



**BILL RICHARDSON**  
GOVERNOR

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**

*Hazardous Waste Bureau*

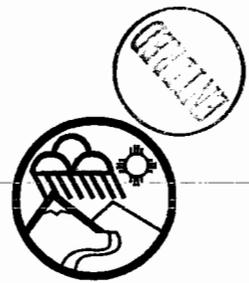
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**RON CURRY**  
SECRETARY

**CINDY PADILLA**  
DEPUTY SECRETARY

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

April 9, 2007

David McCoy  
Citizen Action New Mexico  
Post Office Box 4276  
Albuquerque, New Mexico 87196

Dear Mr. McCoy:

Deputy Secretary Padilla has asked me to respond to your March 2, 2007 letter in which you express various concerns regarding the New Mexico Environment Department's (Department) regulation of Sandia National Laboratories' Mixed Waste Landfill (MWL).

Your letter sets forth the same concerns that you have already raised with the Department with respect to the MWL on a number of occasions, and does not provide new information beyond that provided in your previous letters concerning the MWL. The Department has responded to your concerns in various documents, including but not limited to numerous Department letters to Citizen Action and the Department's Response to Comments on documents released for public comment. These documents include:

- August 2, 2005 Final Remedy Decision and Response to Public Comment on Class 3 Permit Modification for the Corrective Measure for the Mixed Waste Landfill
- November 20, 2006 Response to Nancy Simmons Public Records Request
- November 21, 2006 e-mail to Citizen Action and others announcing the availability of the Notice of Deficiency on the Corrective Measures Implementation (CMI) Plan on the NMED website
- November 20, 2006 Response to Citizen Action Public Records Request (KAFB information)
- November 21, 2006 NMED Responses to Public Comments on the MWL Corrective Measures Implementation Work Plan
- November 2006 *Evaluation of the Representativeness and Reliability of Groundwater Monitoring Well Data, Mixed Waste Landfill, Sandia National Laboratories, New Mexico Environment Department/Hazardous Waste Bureau* by William P. Moats, David L.

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Mayerson, and Brian L. Salem

- December 5, 2006 Response to Citizen Action Public Records Request
- December 9, 2006 Response to Citizen Action Public Records Request
- January 3, 2007 Response to Citizen Action Public Records Request
- January 9, 2007 Response to Citizen Action e-mail Re: Request for Ongoing Information: Corrective Measures Implementation Work Plan (CMIP)
- January 19, 2007 Response to two Citizen Action Public Records Requests
- Two February 12, 2007 Responses to Citizen Action Public Information Requests
- February 23, 2007 and February 27, 2007 Responses to Citizen Action letter of December 18, 2006 letter
- March 12, 2007 Response to Citizen Action request to extend public comment period on the Soil Vapor Sampling and Analysis Plan
- March 12, 2007 Response to Citizen Action Public Records Request
- March 13, 2007 Response to Citizen Action Public Records Request
- March 23, 2007 Response to Citizen Action Letter of February 28, 2007, Concerning Applicability of Subpart F Groundwater Requirements to Sandia National Laboratories' Mixed Waste Landfill

Many of your concerns were also addressed in the Department's testimony, exhibits, and pleadings before the Secretary in *In the Matter of a Request for a Class 3 Permit Modification for Corrective Measures for the Mixed Waste Landfill Sandia National Laboratories*, No. HWB 04-11 (M), and in the Department's Answer Brief in *Citizen Action v. Sandia Corp., et al.*, No. 25,896 (Ct. App.).

Although you may disagree with the Department's positions as expressed in these documents, we believe the previous responses and information supplied by the Department address your concerns.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

cc: C. Padilla, NMED Deputy Secretary  
J. Goldstein, NMED WWMD  
J. Kieling, NMED HWB  
W. Moats, NMED HWB  
T. Fox, NMED OGC