

96AR #21

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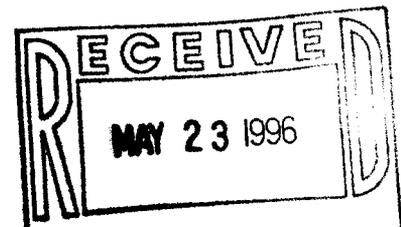
May 19, 1996

Reference: The Triassic Park Hazardous Waste Disposal
Facility Draft Permit, Chaves County, New Mexico
EPA ID No. NM0001002484.

Dear Mgr. Hoditschek,

I have questions or comments on the following aspects of the
above draft permit:

- a. The sand dune sagebrush lizard which is listed as a candidate for protection can probably climb the barrier devised to exclude it. I feel that this limitation of the system should be reconsidered.
- b. Attachment G Berm system states the system will control at least the water volume from a 25 year storm. It was my understanding from the Roswell public meeting that the system was designed to withstand the 100 year storm. Could you please address this question?
- c. Attachment G Waste Disposal states that cover soil will be placed over the hazardous waste at the end of each working day to "prevent wind dispersal of waste." The end of the day is obviously too late on any day the wind blows. How can this be resolved except by regulating disposal dependent on weather conditions. This must be made a condition of the permit to obviate dispersion of hazardous material,
- d. The lesser prairie chicken has a well known and very popular (both statewide and beyond) habitat in the scrub oak just a few miles north of the proposed site. This bird is not listed as endangered but this colony is only one of a few remaining in the United States. In view of the obvious implication of the previous paragraph and the fact that prevailing winds in the area are from the south at velocities recorded in Roswell up to 58 mile per hour, I believe procedures must be adopted to prevent wind dispersion. At the very least, this would require stopping placing material in the open pit during specified wind conditions.



As a result of your advice, Mr. Larry Gandy contacted me on Friday, May 17, to answer any questions I might have. I much appreciated this opportunity and Mr. Gandy could not have been more straight-forward in addressing my concerns. There are , however, as pointed out above, some items remaining to be resolved.

Thank you for affording this opportunity to obtain answers to questions that have arisen since the meeting in Roswell.

Very truly yours,



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