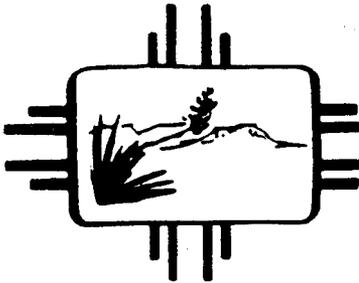


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New Mexico Health and Environment Department

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MARALYN BUDKE  
Acting Secretary

CARLA L. MUTH  
Deputy Secretary

MICHAEL J. BURKHART  
Deputy Secretary

RICHARD MITZELFELT  
Director

MEMORANDUM

TO: CONGRESSMAN BILL RICHARDSON

ATTENTION: STEVE CROUT

FROM: *Rhm* RICHARD MITZELFELT, DIRECTOR  
NEW MEXICO ENVIRONMENTAL IMPROVEMENT DIVISION  
505/827-2850 (FAX # 505/827-2836)

RE: INCINERATOR AMENDMENT - NMEID COMMENTS

DATE: JULY 25, 1989

The Division supports this amendment for the following reasons:

1. The amendment would prevent the burning of mixed waste and radioactive waste without a RCRA component at the only facility in the state exempt from state moratorium, H.B. 59.
2. This amendment would enable the Division to move from a position of uncertainty regarding public health impacts to one of protection. The health impacts of this activity would then be discussed in a public hearing through the adoption of new air regulations before the activity could resume.
3. The Air Quality Bureau which develops regulations would be given more time to address this type of incineration along with municipal and medical waste incineration. This would also alleviate the potential to act too hurriedly.

Although we support this moratorium, one question needs to be researched. Does this moratorium as currently proposed create a conflict by preventing activities currently authorized by the Resource Conservation and Recovery Act? The incineration of mixed waste being one such activity.

lr

cc: Max Best, Governor's Office  
Michael Burkhart, Deputy Secretary, HED  
Cecilia Williams, Air Quality Bureau  
Boyd Hamilton, Hazardous Waste Bureau

