



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

JAN 19 2001



RED TPOF/2001

Mr. James Bearzi, Chief  
Hazardous and Radioactive  
Materials Bureau  
New Mexico Environment Department  
2044A Galisteo Street  
Santa Fe, NM 87505

Re: Comments on the Draft RCRA Permit for Gandy Marley, Inc. of New Mexico, Triassic Park Waste Facility, EPA ID NO. NM001002484

Dear Mr. Bearzi:

The Environmental Protection Agency has completed a review of the Draft RCRA Permit for Gandy Marley, Inc. (Triassic Park Waste Facility) and offers the enclosed comments. If you have any questions pertaining to our comments, please feel free to contact Rich Mayer at (214) 665-7442.

Sincerely,

  
-David W. Neleigh, Chief  
New Mexico and Federal  
Facilities Section

Enclosure

## **Comments on the Draft RCRA Permit for Gandy Marley, Inc.**

**General Comment:** There needs to be a condition added to the permit requiring the Permittee to notify the Director and the new owner or operator when a RCRA permit is transferred (40 CFR 270.30(l)(3) and 264.12(c)).

**Table 1-1; Compliance Schedule:** There are several documents/information (sampling and analysis plan, lab QA/QC plan, H & S plan, waste sample eval.) in this schedule which the facility should have already completed during the permitting process. This is especially troubling when you consider the extended time period that the permittee had to provide a technically acceptable application. EPA recommends that NMED take a stronger stance in the future on permit applications in which the applicant continually submits inadequate submittals. This would speed up the permitting process, allowing permit writers to work on other permits and could save NMED money in the area of contracting technical services.

**Permit Part 5; Surface Impoundments:** There needs to be a condition added to the permit requiring the surface impoundment to meet the requirements of 40 CFR 264.231, Special Surface Impoundment Provisions for Hazardous Wastes FO20, FO22, FO23, FO26 and FO27.

**Permit Part 6 Landfills:** There needs to be a condition added to the permit requiring the landfill to meet the requirements of 40 CFR 264.317, Special Landfill Provisions for Hazardous Wastes FO20, FO22, FO23, FO26 and FO27.

**Permit Part 10; Corrective Action for Solid Waste Management Units:** In the Highlights Section, it might be helpful to include some type of statement indicating that the investigation/cleanup process under this part does not necessarily have to follow the “phased approach”, phases can be skipped if acceptable to the Administrative Authority.