

Permiel

5/2/02

Dear Sirs at the NMED,

I have seen your proposed notice on the regulation of cleanup of hazardous waste areas at LANL, and in particular your desire to fine the lab \$25,000 per day/per instance of not being in compliance. It seems to me that you are selectively interpreting NM Law and applying the proposed guidelines to LANL, but not to other locations in the state where one could reasonably suppose that there are even more problematic waste sites....such as found at nearly every municipal or county garbage dump in the state. It seems to me that you are potentially guilty of selective enforcement, going after a particular entity because of it's known deep pocket, rather than any fair appraisal of the potential hazard of a site to the environment or to the population of New Mexico. If you really cared about the environment, and the health of New Mexico, you would do an objective, and rational analysis of the so-called hazards, ..... applied uniformly throughout the state..... and then take an appropriate course of action, rather than trying to make your budget quotas through an extortion scheme, which you call "fines". In my experience observing actions of the NMED in the past 20 years, this is only the latest in a string of such instances, and I believe it to be a gross distortion of the law.

Sincerely,

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PS. I have copied this complaint to the Governor's Office, also.



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