

Subject: Re: Display Ad

Date: Thu, 25 Jan 2001 09:16:46 -0700

From: Steve Zappe <Steve_Zappe@nmenv.state.nm.us>

Organization: NMED Haz/Rad Materials Bureau

To: "Kehrman, Bob" <KehrmaB@wipp.carlsbad.nm.us>



Bob -

Please send a draft of the display ad. I'd like to verify that the notice includes all the information required in §270.42(b)(2). Here are some advance comments based upon earlier display ads. Many of these appear to have been fixed in the most recent DAC mod ad, but they bear repeating. I recommend you develop a checklist for your display ad designers so none of the required information is left out:

- The language "You can send written comments to..." sounds optional. The regs state in (b)(i) that you need to identify the "...contact to whom comments *must* be sent." I'd recommend simply dropping the "You can" part of the sentence. You could also include my fax number (827-1544) if you like.
- You should include the phrase "60-day comment period" in the announcement when stating the comment deadline. Alternately, put the nominal publishing date in the display ad itself so folks can figure out they've been given the full 60 days mandated under (b)(i).
- The name of your contact person as required under (b)(2)(iii) has been excluded, and my phone number as required under (b)(2)(iv) has been excluded. Recently fixed.
- You should also include in (b)(v) my office in Santa Fe as a location where the mod request and other documents can be viewed and copied.
- Previous ads included the (b)(vi) "compliance history" statement. The DAC mod ad did not.
- We need more substantial "evidence of the mailing and publication" than has been provided in the past. Please include affidavits of publication from each newspaper, and some form of affidavit from your public relations folks stating the date of mailing. I have not received this information yet for the DAC mod.

Finally, on a scheduling note, please let me know when you intend to hold the meetings as soon as possible. I realize that probably won't be until next week, but I would like to let you know before you establish a date and publish the ad if I have any prior commitments that would prevent me from participating.

Thanks!

Steve



"Kehrman, Bob" wrote:

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> Steve

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> The display ad is scheduled to run on Tuesday. We won't have a public meeting

> date until Monday when the CBFO Communications folks return. I can send a

> draft without the date now, or I can send the final on Monday--which is your

> preference?

>

> Bob