



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
2044 Galisteo Street
P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-1557
Fax (505) 827-1544



PETER MAGGIORE
SECRETARY

June 25, 1999

Ms. June Dreith, Project Manager
TechLaw, Inc.
300 Union Boulevard, Suite 600
Lakewood, Colorado 80228

RE: Request for Work Plan for RCRA Permit

Dear Ms. Dreith:

The New Mexico Environment Department (NMED) is interested in exploring the feasibility of having the draft permit for the Triassic Park Hazardous Waste Landfill written under NMED's General Permit Support Contract with TechLaw, Contract Number 99 667 5000 0008. It is possible that this project would also include activities ancillary to writing the permit. Toward this end, I am requesting a Work Plan for the project.

A proposed scope of work addendum to the contract is enclosed. This scope of work consists of several sections, which in their entirety encompass contractor responsibility for review of the entire permit application, development of the draft permit, and provision of appropriate input into the public participation process. However, NMED may decide to contract for only select sections of the scope of work. Accordingly, please provide information on each section of the project separately. Please include an itemized dollar amount and schedule for the requested services, as agreed to in the General Permit Support Contract.

Thank you for your consideration of this matter. Please call Stephanie Kruse of my staff at 505/827-1558 ext. 1024 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "James P. Bearzi".

James P. Bearzi,
Chief
Hazardous and Radioactive Materials Bureau

Ms. June Dreith
June 25, 1999
Page 2

Enclosure

cc: Gregory J. Lewis, NMED/WWMD
Robert S. Dinwiddie, NMED/HRMB
Stephanie Kruse, NMED/HRMB
Steve Vigil, NMED/HRMB
NMED/OGC

Proposed Scope of Work Addendum (2)

TechLaw, Inc. shall develop a draft Resource Conservation and Recovery Act (RCRA) permit based on the permit application for the Triassic Park Hazardous Waste Landfill, as revised June 1999 (the permit application) and/or shall provide services as needed in support of this activity.

I. PREPARATION OF DRAFT PERMIT

Activity A: Preparation of Draft Permit

1. The contractor shall write a draft RCRA permit for the Triassic Park Hazardous Waste Landfill, based on the permit application as approved by the New Mexico Environment Department (NMED). The draft permit shall meet the permitting requirements and technical standards contained in the New Mexico Hazardous Waste Management Regulations, 20 NMAC 4.1 (NMHWMR), incorporating 40 CFR 261 through 273. The contractor shall provide two copies of the draft permit in written form; the contractor shall also provide the draft permit on a word processing archive diskette in Word Perfect for Windows 5.X.
2. Within 15 days after completion of the draft permit, the contractor will schedule a meeting with the Manager of the RCRA Permits Management Program (RPMP) of NMED's Hazardous and Radioactive Materials Bureau (HRMB) to review the permit and discuss any necessary revisions.
3. NMED will make the final determination as to whether the draft permit meets the regulatory requirements and technical standards of the NMHWMR.

II. ANCILLARY ACTIVITIES

Activity B: RSI/NOD Review

1. The contractor shall evaluate the permit application for regulatory and technical adequacy to assist HRMB in determining whether the facility will meet the permitting requirements and technical standards contained in the NMHWMR. The contractor shall accomplish this by a review of the complete permit application as revised in response to HRMB's Request for Supplemental Information (RSI). If necessary, the contractor will also evaluate the permit application after the applicant has responded to HRMB's Notice of Deficiency (NOD).

The contractor shall prepare a report after completion of the the adequacy review which provides the basis for approval or denial of the permit application as revised in response to HRMB's RSI. If necessary, the contractor shall prepare a second report regarding the adequacy of the permit application as revised in response to HRMB's NOD. The contractor shall provide two copies of the report(s) in written form; the contractor shall also provide the report(s) on a word processing archive diskette in Word Perfect for Windows 5.X.

2. If requested, the contractor shall, within 15 days of submission of the report(s) to NMED, schedule a meeting or teleconference to discuss the report(s) with the RPMP Manager.
3. NMED will make the final determination as to whether the permit application meets the regulatory requirements and technical standards of the NMHWMR.

Activity C: Adequacy Determination for Financial Responsibility/Financial Assurance Requirements

1. The contractor shall evaluate Section 8.7, *Closure Cost Estimates*, and Section 8.8, *Financial Assurance*, of the permit application to assist HRMB in determining whether the Triassic Park Facility will meet the regulatory requirements contained in the NMHWMR, 20 NMAC 4.1.500, incorporating 40 CFR 264, Subpart H, *Financial Requirements*. If requested, the contractor will also evaluate the financial requirement sections in the applicant's revisions following an NOD.

The contractor shall prepare a report after completion of the review(s) which provides the basis for acceptance or rejection of the Waste Analysis Plan contained in the applicant's RSI response, and, if necessary, a similar report evaluating the applicant's NOD response. The contractor shall provide two copies of the report(s) in written form; the contractor shall also provide the report(s) on a word processing diskette in Word Perfect for Windows 5.X.

2. If requested, the contractor shall, within 15 days after submission of the report(s) to NMED, schedule a meeting or teleconference to discuss the report(s) with the RPMP Manager.
3. NMED will make the final determination as to whether the financial requirements sections of the permit application meet the regulatory requirements of Subpart H.

Activity D: Adequacy Determination for Waste Analysis Plan

1. The contractor shall evaluate Section 4.0, *Waste Analysis Plan*, of the permit application to assist HRMB in determining whether the facility will meet the regulatory requirements contained in the NMHWMR, 20 NMAC 4.1.500 incorporating 40 CFR Part 264, and 20 NMAC 4.1.800 incorporating 40 CFR Part 268. If necessary, the contractor shall review Section 4.0 as revised in response to the NOD.

The contractor shall prepare a report which provides the basis for acceptance or rejection of the Waste Analysis Plan as revised in response to the RSI. If necessary, the contractor shall prepare a second report regarding the adequacy of the Waste Analysis Plan as revised in response to the NOD. The contractor shall provide two copies of the report(s) in written form; the contractor shall also provide the report(s) on a word processing diskette in Word Perfect for Windows 5.X.

2. If requested, the contractor shall, within 15 days of submission of the report to NMED, schedule a meeting or teleconference to discuss the report(s) with the RPMP Manager.
3. NMED will make the final determination as to whether the Waste Analysis Plan meets regulatory requirements.

Activity E: Sufficiency Determination for Alternative Monitoring Requirements

1. The contractor shall, if NMED accepts the "no potential for migration" demonstration presented by the permit applicant as meeting the requirements of 20 NMAC 4.1.500 incorporating 40 CFR 264.90(b)(4), evaluate the alternative monitoring plan presented by the permit applicant in order to assist HRMB in determining its adequacy to protect human health and the environment. The contractor shall, if necessary, evaluate the alternative monitoring plan prepared in response to the NOD.

The contractor shall prepare a report which provides the basis for acceptance or rejection of the alternative monitoring plan as revised in response to the RSI. If necessary, the contractor shall prepare a second report regarding the adequacy of the alternative monitoring plan as revised in response to the NOD. The contractor shall provide two copies of the report(s) in written form; the contractor shall also provide the report(s) on a word processing diskette in Word Perfect for Windows 5.X.

2. If requested, the contractor shall, within 15 days of submission of the report to NMED, schedule a meeting or teleconference to discuss the report(s) with the RPMP Manager.
3. NMED will make the final determination as to whether the alternative monitoring plan meet the regulatory requirements and technical standards of the NMHWMP.

Activity F: Subparts BB and CC Review

1. The contractor shall appropriate sections of the permit application to assist HRMB in determining whether the facility will meet the regulatory requirements contained in the NMHWMR, 20 NMAC 4.1.500 incorporating 40 CFR Part 264, Subpart BB, *Air Emission Standards for Equipment Leaks*, and Subpart CC, *Air Emission Standards for Tanks, Surface Impoundments, and Containers*. If necessary, the contractor shall review appropriate section of the permit application as revised in response to the NOD.

The contractor shall prepare a report which provides the basis for acceptance or rejection of sections of the permit application as revised in response to the RSI which address Subparts BB and CC. If necessary, the contractor shall prepare a second report on these sections of the permit application as revised in response to the NOD. The contractor shall provide two copies of the report(s) in written form; the contractor shall also provide the report(s) on a word processing diskette in Word Perfect for Windows 5.X.

2. If requested, the contractor shall, within 15 days of submission of the report to NMED, schedule a meeting or teleconference to discuss the report(s) with the RPMP Manager.
3. NMED will make the final determination as to whether the Waste Analysis Plan meets regulatory requirements.

Activity G: Public Participation Support

1. As requested, the contractor shall support HRMB by providing expert testimony regarding the Triassic Park draft permit at such public meetings or public hearing as may prove necessary. The contractor may be asked to provide expert testimony for the draft permit in its entirety, or for specific sections of the draft permit
2. As requested, the contractor shall support HRMB by preparing the Response to Comments for written comments received from the public regarding the draft permit, and/or for written comments and verbal testimony presented during a public hearing. The contractor may be asked to provide written comments for the draft permit in its entirety, or for specific sections of the draft permit.

Activity H: Construction Inspection

The contractor shall inspect the facility after construction to assist NMED in determining whether the facility is in compliance with the conditions of the permit, as specified in 20 NMAC 4.1.800 incorporating 40 CFR 270.30(l)(2)(ii)(A). As requested, the contractor shall inspect the facility during construction of the surface impoundment and landfill: possible inspections may be requested to observe the compaction of soil, installation of the synthetic liner systems, and/or installation of the leachate collection systems. The inspections shall be conducted by a registered professional engineer.