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State of New Mexico  
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GARY E. JOHNSON  
 GOVERNOR  
 January 8, 1997

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 SECRETARY

EDGAR T. THORNTON, III  
 DEPUTY SECRETARY

Mr. Bill Ross, President  
 Ross and Associates, Ltd.  
 1218 Third Avenue, Suite 1207  
 Seattle, WA 98101

RE: **Environmental Restoration Administrative Reform at Federal Facilities,  
 December 17, 1996 Teleconference with National Governor's Association**

Dear Mr. Ross:

On December 17, 1996 the New Mexico Environment Department (NMED) Hazardous and Radioactive Materials Bureau (HRMB) participated in a teleconference with National Governor's Association (NGA) members at which the lack of up-front State involvement in the current development of Administrative Reforms for Environmental Restoration at federal facilities was discussed. The question was asked by NMED HRMB if any federal facilities in New Mexico have been solicited for input into the development of these Administrative Reforms. It was explained that the approach taken by the Department of Energy (DOE) and Environmental Protection Agency (EPA) is that federal facilities with the highest budgetary allotment for cleanup are involved up-front and those with lesser budgetary allotment, such as New Mexico, are brought in later. According to the latest Ten Year Plan, Albuquerque DOE Operation Office is to receive approximately 3 billion dollars for projected cleanup.

NMED HRMB has concerns that current Administrative Reforms are being developed by the DOE and EPA for ER programs at federal facilities without appropriate State involvement. New Mexico has numerous federal facilities, both DOE and Department of Defense (DOD), which are undergoing ER through the Resource Conservation and Recovery Act (RCRA) Hazardous and Solid Waste Admenments (HSWA) Corrective Active (CA) process. Specific permit requirements for CA are addressed through State enforced HSWA Modules (permits) and, or Consent Agreements. NMED would like to see an increased effort by the DOE and EPA to involve States up-front in the development of these Administrative Reforms to ensure appropriate integration with State cleanup programs and current RCRA/HSWA cleanup efforts.

The NMED HRMB is currently working with DOE facilities to streamline the RCRA Facility Investigation (RFI) stage of the CA process. NMED HRMB, DOE Albuquerque, and DOE's facility contractors have spent considerable time working together to achieve a process that is both streamlined and protective of human health and the environment and meets the intent of corrective action as intended under RCRA HSWA. Once complete, these types of administrative reforms will be incorporated into the facilities HSWA modules (permits). The

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Mr. Bill Ross  
January 8, 1996  
Page 2

NMED HRMB wants to be assured that Administrative Reforms developed by the DOE and EPA are compatible with and easily integrated into present State cleanup programs.

Thank you for your attention in these matters. Please feel free to contact either myself or Ms. Teri Davis of my staff to discuss these concerns further.

Sincerely,



Robert S. "Stu" Dinwiddie, RCRA Program Manager  
Hazardous and Radioactive Materials Bureau

RSD/tdd

cc: Susan McMichael, OGC, New Mexico Environment Department  
Janice Archuleta, NMED HRMB  
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Earl Lemming, Tennessee Department of Environment and Conservation  
Lisa McCarter, Office of the Tennessee Attorney General  
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