



GARY E. JOHNSON
GOVERNOR

June 10, 1999

State of New Mexico
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Hazardous & Radioactive Materials Bureau
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PETER MAGGIORE
SECRETARY

COPY

Mr. Larry Gandy
Vice President
Triassic Park Waste Disposal Facility
1109 E. Broadway
Tatum, New Mexico 88267

Re: Comments: Draft Responses to Request for Supplemental Information

Dear Mr. Gandy:

Enclosed please find comments prepared by Hazardous and Radioactive Materials Bureau (HRMB) staff on the Gandy Marley, Inc. (GMI) Draft Responses to our Request for Supplemental Information. These Draft Responses were submitted on May 25, 1999.

I believe that we have now reached agreement on several items, although some important issues remain to be discussed prior to finalizing the permit application. At this point, I suggest that a working meeting in Santa Fe to clarify and/or resolve remaining issues would be beneficial for both HRMB and GMI.

Please call Stephanie Kruse of my staff at 505/827-1558 ext. 1024 if you have any questions or comments.

Sincerely,

James P. Bearzi, Chief
Hazardous and Radioactive Materials Bureau

Enclosure

- | | |
|--------------------------------------|----------------------------|
| cc: Gregory J. Lewis, NMED/WWMD | Kenneth Schultz, GMI |
| Robert S. (Stu) Dinwiddie, NMED/HRMB | Pat Corser, MW |
| Stephanie Kruse, NMED/HRMB | Trey Greenwood, Delhart |
| Dale Gandy, GMI | Jim Bonner, InfiMedia Inc. |

HAZARDOUS AND RADIOACTIVE MATERIALS BUREAU COMMENTS
on
DRAFT RESPONSES: REQUEST FOR SUPPLEMENTAL INFORMATION
submitted May 1999

The Hazardous and Radioactive Materials Bureau (HRMB) has reviewed the Gandy Marley, Inc. (GMI) draft responses to the Request for Supplemental Information issued March 11, 1999. HRMB comments are presented below.

In many cases, the GMI draft responses indicate general agreement with the HRMB RSI comment, and add that appropriate information will be added to the permit application. Without seeing the specifics of the information to be added to the permit application, HRMB's concurrence with the GMI draft responses must remain preliminary.

HRMB staff will be glad to discuss their comments on the GMI draft responses with GMI personnel. HRMB recommends a meeting, to be held in Santa Fe, between HRMB and GMI personnel to clarify and/or resolve other issues prior to finalizing the permit application.

Furthermore, based on the GMI draft response, HRMB will require, under separate cover, additional site characterization to enable processing the groundwater monitoring equivalency demonstration and the facility siting proposal.

GENERAL COMMENTS

- Comment 1. Response is acceptable, pending review of language added to the permit application.
- Comment 2. Response is acceptable.
- Comment 3. Mr. Steve Pullen (HRMB staff) is currently discussing the correct format for GMI's groundwater monitoring waiver proposal and other requirements for this proposal with GMI staff.

SPECIFIC COMMENTS

VOLUME 1 - PART A

- Comment 4. a. Response is acceptable, pending review of correction made in Part A of the permit application.

NMED/HRMB
Comments
June 10, 1999

Gandy Marley
Draft RSI responses
May 25, 1999

- b. Response is acceptable, pending review of corrections made in Vol. I, Part A, and in Vol. III of the permit application. (See GMI response to Comment 4.a.)
- c. Response is acceptable, pending review of corrections made in Part A of the permit application.

PART B

Section 1.0, General Facility Standards

- Comment 5. No response necessary.
- Comment 6. The response is acceptable. The New Mexico Environment Department (NMED) will write this into the permit as a Permit Condition.

Section 2.0, Treatment, Storage and Disposal

- Comment 7. Response is acceptable.
- Comment 8.
 - a. The Response and Recommended Change are acceptable.
 - b. Response and Recommended Change are acceptable. Vol. III should also be corrected.
- Comment 9.
 - a. Response and Recommended Change are acceptable.
 - b. Response is acceptable, pending review of language added to the permit application.
 - c. Response and Recommended Change are acceptable.
- Comment 10. a.-c. Response and Recommended Change are acceptable.
- Comment 11. Response is acceptable pending review of corrections to drawings and text as per responses to Comment 11 and Comment D-2a(3). Note: According to response to Comment D-2a(3), piping will not be used to transfer waste from the liquid waste storage tanks to the stabilization bins; all transfer will be by tanker trucks.
- Comment 12. a. Response is acceptable. (See response to Comment 11 - no piping

from tanks to stabilization bins.)

b.-c. HRMB staff would like to discuss piping further with GMI.

d. What is the "incompatible waste" referred to and how did it get in the Liquid Waste Storage Tanks? Where is the "incompatible waste" being transferred to? The response to Comment D-2a(3) indicates that no waste will be transferred through pipes. However, this response indicates that piping will be used for this purpose. HRMB staff would like to discuss piping further with GMI.

"...If the rinsate shows to be contaminated above acceptable levels...."
What are acceptable levels?

Is this sampling of the pipes discussed in the WAP? HRMB staff would like to discuss this further with GMI.

Comment 13. a.-b. HRMB would like to discuss this further with GMI.

Comment 14. However, the assessment of the compatibilities of the bin materials and waste, along with the influence of the process (materials, time, temperature, etc.) is not contained in Vol. III. Perhaps the sentence needs to be reworded.

More disturbing, GMI's RSI response indicates that, contrary to the statement, "Waste which is incompatible with the steel used in construction will not be stabilized in the bins", some of the wastes that will be stabilized may be reactive with the steel bins. HRMB recommends that GMI replace Section 2.4.1, p. 2-12, 1st paragraph, with the information presented in the response.

HRMB would like to discuss this paragraph further with GMI.

Comment 15. Response is acceptable, pending review of corrected text.

Comment 16. a. **CK PART A FOR LISTED EXPLOSIVE WASTE.**

b. The response is acceptable. NMED will include a requirement for

GMI to obtain a permit for disposal of this waste from the US Environmental Protection Agency as a Permit Condition in the permit.

- c. Response is acceptable.
- d. Response is acceptable. See Comment 4.a.

Comment 17. Response is acceptable.

- Comment 18.
- a. HRMB would like to discuss this paragraph further with GMI.
 - b. Response and Recommended Change are acceptable, pending review of language added to Section 8.0.

- Comment 19.
- a. HRMB would like to discuss this paragraph further with GMI.
 - b. Recommended change is acceptable.

Comment 20. Response and Recommended Change are acceptable, pending review of corrections to Vol. III to indicate that only one pond is being permitted.

Comment 21. HRMB would like to discuss this further with GMI.

Section 3.0, Groundwater Protection

Comment 22. Response is acceptable.

- Comment 23
- a. Response is acceptable.
 - b. Response is acceptable pending review of language added to the permit application. HRMB understands that all the italicized paragraphs within the May 1999, draft response on pages 12, 13 and 14 will be added to the application.
 - c. Response is acceptable pending review of language added to the permit application. Please add pertinent text to the application that would assist in interpreting geophysical log groundwater information.

- Comment 24 Response is acceptable. Permit application language changes may be influenced by proposed additional site characterization.
- Comment 25 Response is acceptable pending review of language added to the permit application. Please add pertinent text to the application that would assist in understanding the ultimate disposition of the boreholes.
- Comment 26 Response is acceptable pending review of language added to the permit application. Please add pertinent text to the application that would assist in understanding the static water levels in WW-1 and PB-14.
- Comment 27 Response is not acceptable. This requirement will be addressed under separate cover.
- Comment 28 Response is acceptable. HRMB will insert the lithologic logs faxed to our office on May 10, 1999 into the November 1998 revised application. Please include copies of these logs in any subsequent submittals.
- Comment 29 Response is acceptable. Please add pertinent table and associated text to the application.
- Comment 30 Response is acceptable. Please add pertinent contour map and associated text to the application.
- Comment 31
- a. Response is appropriate but may require re-evaluation based on required additional site characterization.
 - b. Response is not acceptable. Construction of the vadose zone monitoring wells (VZMW) will at a minimum require the same lithologic characterization as all previous boreholes. HRMB requires a detailed VZMW construction workplan as part of the permit application.
 - c. Response is acceptable pending review of language added to the permit application.
 - d. Response is acceptable. HRMB prefers that a registered professional employed by the prime contractor sign the certification form.

- e. Response is not acceptable. Please specify exactly where in the November 9, 1998 Water Balance Evaluation the issue of leakage from the surface impoundment is considered.
- f. Response is acceptable pending review of language added to the permit application.
- g. Response is acceptable pending review of language added to the permit application.

Comment 32 Response is acceptable.

Comment 33 Response is acceptable pending review of language added to the permit application.

Section 4.0, Waste Analysis Plan

Comment 34. a.-f. HRMB will meet with GMI in Santa Fe to discuss the revised Waste Analysis Plan.

Comment 35. The Recommended Change is acceptable (but not the Response - storm water may or may not be clean). HRMB would like to discuss this further with GMI.

Comment 36. a. Response is acceptable. Appropriate wording should be added to the permit application.

b. No Response provided.

Comment 37. See Comment 34.

Comment 38. Response is acceptable.

Comment 39-41. See Comment 34.

Section 5.0, Procedures to Prevent Hazards

- Comment 42. HRMB would like to discuss this further with GMI.
- Comment 43. Response is acceptable, pending review of inspection checklists provided in revised permit application.
- Comment 44. GMI's Response is pending.
- Comment 45. Response is acceptable.
- Comment 46. a. No response.
 b. Response is acceptable. The New Mexico Environment Department (NMED) will write this into the permit as a Permit Condition.
 c. No response. (Not really necessary.)
- Comment 47. Response is acceptable.
- Comment 48. a.-b, Response is acceptable in part. HRMB would like to discuss this further with GMI.
- Comment 49. a.-d. Response is acceptable.

Section 8.0, Closure and Post-Closure of Permitted Units

- Comment 50. Response is acceptable, pending review of the changes to the permit application.
- Comment 51. a. Response is acceptable.
 b.-c. HRMB would like to discuss this further with GMI.
 d.-e. GMI's Response is pending.
- Comment 52. The Response is acceptable. This information should be added to the revised permit application.
- Comment 53. a. The Response is acceptable. The regulatory citation in question should be referenced in the permit application.
 b. Response is acceptable, pending review of the language to be added

to the permit application.

c. HRMB would like to discuss this further with GMI.

Comment 54. HRMB would like to discuss this further with GMI.

Comment 55. a. The response is acceptable. The regulatory citation in question should be referenced in the permit application.

b. Response is acceptable, pending review of the language to be added to the permit application.

Comment 56. HRMB would like to discuss this further with GMI.

Comment 57. HRMB would like to discuss this further with GMI.

Comment 58. The Response is acceptable. The regulatory citation in question should be referenced in the permit application.

Comment 59. a. Response is acceptable, pending review of the language added to the permit application.

b. HRMB would like to discuss this further with GMI.

Comment 60. HRMB would like to discuss this further with GMI.

Comment 61. a.-b. HRMB would like to discuss this further with GMI.

c. Response is acceptable.

Comment 62. Response is acceptable, pending review of revised closure estimates.

Comment 63. a. Response is acceptable.

b. Response is acceptable, pending review of Inspection Schedule provided.

Comment 64. Response is acceptable. HRMB would like to discuss this further with GMI.

Comment 65. Response is acceptable, pending review of revisions to permit application.

- Comment 66. **STEVE P.**
- Comment 67. a. HRMB would like to discuss this further with GMI.
- b. The response is acceptable. HRMB would like to discuss this further with GMI.
- c.-d. The response is acceptable, pending review of the discussion of background determination to be added to the permit application.
- Comment 68-69. Response is acceptable, pending review of revised closure estimates.
- Comment 70. a.-b. Response is acceptable.
- c. Response is acceptable, pending review of information to be added to the permit application.
- Comment 71. Please indicate where in the response to Comment D this issue is addressed. HRMB would like to discuss this matter further with GMI.
- Comment 72. Response is acceptable pending review of information to be added to the permit application on applicability of Subpart CC to containers.
- Comment 73. a.-b. Response is acceptable pending review of information to be added to the permit application on applicability of Subpart CC to tanks.
- Comment 74. a. Response is acceptable pending review of corrections to the permit application.
- b. Response is acceptable pending review of information on applicability of Subpart CC to tanks.
- Comment 75. No response.
- Comment 76. No response.
- Comment 77. Response is acceptable pending review of the inspection checklists to be added to the permit application.
- Comment 78. a.-b. The proposed change is acceptable pending review of these changes in the revised permit application.

c. The response is acceptable.

Comment 79. Please indicate where in Vol. IV this material is located.

Comment 80-84. HRMB would like to discuss this further with GMI.

Comment 85-93. Response is acceptable.