



BRUCE KING
GOVERNOR

CAFB 93

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-2850

*Clarify my reasons
Telle*

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

October 8, 1993

Christopher S. Long
Commander
27 SPTG/CC
100 S DL Ingram Blvd., Suite 200
Cannon Air Force Base, New Mexico 88103-5217

Dear Col. Long:

Thank you for the comments and concerns expressed in your letter dated September 21, 1993. I can assure you that the New Mexico Environment Department (NMED) takes its role of negotiating a fair and equitable settlement very seriously. I can also assure you that we are taking your comments and concerns under advisement as we strive for an appropriate settlement. NMED strongly believes that in the spirit of the Federal Facilities Compliance Act, federal facilities must be held accountable to the same standards and enforcement procedures which are applicable to private industry.

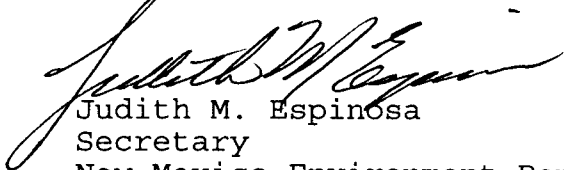
As to the specifics of the settlement negotiations, NMED has at this time not committed to the acceptability of a particular project. While there have been statements made by NMED staff as to the north playa lake monitoring project proposal sounding like a good idea for environmental benefit, Hazardous Waste Program staff have not yet seen the specifics of the proposal, particularly regarding the system's design and the exact type of monitoring proposed. An environmental project is acceptable as part of the settlement agreement. However, NMED cannot formally approve of this project until we can evaluate its design and specifics. NMED officials asked CAFB officials at the September 20, 1993 settlement meeting for details of the project. To date we have received no further information from CAFB. NMED requests that this additional information be provided as soon as possible. Please be aware that any actions taken to implement a proposed project at this time is done at your own risk.

I would like to comment on the statement in your letter that "Congressionally approved outlays should not be unduly transferred to State operating funds." Penalties paid to NMED are not dedicated to state operating funds. Such payments are placed, by statutory requirement, in funds for emergency cleanups, which ultimately result in a direct benefit to the citizens of the state of New Mexico.

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Again, thank you for your comments. NMED is committed to resolving this issue as soon as possible.

Sincerely,



Judith M. Espinosa
Secretary
New Mexico Environment Department

xc: Kathleen Sisneros, Director, W&WMD
Benito Garcia, Chief, HRMB
Edward Horst, RCRA Insp./Enf. Program Mgr.
Susan McMichael, OGC