



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
2044 Galisteo
P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-1557
Fax (505) 827-1544



MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

September 25, 1997

Mr. George Dials, Manager
Carlsbad Area Office
Department of Energy
P. O. Box 3090
Carlsbad, New Mexico 88221

Dear Mr. Dials:

The RCRA Permits Management Program (RPMP) has revised the proposed fee schedule and Consumer Price Index sections of the Draft Fee Regulations 20 NMAC 4.2 and once again seeks the regulated community's input about the revised Fee Schedule and CPI section now called "Fee Adjustment".

A large concern across the regulated community about the magnitude of the proposed fees at our September 9 information meeting in Santa Fe has prompted the revision of the fee schedule to an annual fee per type of unit. The RPMP feels that this is more equitable because the number and types of units should indicate the amount of workload to be expected from a facility. Please review the new fee schedule and send me your comments on that portion. Once a workable fee structure is established the rest should be merely fine tuning.

Due to the proposed revisions, it is felt that my attending and participating in a Fee Task Force at this time would be premature. I therefore, do not plan on attending the meeting(s) scheduled October 2 and 3 of this year. Once a response is generated to all of the comments submitted from facilities, on both the original Draft and this revised version, the RPMP is willing to discuss fine tuning of the proposed regulations. This assumes the major obstruction (fee schedule) is now more acceptable to the majority of the community.

Should you or your staff have questions about the implications of this latest revision to the fee schedule please contact me or Mr. Jerry Bober of my staff at the above address or by telephone at (505) 827-1561.

Sincerely,

Robert S. (Stu) Dinwiddie, Ph.D., Manager
RCRA Permits Management Program

