

THE WHITE HOUSE
WASHINGTON

September 23, 1995

Presidential Determination
No. 95-45

MEMORANDUM FOR THE ADMINISTRATOR OF THE ENVIRONMENTAL
PROTECTION AGENCY
THE SECRETARY OF THE AIR FORCE

SUBJECT: Presidential Determination on Classified
Information Concerning the Air Force's Operating
Location Near Groves Lake, Nevada

I find that it is in the paramount interest of the United States to exempt the United States Air Force's operating location near Groves Lake, Nevada (the subject of litigation in Kesha v. Brown (D. Nev. CV-8-94-725-SNF) and Frost v. Perry (D. Nev. CV-5-94-714-PMP)) from any applicable requirement for the disclosure to unauthorized persons of classified information concerning that operating location. Therefore, pursuant to 42 U.S.C. § 6961(a), I hereby exempt the Air Force's operating location near Groves Lake, Nevada from any Federal, State, interstate or local provision respecting control and statement of solid waste or hazardous waste disposal that would require the disclosure of classified information concerning that operating location to any unauthorized person. This exemption shall be effective for the full one-year statutory period.

Nothing herein is intended to: (a) imply that in the absence of such a Presidential exemption, the Resource Conservation and Recovery Act (RCRA) or any other provision of law permits or requires disclosure of classified information to unauthorized persons; or (b) limit the applicability or enforcement of any requirement of law applicable to the Air Force's operating location near Groves Lake, Nevada, except those provisions, if any, that would require the disclosure of classified information.

The Secretary of the Air Force is authorized and directed to publish this Determination in the Federal Register.

William J. Clinton