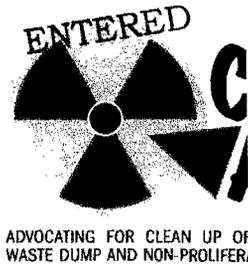


Citizen Action Advisory Board
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February 13, 2008
Mr. Ron Curry, Secretary
New Mexico Environment Department
PO BOX 26110
Santa Fe, New Mexico 87502
FAX 505 827 2836



To
Ron
Curry

Dear Secretary Curry,

This is a request to reconsider NMED's decision not to have Sandia National Laboratories (SNL) provide an informal public presentation of the Sandia National Laboratories' Resource Conservation and Recovery Act (RCRA) Part B Draft Permit (2007). The informal public meeting for the Draft Permit was held nearly 6 years ago in 2002. This is an unreasonable period of time for the public to not have access to the information and changes that resulted prior to the second submission of the Draft Permit in 2007. The 2002 Draft Permit was never posted on the NMED website for review and the public has not been kept informed as to the alterations that have been made to the Draft Permit since it was presented in 1992.

RCRA requires early, open, and continuous involvement of the public in the RCRA permitting process. That opportunity for involvement has not been provided to the public given that nearly six years have elapsed since the 2002 Draft Permit was presented to the public. Class 3 modifications have been made to the original RCRA permit (1992), with more Class 3 permit modifications now proposed during the pendency of the 2007 Draft Permit and, changes have been made to the Draft Permit since presented in 2002. The public has not been kept abreast of how those modifications relate to the 2007 version of the Draft Permit now on the table. No doubt, during that period there have been numerous communications between NMED and SNL suggesting changes to the 2002 version of the Draft Permit. The public has not been included in those meetings and communications as should be accomplished under the New Mexico Open Meetings Act as well as RCRA.

In the interests of fairness to the public and compliance with the spirit and intent of RCRA for public participation, I am requesting that an informal meeting be provided to the public before proceeding further with the 2007 Draft Permit.

Sincerely,

David B. McCoy, Executive Director
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cc: Attorney Nancy Simmons

SNL1051

