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GARY E. JOHNSON  
GOVERNOR

State of New Mexico  
**ENVIRONMENT DEPARTMENT**

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PETER MAGGIORE



December 11, 1998

Hortense Haynes  
Attorney at Law  
Counsel's Office  
Department of Energy  
Los Alamos Area Office  
528 35<sup>th</sup> Street  
Los Alamos, NM 87544

Re: Compliance Order No. 98-02

Dear Hortense:

In accordance with your request I am writing to confirm our telephone conversation today in which I advised you that I have made changes to NMED's First Set of Interrogatories to Respondent United States Department of Energy which are identical to the changes made to NMED's First Set of Interrogatories to Respondent Regents of the University of California that are described in my December 8, 1998 letter. I also have corrected a typographical error in Interrogatory No. 7 by changing "8" at the end of the first line to "6." (Although I neglected to mention this to you during our telephone conversation, I assume you do not have a problem with this). Subsequently, in accordance with your request I have changed the due date for the Department of Energy's Answers to the Interrogatories to January 29, 1998.

This also confirms that you have agreed that I may indicate your telephone approval to the Order I sent you with the December 8, 1998 letter. I enclose a copy of the Motion and Order which I submitted to the Hearing Officer today.

By copy of this letter I am sending a copy of the Motion and Order to Joe Rochelle and advising Joe that I have taken the liberty of also extending the University of California's due date for its answers to January 29.

I will formally serve the Interrogatories after the Hearing Officer approves the Order.



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Sincerely,

  
Nicholas F. Persampieri  
Assistant General Counsel

Cc: Joseph B. Rochelle III, Esq.