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GOVERNOR

State of New Mexico
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PETER MAGGIORE
SECRETARY

February 3, 2000

Mr. Ron Callen
501 McPherson Ave
Lansing, MI 48915

Dear Mr. Callen:

Enclosed are copies of several documents related to the topic of financial assurance requirements imposed on Westinghouse at the Waste Isolation Pilot Plant (WIPP) by the New Mexico Environment Department (NMED) in the WIPP hazardous waste permit. These documents include relevant selections of the following:

- NMED's Proposed Findings of Fact and Conclusions of Law, June 25, 1999
- DOE's and Westinghouse's Joint Closing Argument... and Proposed Findings of Fact
- Report of the Hearing Officer
- DOE's and Westinghouse's Comments on the Hearing Officer's Report

I figured you would like to see both sides of the issue rather than just become familiar with NMED's position.

Finally, I have included a brief news article entitled "DOE, Tennessee Agree on Fund to Cover Post-Closure at Oak Ridge" from the November 10, 1999 Superfund Report. Although it is not directly related to the imposition of financial requirements on a contractor at a federal facility, it includes some interesting statements concerning DOE's view of the agreement.

Let me know if I can be of further assistance to you.

Sincerely,

A handwritten signature in cursive script that reads "Steve Zappe".

Steve Zappe
NMED WIPP Project Leader

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