



CAFIB 98

File

**OFFICE OF THE LIEUTENANT GOVERNOR**  
STATE CAPITOL ROOM 417  
SANTA FE, NEW MEXICO 87503

**WALTER BRADLEY**  
LIEUTENANT GOVERNOR

Tel: (505) 827-3050

September 14, 1998

David E. Clary, Colonel, USAF  
Commander  
100 S DL Ingram Boulevard, Suite 100  
Cannon AFB New Mexico 88103

Dear Colonel Clary:

Thank you for your letter relevant to the proposed permit activities fees. Your comments and those of the Department of Defense ( DOD ) have been presented to the New Mexico Environment Department (NMED) and the Environmental Improvement Board ( EIB ). The EIB has the responsibility to address all comments from any interested parties in making determinations on the proposed NMED regulations.

The EIB began its hearing on the proposed regulation on 7/10/98 and continued the hearing on 08/14/98. At the conclusion of testimony, which included the concerns of the DOD, the EIB requested that the NMED meet with representatives of the DOD, U.S. Department of Energy and the private facilities impacted by the proposed fees. The NMED is currently meeting with those representatives to attempt to come to a middle ground on the proposed fees.

The EIB based on the outcome of the results of the discussions between NMED and impacted parties will make a decision to approve the fee regulations as proposed, approve the fee regulations with modifications, reject the fee proposal or perhaps remand the proposed fee regulations to the NMED for rewrite to resubmit to the EIB for further consideration. The NMED has the option to request that the regulations be removed from consideration by the EIB.

The impact of proposed fees is taken very seriously by my office and the Governor's appointees to Cabinet positions. Be assured that the appropriate course of action will be taken by the agencies in evaluating the proposed fee regulations, the needs of the program and the impact to the regulated facilities. Please contact Dr. Ed Kelley, Director Water and Waste Management Division, New Mexico Environment Department at ( 505 ) 827-2855 with any further comments or questions on the issue. As always, please feel free to contact me or the office of Mr. Peter Maggiore, Secretary, NMED at your convenience.

Sincerely,

A handwritten signature in black ink that reads "Walter Bradley". The signature is fluid and cursive, with a long horizontal line extending to the right.

Walter Bradley  
Lieutenant Governor

WDB/BJG:jfr



**DEPARTMENT OF THE AIR FORCE**  
HEADQUARTERS 27th FIGHTER WING (ACC)  
CANNON AIR FORCE BASE, NEW MEXICO

David E. Clary, Colonel, USAF  
Commander  
100 S DL Ingram Blvd, Ste 100  
Cannon AFB NM 88103

The Honorable Walter Bradley  
Lieutenant Governor of New Mexico  
State Capitol Building, Room 417  
Santa Fe, NM 87503

Dear Mr. Bradley

I am forwarding to you Cannon AFB's official comments to a proposed New Mexico environmental regulation. In April of 1998, the New Mexico Environment Department (NMED) proposed an environmental regulation which would greatly increase the amount of money that Cannon AFB must pay to NMED for Cannon AFB's handling of hazardous waste. After proposing this regulation, NMED requested the affected facilities to submit written comments.

Cannon AFB currently pays to NMED less than \$15,000.00 annually for Cannon AFB's handling of hazardous waste, however, under the proposed regulation, Cannon AFB would pay from \$170,000.00 to \$350,000.00 annually. Cannon AFB has already submitted its comments to our Department of Defense (DoD) attorney, who will, in turn, submit Cannon AFB's comments to NMED. It is the opinion of Cannon AFB (and of the DoD facilities in New Mexico) that the level of fees in NMED's proposed regulation is too high. While we agree that NMED is justified in charging reasonable fees to fund NMED's regulation of hazardous waste activities in New Mexico, we believe that the level of the fees in the proposed regulation is unreasonable.

We ask that you review Cannon AFB's enclosed comments and the proposed regulation so that you may be informed of this important issue. If you have any questions or concerns about Cannon AFB's comments, please contact Capt Marci Lawson of my legal office at (505)784-2211. Thank you for your time and efforts.

Sincerely

A handwritten signature in black ink that reads "David E. Clary".

DAVID E. CLARY, Colonel, USAF

Attachment:  
Cannon AFB's Comments  
NMED's Proposed Regulation



09 JUL 1998

# Lieutenant Governor's Office

# FAX

Date 8/27/98  
 Number of pages including cover sheet 3

To: Pete M  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Fax phone: 72830

From: Cecilia  
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 \_\_\_\_\_  
 Phone: (505) 827-3057  
 Fax phone: (505) 827-3057

Remarks:  Urgent  For your review  Reply ASAP  Please Comment

Pete -

Here is the CAFB letter -  
a basic short letter for Lt Gov.  
Signature should do - I just  
don't want him to be in Chris  
w/out a response. THK

Cecilia