.15.1 through 1.15.5, regarding Tribal Community notice and involvement.*
  - *Revise text in Permit Attachment A1, concerning the flood zone designation for the Waste Isolation Pilot Plant (WIPP) facility.*
- April 29, 2024 Class 1 PMN: Two Items [AR 240413]
  - *Update Permit Attachments D and E with some upgrades to the New Fire Water Distribution System Description*
  - *Update Permit Part 3 and Attachments A3, B, D, and M with the Current Facility layout*

Final Determination Class 2 Permit Modification Request and Response to Comments  
June 25, 2024

NMED has reviewed the Class 1 modifications, and they have been incorporated into the Permit and are effective as requested by the Permittees under the conditions specified in 20.4.1.900 NMAC (incorporating 40 CFR §270.42.a.1). The Permittees must send a notice to all persons on the facility mailing list within 90 calendar days as specified in 20.4.1.900 NMAC (incorporating 40 CFR §270.42.a.1.ii).

Specific to the Class 2 PMR, the revised applicable sections of the Permit are shown in the following format: Language that is deleted from the Permit is indicated by ~~redline strike out~~ and language added to the Permit is displayed in redline. Language changes introduced by NMED in Permit Attachment C6 are distinguished by ~~redline strike out~~ **yellow highlight**.

Further information on this administrative action, including NMED's response to comments, the redline strikeout of the applicable Permit sections, and the final Permit, may be found on the NMED WIPP News webpage at <https://www.env.nm.gov/hazardous-waste/wipp/>.

If you have any questions regarding this correspondence, please contact me at (505) 690-6148.

Sincerely,

**Ricardo Maestas**

Digitally signed by Ricardo  
Maestas  
Date: 2024.06.25 11:16:29 -06'00'

Ricardo Maestas  
WIPP Group Staff Manager  
Hazardous Waste Bureau  
New Mexico Environment Department