

J. Herman

Karen Jo Herman
PO Box 3566
Roswell, New Mexico 88202-3566
505 622-6190
kjherman@rt66.com

F Y I

April 24, 2001

Sec. Peter Maggiore, Secretary of Environment,
1190 St. Francis Drive
P O Box 26110
Santa Fe NM 87505



Re: Triassic Park Hazardous Waste Disposal Facility

Dear Mr. Maggiore:

I am writing asking for an extension of 90 days on the Public Comment Period regarding the application of the Triassic Park Hazardous Waste Disposal Facility. I am not the least bit comfortable with the information provided to date nor with the plans themselves. The actual location is not completely clear, the geology appears questionable, public descriptions of substances to be stored give a false impression on just how hazardous the actual substances in the application are, the lack of media coverage, and the lack of availability to review the application all give rise to a lack of confidence in both the operators and the project itself.

I am fortunate to work with Geologists and know additional Geologists who I can ask questions of. I was at the public hearing that was held in Roswell on this matter. I was uncomfortable with how that meeting was handled. The geology did not match up with what the Geologist, whose livelihood depends on their knowledge of geology in this area, told me. Yes, it was agreed that the clay formation has very low permeability, but it is on a 1% decline to the West, which means it is lower by one foot for each mile to the West. Any of us who have ever spilled any liquid (including pudding consistency) knows that the substance will spread out, add even a slight decline and it is on its way. At that meeting, and I understand in their application, it is claimed that the clay formation would completely stop any potential spillage from entering an aquifer or surface water. I truly believe that this is inaccurate, that even though the clay will not readily permit any liquid to travel through it (barring any fractures), it will, with the aid of the westerly slope, guide spillage towards two surface waters that I know of not far from the facility site.

Another item of the application that I am very uncomfortable with is that it is designed to handle a "25 year rain", which I believe is a six-inch rain within twenty-four hours. I feel that this is far from being sufficient. It is estimated that this facility will be open 20-25 years and more, which alone warrants that caution be taken to design into it at least a 50-year rain. At the meeting the presenters claim that a 6 inch rain is highly unlikely. Priorities should not be what is "highly unlikely", but the safety and concerns of the neighbors along with anyone who rely on the Ogallala aquifer, the ground waters in the area, as well as nearby surface use. Other nearby sites of consideration include Waldrop Park, the highway wayside, and a BLM designated Area of Critical Environmental Concern one mile to the southeast. I personally have been in a 12 inch in one hour rain in Roswell. Anybody wishing to laugh off the unlikeliness of heavy rains should talk with Steve Patterson at Bottomless State Park, who experience one of those "highly unlikely" rains that washed a culvert out and closed a road. We are currently in a drought cycle, in a few years when the cycle changes back into a raining season cycle the "highly unlikely" become much more likely. Therefore, preparing the facility for a 50-year rain would not be sufficient. In addition, there should be strict monthly monitoring of surface waters, water wells, and air emissions, done by parties/organization not associated with the facility, neutral, qualified party(s). This of course would eliminate the NM Dept of Environment because it appears that they have shown a great deal of interest and commitment to this project.

Another point repeatedly made at the meeting was that the hazardous wastes at this facility would be receiving would consist of basically household chemicals and absolutely no radioactive substances. I have seen the list of 491 substances listed in the application for storage at the facility and it goes way beyond "household chemicals".

Contrary to what was said at the meeting, what was stated in a recent newspaper article, the substances are much more hazardous. It was repeatedly stated at the meeting there would absolutely be no nuclear waste at this facility. The list of 491 items includes low grade radioactive items which shows that statements stating otherwise are inaccurate.

What assurance do we have that the plastic lining is as reliable as we are being led to believe? What other facilities have used this same lining, under what conditions, with what results?

I understand that once the application is approved the procedure to add to the substance list does not include public notification, nor a public comment period, but is basically an automatic procedure. This misrepresentation of substances earmarked for this facility both at its opening and in potential future modifications greatly concerns me.

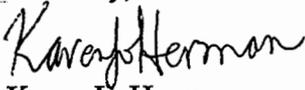
It also concerns me that no limitations have been set for the sale of the facility to outside interests who might not be the least bit concerned about southeastern New Mexico.

The lack of effort to publicize and ensure that all who may be concerned be notified of the application, and the misrepresentations (geology, weather, substance list) leaves me with a very strong lack of confidence and trust in both the operators of the Triassic Park Hazardous Waste Disposal Facility and with the State of NM Environment Dept., Hazardous & Radioactive Material Bureau.

For all the above points, I am asking that 1) the Public Comment Period be extended 90 days, 2) Publication campaign sufficient to notify all English and Spanish speaking people in at least Chaves and Lea Counties, preferably throughout all of southeastern New Mexico, 3) individual written notification of the facility, including a copy of the application, to all neighbors located in the Mescalero Sands area within ten miles of the facility; 4) Holding an "Open House", on a weekend, for all interested and concerned people can come to see the facilities.

Thank you for reading this letter and taking its points into consideration. I appreciate your efforts in keeping our beautiful southeastern New Mexico safe for all.

Sincerely,



Karen Jo Herman

cc:

Stephanie Kruse, State of NM Environment Dept.

Senators: Pete Domenici, Jeff Bingaman

Representatives: Joe Skeen, Heather Wilson

State Senators: Rob Adair, Stuart Ingle, and Timothy Z Jennings

State Representatives: W.C. "Dub" Williams, Daniel R. Foley, Pauline J. Ponce, Avon W. Wilson

Chaves County Commissioners

Chaves County Manager

Roswell Mayor Bill B. Owen

Roswell City Councilors

Editors: Roswell Daily Record, Editor Albuquerque Journal, Editor Santa Fe New Mexican
selected citizens