

01-040

State of New Mexico  
**ENVIRONMENT DEPARTMENT**



GARY E. JOHNSON  
GOVERNOR

*Hazardous Waste Bureau*  
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PETER MAGGIORE  
SECRETARY

**FAX COVER SHEET**

**DATE:** April 16, 2001

**TO:** Dale Gandy

**COMPANY:**

**FAX NO.:** (505) 396-6887

**TELEPHONE:**

**MESSAGE:**

Mr. Gandy,

Thank you for agreeing to arrange a public meeting. I do believe a meeting will expedite the whole permitting process and generate better understanding of how both our organizations are involved.

I envision your organization presenting the type of facility and the general processes involved and wastes managed and generated, the proposed facility location, its geology and hydrology making it suitable, pollution control measures, waste transportation routes, and procedures and equipment for preventing and responding to accidents or releases, and any other technical/engineering issue. We will explain the draft permit and the procedure for providing any additional comment.

As discussed earlier today, I am providing the following:

1. The regulations associated with a pre-application meeting (20.4.1.901(c)(1), incorporating 40 CFR 124.31). Please let

me know if there are any aspects you won't be able to accomplish. Please provide a meeting notice in Spanish. Radio station KPSA in Roswell will do a 30 second public service announcement for free. You obviously will not be able to meet the 30-day meeting notice deadline of subsection (d). That would be ok in light of our desire to meet as soon as possible. We should talk regarding sending everyone on the Triassic Park mailing list a notice of the meeting. Perhaps at least those copied on Mr. Blair's request.

2. Two example newspaper advertisements. I do not believe there is any point in listing all the wastes listed in Attachment K of the Permit, which, by the way, is a copy of the Part A portion of the application. You might mention the number of waste constituents listed in the Part A, provide a few examples, state the reason the application anticipates receiving approximately 43 thousand tons of each per year, and the likelihood of that happening.

You can get a good explanation of the rationale and the process for involving the public in a 1995 Federal Register article (60 FR 63431).

Thank you again, and please call me, or have Diane Dewire call me, at the number provide below if there are any question or comments.

**NO. OF PAGES (including cover page): 6**

**FROM: Steve Pullen**

**steve\_pullen@nmenv.state.nm.us**

**FAX: (505) 827-1544**

**PHONE: (505) 827-1558 ext. 1020**

permits only) raised during the public comment period, or during any hearing.

§ 124.17(b) has not been included in this file because it is not required as part of RCRA authorization.

(c) (Applicable to State programs, see §§ 123.25 (NPDES), 145.11 (UIC), 233.26 (404), and 271.14 (RCRA).) The response to comments shall be available to the public.

§ 124.18 through 124.21 have not been included in this file because they are not required as part of RCRA authorization.

#### Subpart B -- Specific Procedure Applicable to RCRA Permits

#### § 124.31 Pre-application public meeting and notice.

(a) Applicability. The requirements of this section shall apply to all RCRA part B applications seeking initial permits for hazardous waste management units over which EPA has permit issuance authority. The requirements of this section shall also apply to RCRA part B applications seeking renewal of permits for such units, where the renewal application is proposing a significant change in facility operations. For the purposes of this section, a "significant change" is any change that would qualify as a class 3 permit modification under 40 CFR 270.42. For the purposes of this section only, "hazardous waste management units over which EPA has permit issuance authority" refers to hazardous waste management units for which the State where the units are located has not been authorized to issue RCRA permits pursuant to 40 CFR part 271. The requirements of this section do not apply to permit modifications under 40 CFR 270.42 or to applications that are submitted for the sole purpose of conducting post-closure activities or post-closure activities and corrective action at a facility.

(b) Prior to the submission of a part B RCRA permit application for a facility, the applicant must hold at least one meeting with the public in order to solicit questions from the community and inform the community of proposed hazardous waste management activities. ~~The applicant shall post a sign-in sheet or otherwise provide a voluntary opportunity for attendees to provide their names and addresses.~~

(c) The applicant shall submit a summary of the meeting, along with the list of attendees and their addresses developed under paragraph (b) of this section, and copies of any written comments or materials submitted at the meeting, to the permitting agency as a part of the part B application, in accordance with 40 CFR 270.14(b).

(d) The applicant must provide public notice of the pre-application meeting at least 30 days prior to the meeting. The applicant must maintain, and provide to the permitting agency upon request, documentation of the notice.

(1) The applicant shall provide public notice in all of the following forms:

(i) A newspaper advertisement. The applicant shall publish a notice, fulfilling the requirements in paragraph (d)(2) of this section, in a newspaper of general circulation in the county or equivalent jurisdiction that hosts the proposed location of the facility. In addition, the Director shall instruct the applicant to publish the notice in newspapers of general circulation in adjacent counties or equivalent jurisdictions, where the Director determines that such publication is necessary to inform the affected public. The notice must be published as a display advertisement.

(ii) A visible and accessible sign. The applicant shall post a notice on a clearly marked sign at or near the facility, fulfilling the requirements in paragraph (d)(2) of this section. If the applicant places the sign on the facility property, then the sign must be large enough to be readable from the nearest point where the public would pass by the site.

(iii) A broadcast media announcement. The applicant shall broadcast a notice, fulfilling the requirements in paragraph (d)(2) of this section, at least once on at least one local radio station or television station. The applicant may employ another medium with prior approval of the Director.

(iv) A notice to the permitting agency. The applicant shall send a copy of the newspaper notice to the permitting agency and to the appropriate units of State and local government, in accordance with § 124.10(c)(1)(x).

(2) The notices required under paragraph (d)(1) of this section must include:

(i) The date, time, and location of the meeting;

(ii) A brief description of the purpose of the meeting;

(iii) A brief description of the facility and proposed operations, including the address or a map (e.g., a sketched or copied street map) of the facility location;

(iv) A statement encouraging people to contact the facility at least 72 hours before the meeting if they need special access to participate in the meeting; and

(v) The name, address, and telephone number of a contact person for the applicant.

§ 124.32 Public notice requirements at the application stage.

(a) Applicability. The requirements of this section shall apply to all RCRA part B applications seeking initial permits for

# **INTERAGENCY FLOOD RISK ASSESSMENT TEAM (IFRAT) OPEN HOUSE and PUBLIC MEETING**

**To Discuss Fire-Related Flood Risks Near  
the Los Alamos National Laboratory**  
**December 18, 2000, 4:00 p.m. to 8:00 p.m.**  
Hilton Hotel, Mesa Banquet Room  
100 Sandoval St., Santa Fe, New Mexico

**What is IFRAT?** IFRAT is an interagency team established after the Cerro Grande Fire to inform the public of flood and contaminant transport risks resulting from the Cerro Grande Fire.

**Who is Involved?** IFRAT is composed of environmental professionals from the New Mexico Environment Department, the University of New Mexico, the Los Alamos National Laboratory, the U. S. Department of Energy, the New Mexico Department of Health, the U. S. Environmental Protection Agency, and the U. S. Forest Service.

**Why is the IFRAT needed?** The IFRAT is needed to listen, to address people's concerns, and assist in understanding how contaminant transport from increased flooding risk might affect downstream property owners, recreational and agricultural water users, the general public, and the environment.

**4:00-5:00 p.m.** Is a poster session with computer stations to access the most current Cerro Grande Fire data. Stations will be staffed by IFRAT scientists available to discuss your concerns on a one-on-one basis.

**5:00-6:30 p.m.** Presenters: Congressman Tom Udall, 3rd Congressional District, Peter Maggiore, Cabinet Secretary, New Mexico Environment Department and representatives of IFRAT member agencies.

**6:30-8:00 p.m.** Facilitated comment, question and answer session.

**More Information:**

<http://www.nmenv.state.nm.us/ifrat/>

**Or To Confirm Your Attendance:**

Judith\_Moss@nmenv.state.nm.us  
(505) 827-1542



## Los Alamos National Laboratory Environmental Restoration Project



### An Invitation ...

The Environmental Restoration (ER) Project of the Los Alamos National Laboratory cordially invites you to attend an open house and introductory presentation regarding the inactive landfill at the Los Alamos County Airport.

The open house and presentation will take place on Wednesday, April 18, 2001, from 5:30 PM to 7:00 PM at Fuller Lodge in Los Alamos (2132 Central Avenue).

A brief overview of the airport potential release sites (PRSs) will be presented. The overview will focus on five airport landfill area PRSs and the upcoming work scheduled for these five areas.

A poster display will also highlight PRSs related to the upcoming corrective action at the airport landfill and associated hillsides and will illustrate the types of debris to be encountered.

The ER Project public web site is found at  
**<http://erproject.lanl.gov>**

For more information, please contact  
Carmen M. Rodriguez  
(505) 665-6770; email: [carmenr@lanl.gov](mailto:carmenr@lanl.gov)

**We look forward to seeing you on April 18th!**

ER2001-0274

⑦

Victor Blair  
7885 Lincoln Road  
Hagerman, NM 88033  
505.752.1962

*Letters being  
sent out to elected  
officials by Victor  
Blair - Please note  
paragraph # 2 + 3*

The Honorable Avon W. Wilson  
New Mexico State Representative  
1001 Avenida Matana  
Roswell, NM 88201

April 15, 2001

Dear Representative Wilson:

This letter is to inform you of the situation regarding the proposed Triassic Park hazardous waste dump slated for east of Roswell. There are a number of problems with the public comment period, scheduled to end May 15, which I felt compelled to bring to Secretary Maggiore's attention with the enclosed letter.

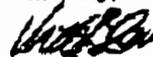
After speaking to a number of residents in the area it is very apparent that many do not have any idea that a hazardous waste dump is being planned for their backyard and many more do not have a clue as to the magnitude, scope, or gravity of the facility. Because informed public comment is an integral part of the permitting process, a fundamental step in the procedure is being crippled by the lack of disseminated information. I urge you to request that the Secretary of the Environment Department extend the deadline for public comment so that a better informed populace may understand the full impact of the proposed facility and respond in kind.

Forgive me, please, for perpetuating rumors, but whispers in the Environment Department indicate that once issued, the applicants will ask to modify the permit so as to accept mixed (hazardous and radioactive) waste and low-level nuclear waste. Interestingly enough, people in New York City and in Washington DC (where people normally think of New Mexico as foreign soil) told me the same rumor and indicated that industry has unofficially designated southeastern New Mexico and west Texas as a "national sacrifice area". These two unrelated easterners even used the same term to describe us: the Toxic Triangle! Is this what we want for our Land of Enchantment?

For your perusal I have enclosed a copy of attachment K of the permit listing all of the compounds the operators of the state's "first" commercial hazardous waste facility wish to bring in. "T" equals tons. I also feel compelled to reveal that the dump will utilize an evaporation pond(s). The release of organic volatiles into the atmosphere is deemed "acceptable" according to the Resource Conservation and Recovery Act because the applicant structured the permit so that initially they will accept less than 10% by volume of these compounds. Unfortunately, the wind does blow here in New Mexico, these permits do get modified, and other people have determined what is "acceptable."

Thank you for your attention to this matter.

Sincerely,

  
Victor Blair

(3)  
SIGNS BEING POSTED BY  
VICTOR BLAIR per Dale Hendy

## CHAVEZ COUNTY WASTE DUMP FOR THE NATION

- 491 DIFFERENT COMPOUNDS
- LEAD, MERCURY, ARSENIC, STRYCHNINE, DDT, TCE...
- OVER 42,000 TONS OF EACH COMPOUND EVERY YEAR
- 5.2 MILLION GALLON EVAPORATION PONDS DESIGNED TO RELEASE CHEMICALS INTO THE AIR
- TCE HAS BEEN FOUND IN RAIN WATER AND LOSES ONLY HALF ITS POTENCY AFTER A WEEK IN THE AIR
- FUTURE PERMIT MODIFICATIONS COULD ALLOW  
THE WORLD'S WASTE  
MIXED WASTE (HAZARDOUS & RADIOACTIVE)  
LOW LEVEL NUCLEAR

FIND OUT WHO IS DOING THIS AND WHY (\$) THEY DIDN'T WANT YOU TO KNOW AT A PUBLIC INFORMATION MEETING

**FRIDAY-MAY 4  
ROSWELL  
CHAMBER OF COMMERCE  
6:30 TO 8:30 PM**