



ENVIRONMENTAL

Westinghouse
Electric Corporation

Government and Environmental
Services Company

AA:98:01029
UFC:2000.00
Waste Isolation Division

Box 2078
Carlsbad New Mexico 88221

September 4, 1998



Dr. E. Kelley, Director
Water and Waste Management Division
New Mexico Environment Department
Harold Runnels Building
P.O. Box 26110
Santa Fe, NM 87502-6110

Subject: RESPONSE TO REVISION OF RCRA PERMIT FEE

Reference: NMED Letter from Dr. Ed Kelley to Mr. Michael McFadden and Mr. Joe Epstein, dated August 19, 1998, subject: Revised RCRA Permit Fee

Dear Dr. Kelley:

We are in receipt of your letter, requesting additional permit fees for legal work associated with the Waste Isolation Pilot Plant (WIPP) Resource Conservation and Recovery Act (RCRA) Draft Permit.

As you are aware, the New Mexico Environment Department (NMED) has been provided in excess of 2.5 million dollars in fees since 1992 for work associated with the Draft RCRA Permit. As managing and operating contractor for the United States Department of Energy (DOE) at WIPP, it is our responsibility to account for funds expended under our contract with the DOE. As such, we respectfully request a detailed written accounting of all funds provided to NMED to date in connection with the Draft RCRA Permit for WIPP.

Enclosed is a check in the amount of \$41,600 in accordance with your request for additional fees. We are providing this payment, prior to receipt of the requested accounting to ensure that the NMED has adequate resources to expeditiously complete the permitting process.

In the written accounting, please include a summary of work completed to date, the number of hours expended to complete this work, the names of contractors and the amounts paid for any work performed by these contractors, the titles of NMED

980904



personnel who performed functions in support of the WIPP permit, and any other information regarding NMED's expenditure of fees provided to NMED for development and review of the Draft RCRA Permit for WIPP.

We would appreciate your prompt response. If you require additional information, please contact me at (505) 234-7400 or my colleague Ms. Gloria Barnes at (505) 234-7377.

Sincerely,



J. L. Epstein
General Manager

GJB:ys

Enclosure

cc: (without enclosure)
M. McFadden, CAO
C. Wayman, CAO
B. Garcia, HRMB
P. Maggiore, NMED
S. McMichael, OGC
R. Mertz, OGC