

Steve Pullen

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Sent: Friday, June 01, 2001 4:22 PM
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Cc: Patrick.G.Corser@mw.com; John.P.Pellicer@mw.com
Subject: Draft Permit Comments



Permit comments.pdf

Steve,

As we discussed, attached is our first set of review comments on the Draft Permit issued in March 2001. We will send additional comments as they are compiled.

(See attached file: Permit comments.pdf)

101 PDR TDR

COMMENTS FOR PERMIT DATED MARCH 2001

2.11.1 Implementation of Contingency Plan

Thirty (30) calendar days is too restrictive and not stipulated by any regulation. MW suggests that this time frame be increased to 60 days or be worded that an extension to the 30 day time period is possible.

2.11.5.a List of Emergency Coordinators

The list of ECs is found in Permit Attachment C2 not C1.

Permit Part 3, Highlights, Pg. 66

The Permit states, "The area is surrounded by a berm with a height ranging from four to eight feet." The berm ranges in height from two (2) to eight (8) feet.

The permit states, "The storage areas are accessed by 35-ft-wide compacted". The storage areas are accessed by 20 feet wide roads.

3.2.3 Berms

Slopes are 3H:1V not 1.5H:2V and there is not a concrete floor in the Roll-Off Storage Area.

6.2.1.b Liner Systems

264.301 (c)(1) is not an accurate citation because it states the use of three (3) feet of compacted clay. MW suggests that 264.301 (d) is more applicable to this permit.

The second to the last bulleted item states that 3 feet of compacted clay will be part of the liner system. This statement should be removed from the permit.

6.2.1.f Access Ramps

The permit states, "The Permittee shall construct an access ramp in the south waste fill slope". The access ramp is not installed in "waste fill". The ramp is constructed in native ground that forms the excavation surface.

The permit states, "the access ramps constructed on the north slope", there is not a ramp on the north slope. The permit should reference the ramps on the east and/or west slope.

6.2.1.g.iv Perimeter Ditches

The permit states, "The Permittee shall construct lined perimeter ditches", the perimeter ditches are not lined. Reference to lined perimeter ditches should be deleted.

6.2.1.h Vadose Zone Monitoring Wells

There are four (4) deep vadose zone monitoring wells rather than two (2) that monitor the landfill.

7.2.1 VZMS Construction and Locations

The installation schedule for vadose zone monitoring wells and sumps is not shown in Table 1-1, Compliance Schedule. Table 1-1 should be revised to include VZMS installation.

7.2.1(c) Vadose Zone Monitoring Sumps

Permit section 6.2.4 is referenced, but there is not a section 6.2.4 in the permit that was reviewed. In addition, CFR 264.90 (f)(2) is referenced, but it appears this citation does not exist in the CFR.

7.2.4 Well Surveys

CFR 264.97(e) is referenced in this section. This citation is not applicable to well surveys and should be deleted from the text.

7.2.6 Continuous Core

Continuous coring was not part of the vadose zone monitoring work plan submitted and agreed upon by NMED. In addition, this work is not necessary to be in compliance with 40 CFR 270.14 (c)(2). This section should be removed from the permit since it is not consistent with Permit Attachment I.

7.2.7 Compatibility of Well Construction Materials

40 CFR 264.97(a) and (c) does not state anything about the compatibility of well construction materials. This section is not consistent with Permit Attachment I and should be removed from the permit text.

7.2.9 Well Completion Logs

Potable water will be used for drilling activities; therefore, chemical analysis is not pertinent. Reference to chemical analysis for drilling water should be removed from the permit text.

7.2.10 Decontamination of Material Introduced into the Well Bore

This section is vague. Do drill rods require decontamination? If this section is supposed to address only monitoring well construction materials, then the section should make this statement.

7.3.1a Time Frame for Establishing Non-Leachate Indicator Parameter List and Baseline Concentrations

This section references Permit Attachment V. Permit Attachment V was downloaded from the NMED web page, but was found to be empty. Please provide Permit Attachment V for review.

7.5 RELEASE ASSESSMENT

This section states, "the Permittee shall immediately notify". The word "immediately" is a relative term. MW suggests that the Permittee shall notify the Secretary in accordance with the requirements of Permit Attachment C, Contingency Plan.

7.5.1 Release Determination

VZMS is misspelled as VSMS.

7.5.3 Evaluation Schedule

The Permit states that 30 days is the evaluation period after VZMS sampling. The standard time for analytical laboratory testing is 3 to 4 weeks and an additional 2 to 3 weeks for data validation. Therefore, the average time to obtain analytical data after sampling is approximately 45 days. The time required to evaluate the data is approximately 2 weeks; therefore, MW suggests that a total time of 60 days be used to perform VZMS data evaluation.

7.5.7 Data Reporting

The Permit states the Permittee shall submit VZMS analytical data to the Secretary within 45 calendar days of sample collection. As stated above, the standard time to obtain data from the laboratory is approximately 45 days alone. This does not allow any time to produce a submittal to the Secretary. Once again, MW suggests that a time period of 60 days be used to allow sufficient time for testing and data reporting.

8.1.4.b Clean Closure Confirmation

The Permit references sampling rates of 500 square feet and 10 lineal feet. These rates should be struck from the Permit to avoid confusion. Sampling frequencies are stated for each permitted unit in Permit Attachment O; therefore, only Permit Attachment O should be referenced for sampling frequencies.

8.2.4.c Landfill VZMS Monitoring

This permit section states the post-closure monitoring frequency will be semi-annual. Permit Attachment P states the VZMS will be monitored quarterly. This discrepancy needs to be resolved.

Missing Permit Attachments

Permit Attachments S and U were not available on the NMED web page. Please provide these Permit Attachments for review.

Permit Attachment O2

The closure cost estimate contained in Permit Attachment O2 was increased by NMED by approximately \$1,200,000. MW worked closely with NMED to come to a consensus on the closure cost estimate prior to submittal to NMED. Therefore we do not agree with this cost increase and request that NMED provide justification for the closure cost estimate increase or use the cost estimate submitted originally by MW.

Permit Attachment Q

MW recommends verification sampling at least one time following any monitoring parameter exceedance to minimize sample false positives/negatives.

Permit Attachment R

Permit Attachment R consists of five (5) tasks not three (3) tasks as indicated in the text. In addition, a statement needs to be made delineating when a Facility Corrective Action Work Plan is required.

Permit Attachment T

Permit Attachment T does not mention when a Corrective Measures Study (CMS) needs to be completed. Wording should be included that clearly states when a CMS is required.