



State of New Mexico
House of Representatives
Santa Fe

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Oct 9, 1997

Secretary Mark Weidler
New Mexico Environment Department
Harold Runnels Building, Rm 4050
1190 St. Francis Drive
Santa Fe, NM 87502

Dear Secretary Weidler:

I write to obtain confirmation of your statement at the Energy Community Alliance Conference in Carlsbad on Friday, October 3, 1997, that "the WIPP can open for disposal of non-mixed TRU waste without a RCRA Part B permit."

As you well know, I have been extremely frustrated by the very long time frame for completing the RCRA permitting process, and remain convinced that an efficiently managed effort could have produced, at least, a draft permit by now. After all you have had the permit application since May 1995. Nonetheless, I was pleased to hear you articulate the responsible State position that disposal of the non-mixed TRU waste could commence expeditiously after EPA's certification decision which is scheduled for April 1998.

Please confirm for me that this is, in fact the official NMED and Johnson Administration position and furthermore, that you will make every effort to complete the RCRA Part B permitting process in as timely a manner as possible. I look forward to your prompt reply.

Sincerely yours,

John A. Heaton
State Representative, District 55

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OFFICE OF THE SECRETARY

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