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GOVERNOR

State of New Mexico  
**ENVIRONMENT DEPARTMENT**  
*Hazardous & Radioactive Materials Bureau*  
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ENTERED

MARK E. WEIDLER  
SECRETARY

EDGAR T. THORNTON, III  
DEPUTY SECRETARY

January 23, 1998

Lynn Shelton  
Environmental Manager  
Giant Refining Company  
P.O. Box 159  
Bloomfield, New Mexico

Re: Letter from L. Shelton to B. Garcia with Comments on Proposed Hazardous Waste Fee Regulations

Dear Mr. Shelton:

Thank you for your letter and comments on the proposed fee regs. Stu Dinwiddie and Jerry Bober will respond to most of your concerns at the scheduled meeting of Tues., January 27, 1998 at 3:00 pm at the Hazardous Radioactive Materials Bureau Office at 2044 Galisteo St.

However, before they can respond to some of your comments we are asking for some clarification to your comments. Stu and Jerry cannot understand Giant's calculated dollar figure of \$1,200,000 in potential hazardous waste corrective action and/ or permit activity fees during the next 12 to 18 months. Could you please provide your rationale for developing this amount.

If you have information ( which conflicts with ours ) which provides a different basis for FTE (staff time ) from specific sources at EPA which you can cite, please provide that information. We are currently utilizing FTE time attributed to permit and corrective action activities on a schedule provided to us by EPA for developing payment for activities funded under EPA grants to states for such activities. Alternatively, Stu and Jerry would also consider other FTE workload schedules if the work effort provided as a basis has been evaluated elsewhere and can be substantiated as a basis for projected work activities in the proposed regulations.

Thank you in advance for a prompt response to this clarification request, I look forward to meeting with you on these issues.

Sincerely,

  
Benito J. Garcia, Chief

Hazardous and Radioactive Materials Bureau