



BRUCE KING
GOVERNOR

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

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

September 13, 1993

ALSO VIA TELEFAX

Mr. Thomas Grumbly
Assistant Secretary for Environmental
Restoration and Waste Management
US Department of Energy
1000 Independence Ave, SW
Washington, DC 20585

RE: New Mexico Hazardous Waste Act Compliance Orders Nos. 93-01,
93-02, 93-03 and 93-04.

Dear Mr. Grumbly:

On January 28, 1993, the New Mexico Environment Department (NMED) issued four compliance orders alleging certain violations of the New Mexico Hazardous Waste Act in the handling and storage of hazardous and mixed waste at LANL. During the past six months, the parties have negotiated the terms of a settlement agreement and remedial action plan. The amount of the civil penalty to be assessed and the time period for remediation were the only outstanding terms of the agreement.

On August 19th, Ms. Ellen Livingston discussed with Ms. Kathleen Sisneros, NMED Director, Water and Waste Management, three separate options for settlement of the civil penalty and remediation period. After carefully considering each option, we determined that two options were acceptable. Our preference was the option that provided the State with approximately \$800,000.00 in civil penalties, remediation to be accomplished over a ten year period, and a phased six month study with the remediation or "clean up" covering an area broader than the TRU waste pads. Ms. Sisneros promptly contacted Ms. Livingston regarding our decision and informed her that I believed we had an "agreement in principle" and could work out the details. Ms. Livingston indicated she would discuss this with you.

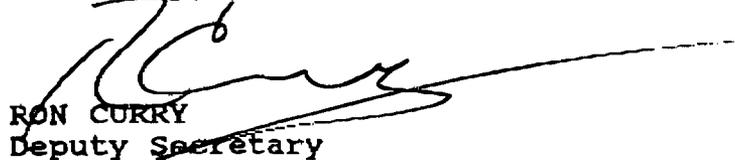
We fully anticipate resolving this matter and believe that an agreement in principle was reached. Please contact me regarding your understanding of these discussions as soon as possible. If



Thomas Grumbly
September 13, 1993
Page 2

I do not hear from you by September 21st, we will need to proceed with the hearing process.

Sincerely,



RON CURRY
Deputy Secretary

cc: Kathleen Sisneros
Jerry Bellows
Al Tiedman
Ellen Livingston



BRUCE KING
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87602
(505) 827-2850

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

TELECOPIER TRANSMITTAL

DATE: 2:06

TIME _____

PAGE 1 OF 3

PLEASE DELIVER THE FOLLOWING PAGES TO:

TO: Benito

LOCATION: _____

Telephone: _____

Telecopier Number: _____

FROM: Karnteen

LOCATION: _____

Telephone: _____

Telecopier Number: _____

COMMENTS: