



**Department of Energy**

Carlsbad Area Office  
P. O. Box 3090  
Carlsbad, New Mexico 88221



April 27, 1998

The Honorable Tom Udall  
Attorney General  
State of New Mexico  
P. O. Drawer 1508  
Santa Fe, New Mexico 87504-1508

RE: Meeting on Waste Characterization

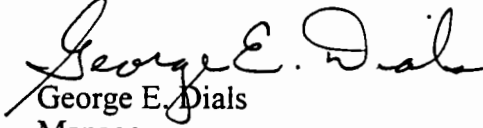
Dear Tom:

This letter is to inform you that the referenced meeting I agreed to during our call on April 23, 1998, is hereby canceled as a result of intervening activities taken on your behalf. I was under the impression that we were proceeding in good faith and was astonished to learn that on April 24, 1998, your Assistant Attorney General, Geoffrey H. Fettus, served upon the United States Department of Justice (DOJ) Requests for Production and an Interrogatory (see attached).

Obviously, under these circumstances, it is not appropriate to discuss any matters involving waste characterization without the approval and attendance of the DOJ. I am sure you can appreciate the position taken in this matter.

Please give me a call, if we want to discuss this matter.

Sincerely,

  
George E. Dials  
Manager

Attachments

cc: Mary Anne Sullivan, HQ-GC-50  
James Owendoff, EM-1  
Cooper Wayman, CAO





# Attorney General of New Mexico

PO Drawer 1508  
Santa Fe, New Mexico 87504-1508

505/827-6000  
Fax 505/827-5826

**TOM UDALL**  
Attorney General

**MANUEL TIJERINA**  
Deputy Attorney General

## FACSIMILE TRANSMITTAL

DATE: April 24, 1998

TO: Ms. Caroline M. Zander, DOJ, General Litigation

TELEPHONE NO: \_\_\_\_\_

FACSIMILE NO: 202 305 0274

FROM: Geoff Fettus

TELEPHONE NO: 505 827 6087

NUMBER OF PAGES, INCLUDING COVER PAGE: 10

MESSAGE: Ms. Zander -- we sent the following Discovery Request by  
UPS Overnight. Please call if you have any questions.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

STATE OF NEW MEXICO, ex rel.  
TOM UDALL, Attorney General,

Plaintiff,

and

NATURAL RESOURCES DEFENSE COUNCIL,  
et al.,

Plaintiffs-Intervenors,

Congressmen PETER H. KOSTMAYER,  
WAYNE OWENS, and BILL RICHARDSON,

Plaintiffs-Intervenors,

and

STATE OF TEXAS, ex rel. DAN MORALES,  
Attorney General,

Plaintiff-Intervenor,

-against-

FEDERICO PEÑA, Secretary of the  
Department of Energy, et al.,

Defendants.

Civil Action  
No. 91-2527 (JGP)

ENVIRONMENTAL DEFENSE FUND, et al.,

Plaintiffs,

-against-

FEDERICO PEÑA, Secretary of the  
Department of Energy, et al.,

Defendants.

Civil Action  
No. 91-2929 (JGP)  
(Consolidated)