



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
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I - my reading file



MARK E. WEIDLER
SECRETARY



June 10, 1998

Mr. Mike McFadden, Acting Manager
Carlsbad Area Office
Department of Energy
PO Box 3090
Carlsbad, New Mexico 88221

Mr. Joe Epstein
General Manager, Waste Isolation Division
Westinghouse Electric Company
PO Box 2078
Carlsbad, New Mexico 88220

RE: Revised RCRA Permit Fee For Technical Contractor Support

Dear Messrs. McFadden and Epstein:

On January 24, 1998, the New Mexico Environment Department (NMED) revised the permit fee for issuance of the Waste Isolation Pilot Project (WIPP) RCRA draft permit to include certain costs, including technical support. These costs, however, did not include a permit fee necessary for preparation of technical testimony and technical review of the public comments of the RCRA draft permit, and preparation of responses to these public comments. NMED issued the RCRA draft permit and fully expects to receive substantial public comment on or before August 14, 1998.

The Department has itemized the basis for the revised RCRA fee in the enclosed attachment, and requests prompt payment of the revised fee to ensure the Department has adequate resources to expeditiously review and prepare responses to public comments as needed for issuance of the WIPP permit. These fees are estimates only, however, the Department does not expect to assess DOE/Westinghouse any further for activities associated through the hearing process of the RCRA draft permit.

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If you need further information or wish to discuss this issue, please contact Benito Garcia of my staff at (505) 827-1558.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Kelley". The signature is written in a cursive style with a large initial "E".

Ed Kelley, Director
Water & Waste Management Division

Enclosure(s)

cc: Benito Garcia
Susan M. McMichael

REVISED RCRA PERMIT FEE FOR WIPP

<u>POSITION</u>	<u>TASK</u>	<u>RATE/HOUR</u>	<u>TIME/HRS</u>	<u>COST</u>
Technical Contractor	Pre-hearing			
	A. <u>Technical testimony</u>	\$95.00	960 hours (40 working days x 3 people)	\$91,200.00
	Travel		2 trips for 5 people Approx. 5 days total and 4 nights Overnight (\$600/trip)	6,000
	Estimated ODC (5%)			4,860
	SUBTOTAL			\$102,060.00
	B. Review/respond to <u>Public Comment</u>	\$95.00	720 hours (30 working days x 3 people)	\$68,400.00
	Travel		1 trip for 5 people Approx. 5 days total and 4 nights Overnight (\$600/trip)	3,000
	Estimated ODC (5%)			3,570
	SUBTOTAL			\$74,970.00

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Hearing¹	\$125.00	200 hours	\$25,000
TOTAL ESTIMATED COSTS			\$202,030.00

¹ The prior cost estimates were based upon a public hearing for 20 working days for 8 hours each day (total of 800 hours for 5 people); the revised fee accounts for 20 working days for 10 hours each day during the hearing. The difference is \$25,000.