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GOVERNOR

State of New Mexico
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96 AR #24
MARK E. WEIDLER
SECRETARY

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DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

June 11, 1996

Ms. Betty Richards
1010 Center Street
Carlsbad, New Mexico 88220

RE: Comments on the Triassic Park Hazardous Waste Disposal Facility

EPA ID No. NM0001002484

Dear Ms. Richards:

The New Mexico Environment Department (NMED) Hazardous and Radioactive Materials Bureau (HRMB) received your request for a public hearing on the Triassic Park Hazardous Waste Disposal draft Permit proposed for Gandy Marley Inc. (GMI). Your request for a hearing was received by HRMB on May 23, 1996. Your request for a public hearing on the Gandy Marley Inc.'s draft Permit included the following concerns:

- (1) That you live near the proposed Triassic Park Landfill;
- (2) That regulated standards be implemented and adhered to;
- (3) That there is an apparent lack of adequate site study; and
- (4) There is no engineering design.

In response to concern # 1, the purpose of the draft permit is to establish requirements that the facility must comply with. I believe NMED has proposed a draft RCRA permit which is protective of human health and the environment, reflects all the pertinent requirements in the regulations, and is technically sound and enforceable.

In response to concern # 2, the Triassic Park Hazardous Waste Disposal draft Permit does contain regulatory standards by which Gandy Marley Inc. must follow during the operational and post-operational life of the landfill (Attachment 1). These standards are based on 20 NMAC 4.1 (Revised November 1995) Title 40 of the Code of Federal Regulations (40 CFR), which the State of New Mexico adopted by reference in 20 NMAC 4.1.

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In response to your concerns (# 3 and # 4) about the lack of site study and engineering design, please refer to Attachment 2 which contains descriptions of the site study and engineering designs of the Triassic Park Hazardous Waste Disposal Facility. These designs were extensively reviewed and revised by two Environment Department Bureaus. I believe the engineering designs presented in the draft Permit reflect a technologically sound approach.

I hope that the above responses to your concerns allay any fears that mismanagement of hazardous waste at the Triassic Park Landfill by Gandy Marley Inc. will occur during the operation of the hazardous waste facility. If you feel that this letter has addressed all your concerns, please respond in writing indicating your decision to withdraw your earlier request for a public hearing.

If you still feel that I have not addressed all of your concerns satisfactorily, please call Barbara Hoditschek of the RCRA Permits Program at (505) 827-1561, to arrange for an informal meeting with you and Gandy Marley Inc., in order to fully respond to any concerns you may have. This is in accordance with New Mexico Hazardous waste management Regulations 20 NMAC 4.1, Subpart IX, Section 902.A.4., which state that, the NMED, "acting in conjunction with the applicant, will respond to the request in an attempt to resolve the issues regarding the proposed draft Permit."

If we do not receive a response from you within ten (10) working days of your receipt of this letter, we will assume that your concerns were satisfactorily addressed and that you do not desire either a meeting or hearing be arranged.

Thank you for participating in our permitting process.

Sincerely,



Mark E. Weidler, Secretary
New Mexico Environment Department

Enclosures (2)

cc: Benito Garcia, Bureau Chief, HRMB (w/o encl.)
David Neleigh, U.S. EPA Region 6 (w/o encl.)
Larry Gandy, Gandy Marley Inc. (w/o encl.)
Ken Schultz, The Advantage (w/o encl.)
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