



BILL RICHARDSON
GOVERNOR

March 12, 2007

David B. McCoy
Director, Citizen Action New Mexico
Post Office Box 4276
Albuquerque, New Mexico 87196-4276

Dear Mr. McCoy:

This is to respond to Citizen Action's March 7, 2007 request to extend the public comment period on the Soil Vapor Sampling and Analysis Plan ("SAP") for the Sandia National Laboratories ("SNL") Mixed Waste Landfill ("MWL"), to schedule a public hearing on the SAP, and to issue a "cease and desist order" to SNL regarding construction of the soil cover on the MWL. Southwest Research and Information Center ("SRIC"), on March 1, 2007, submitted a request as well to extend the public comment period on the SAP and additionally requested the New Mexico Environment Department ("NMED") to convene a technical meeting open to the public on the SAP as well.

NMED has determined that it will convene a technical meeting, as requested by SRIC, and to extend the public comment period, as requested by SRIC and Citizen Action, fourteen days after the meeting to allow for additional public comments. The NMED Hazardous Waste Bureau will provide appropriate notice to the public of the date, time and place of the technical meeting and the manner by which to submit additional comments. Such notice will include a letter to Citizen Action.

NMED will not hold a public hearing on the SAP. There is no provision in the applicable regulatory framework for holding a public hearing on the SAP. See 20.1.4 NMAC and 20.4.901 NMAC. Also, holding a public technical meeting will allow members of the public to discuss the SAP with NMED and SNL, and is a more appropriate forum for such a discussion.

NMED will not issue a cease and desist order to SNL regarding construction of the soil cover at the MWL. There is no need to issue such an order because SNL has complied with and is complying with NMED's directives regarding construction of the soil cover.

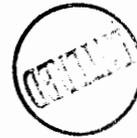
Thank you.

Sincerely,


Ron Curry
Secretary

cc: Patty Wagner, DOE Oversight Office, SNL
James Bearzi, Chief, HWB, NMED
Tannis L. Fox, OGC, NMED

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