

Montgomery Watson Comments on Module X.A – Corrective Action for Regulated Units Prepared by NMED

Module X prepared by NMED appear to have been well thought out and well prepared. Therefore, our comments, which follow, are limited.

1. Referenced Document

- Permit Attachment XXXX – Groundwater Monitoring Waiver Request and associated Groundwater Monitoring Waiver approval.
- Permit Attachment XXXXX – Contingency Plan
- Permit Attachment XXXXX - Response Action Plan (RAP)
- Module VII – Vadose Zone Monitoring Module
- Module X.B – Corrective Action for SWMUs

We have assumed that the references to the permit attachments are just place holders and do not represent the actual references. Also, we have assumed that the references to Permit Attachments will basically be sections of the permit application that have been submitted by GMI. Furthermore, the Module X.B is being prepared by NMED but that the Module VII is basically the VZMS Work Plan that has been prepared and submitted by GMI

2. In the section describing the regulated units, a potential release from the landfill is anticipated to be in the "...form of a liquid escaping through a breach in the liner system". Using the term liquid could imply liner consolidation water. Therefore, we suggest using the term "leachate" which would more appropriately describe a release of a hazardous material, rather than "liquids" which could imply consolidation water which will be non-hazardous.

3. In the section describing the regulated units, the physical description of the surface impoundment is incorrect. Per the revised Permit Application Section 2.6, the surface impoundment will have an approximate operating capacity of 5.2 million gallons over a surface area of approximately 78,600 square feet. Also, note that the 12 foot maximum depth of the pond does not include the depth of the sump.

4. Under the section on "Release Detection", there is reference to "waste", "hazardous constituents", and "contaminates" which all relate to releases. Would it be more appropriate to utilize one term in this section, such as "leachate", that would include all of these terms?

5. It is unclear if Section X.A.2.b Soil and Subsoil Action Levels will apply to Corrective Actions at the RU considered in this Permit Module (Landfill and Ponds). Since this Permit Module is addressing releases from the vadose zone systems, will soil action levels be appropriate? Or will this be address as part of the closure soil and subsoil action levels?

6. Section X.A.3.c Response Actions, Item 8 – It is our opinion that this requirement will only be applicable to the landfill and not the ponds.

7. Section X.A.4 FACILITY WIDE CORRECTIVE ACTION WORK PLAN – This plan is required to be submitted within 90 days of the effective date of the permit. It appears that it must be prepared prior to any documented release. However, many of the requirements of the work plan will be dependent on the characteristics of the release that have been detected. Therefore, we are concerned about being able to address all of the requirements that are outlined in Permit Appendix X.A.1. Some of the section of the FWCAWP could be provided

within 90 days of the effective date of the permit but other sections do not appear to be appropriate.

8. Review of Appendix X.A.1 to X.A.3

The outlines for the various work plans are very comprehensive and detailed. However, some of the requirements may not apply to the specific conditions at the Triassic Park facility. The documents currently state that if the permittee believes that certain requirements of the plans are not applicable, then the specific requirements shall be identified and a detailed rationale for inapplicability shall be provided. We understand that this assessment of applicability will be made when the work plans are required and not at the time of permit application.