

MEMORANDUM

~~CONFIDENTIAL~~ BRZ 2/21/07

To: Gregory J. Lewis, Director, Water & Waste Management Division, NMED

Through: Benito Garcia, Chief, HRMB BJS

Through: RW Robert "Stu" Dinwiddie, RCRA Permits Program Manager, HRMB

Through: SR Steve Pullen & Stephanie Kruse, Supervisors, HRMB

From: CA Cornelius Amindyas, Environmental Specialist (Triassic Park Facility Manager), HRMB

Subject: Briefing on the Triassic Park Waste Disposal Facility Permit

Date: February 4, 1999

The Hazardous and Radioactive Materials Bureau (HRMB) received a Permit Application for a RCRA Subtitle C hazardous waste disposal facility, the first in New Mexico, in November of 1994. The proposed Triassic Park Hazardous Waste Disposal Facility is located 42 miles east of Roswell. The 480 acre facility will accept off-site waste for storage, treatment (by evaporation and stabilization), and disposal into a 100 acre landfill. To date, all commercial disposal of hazardous waste generated in New Mexico has occurred outside the State. Because New Mexico does not have authorization for 40 CFR 264, Subpart CC (Air Emission Standards for Tanks, Surface Impoundments, and Containers), the Permit must be issued jointly by New Mexico and the EPA.

The Facility owners may request the addition of low level radioactive waste disposal a couple of years after Permit issuance.

The Permit applicants are Mr. Dale Gandy and Mr. Robert (Bob) Marley from Tatum, New Mexico. Mr. Gandy is in the business of disposing of oil field waste and currently has a disposal Permit through the Oil Conservation Division of the New Mexico Energy, Minerals, and Natural Resources Department. Mr. Marley is a rancher. Both individuals formed the Gandy Marley Corporation, and are co-owners of the proposed Triassic Park Waste Disposal Facility. Mr. Ken Schultz serves as Coordinator for the Permit Application.

A chronology of the permitting process to date for the Facility is attached as Table 1. The attached Table 2 presents the estimated time to draft Permit issuance.

TABLE 1: CHRONOLOGY OF THE TRIASSIC PARK PERMITTING PROCESS THROUGH JANUARY 1999.

11/17/94 Gandy Marley, Inc. (GMI) submitted a RCRA Permit Application.

3/1/95 HRMB determined after review, that the Application was administratively complete, and billed Gandy Marley, Inc. \$46,000.00 Permit application processing fees.

5/24/95 HRMB completed the RCRA Facility Assessment study.

4/4/96 HRMB promulgated a draft Permit and began a 45 day Public Comment period. Many written comments were received from the concerned public. A public hearing was requested.

4/9/97 HRMB rescinded the draft Permit because of the public comments and the fact that the engineering drawings and designs submitted were incomplete.

12/15/97 HRMB received the Revised Permit Application.

4/6/98 HRMB resumed Permit Application review and hired a contractor (TechLaw) to review and evaluate the engineering designs and drawings.

10/7/98 HRMB informed Gandy Marley Inc., that their Permit application was administratively complete.

10/29/98 NMED re-contracted with TechLaw, Inc., for further review of engineering designs and drawings.

11/12/98 NMED received revised Permit application.

1/6/99 Revised Permit application sent to TechLaw for review by professional engineer.

TABLE 2: ESTIMATED TIME TO PERMIT ISSUANCE FOR THE TRIANGLE PARK WASTE DISPOSAL FACILITY:

ACTION	RESPONSIBLE PARTY	ESTIMATED (IDEAL) COMPLETION TIME
Review & evaluate engineering designs and drawings	TechLaw, Inc.	2/15/99
Draft Permit	Stephanie Kruse	Ongoing to 6/30/99
Conduct peer review	Stephanie Kruse, Steve Pullen, Carl Will	Ongoing to 6/30/99
Conduct review of ground water monitoring equivalency demonstration; draft Module on vadose zone monitoring.	Steve Pullen	Ongoing to 6/30/99
Write and send Request for Supplementary Information (RSI) to Gandy Marley, Inc. (GMI).	Cornelius Amindyas	2/12/99
Review and send TechLaw's Comments as part of RSI to Gandy Marley Inc., with a 30 day deadline for response.	---	2/26/99
Review GMI's responses ¹ and issue a Notice of Deficiency if necessary to GMI with a 30-day deadline.	---	4/26/99
Issue a groundwater monitoring equivalency demonstration approval.	Director, WWMD	6/30/99
Monitor permitting process. Send a letter of technical completeness to Gandy Marley.	Robert "Stu" Dinwiddie	6/30/99
Finalize draft Permit.	Cornelius Amindyas	7/30/99
Review of draft Permit.	Stu Dinwiddie	8/30/99
Review draft Permit.	Nick Persampieri, OGC	9/30/99
Review draft Permit.	Benito Garcia	10/30/99
Review draft Permit and co-sign for §264 Subpart CC Organic Air Emissions.	EPA Region 6	11/30/99
Issue 45-day public notice.	Cornelius Amindyas	1/15/00

¹ If NMED decides that TechLaw should review the engineering drawings submitted in response to the RSI, the time frame may be extended accordingly.