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TECHLAW INC.

October 1, 2001



Mr. Steve Pullen
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East
Building 1
Santa Fe, New Mexico 87505-6303

RE: A Listing of TechLaw's File Material Including a Brief Summary of Content

Dear Mr. Pullen:

Enclosed please find the deliverable mentioned above, as requested by you in our discussions on September 25, 2001.

If you have any questions please call.

Sincerely,

June K Dreith

June K. Dreith
Program Director

Cc: Mr. B. Jordan/central files
D. Romero, Denver files

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**List of File Materials and a
Brief Summary of Content**

1999

- 1) To Mr. Steve Pullen, NMED; from Ms. June Dreith, TechLaw; dated January 26, 1999. Summary: Transmittal of a technical memorandum from Mr. Greg Starkebaum to Ms. June Dreith regarding the regulatory status of the proposed Truck Wash at the Triassic Park TSDF. Attached to the memorandum are several EPA letters and guidance memoranda.
- 2) To Mr. Benito Garcia, NMED; from Ms. June Dreith, TechLaw; dated March 1, 1999. Summary: A general deliverable consisting of three separate sections. (1) A summary review of Gandy-Marley's (GMI) response to comments on the first Notice of Deficiency (NOD) dated February 1997. The review indicates if GMI's response is adequate, partially adequate, or inadequate. The review only addresses (Section D) process information and a few closure (Section I) issues as it relates to the units. (2) A new NOD was prepared to address new technical comments. (3) A RCRA review checklist was prepared.
- 3) To Mr. Larry Gandy, Vice President, Triassic Park Waste Disposal Facility; from NMED (HRMB); dated March 11, 1999. Summary: This transmittal requested supplemental information to the December 1997 permit application. The request addresses all sections of Volume I of the application including Section 1.0, General Facility Standards; Section 2.0, Treatment, Storage and Disposal; Section 3.0, Groundwater Protection; Section 4.0, Waste Analysis Plan; Section 5.0, Procedures to Prevent Hazards; Section 8.0, Closure and Post-Closure; Section 10.0, Corrective Action, Section 11.0, Subparts AA and BB. Only a few issues for Volume II were included in the request. For Volume III, the request included comments on Section 3.0, Landfill; Section 4.0, the Evaporation Pond; Section 6.0, Stabilization Unit; and Section 7.0, the Drum Handling Unit. The request also included TechLaw's comments transmitted to NMED.
- 4) To Mr. Stephen Pullen, NMED; from Ms. June K. Dreith, TechLaw; dated March 19, 1999. Summary: Transmits a Post-Closure Permit Application checklist.
- 5) To Mr. Larry Gandy, Vice President, Triassic Park Waste Disposal Facility; from James P. Bearzi, Chief, HRMB, NMED; dated June 10, 1999. Summary: HRMB comments on the GMI draft Responses to the HRMR Request for Supplemental Information. The draft responses were submitted on May 25, 1999. The submittal follows the previous numbering format.
- 6) To Mr. James Bearzi, Chief, HRMB, NMED; from Ms. June Dreith, TechLaw; dated June 23, 1999. Summary: The deliverable consists of a technical evaluation of the May 1999 Montgomery Watson Preliminary Draft Response. Addresses comments on the engineering sections for containers, tank storage, surface impoundment, and the landfill.

- 7) To Mr. Larry Gandy, Vice President, Gandy-Marley Corp.; from Mr. James P. Bearzi, Chief, Hazardous and Radioactive Material Bureau; dated June 25, 1999. Summary: This letter requests additional information on the request for a groundwater monitoring waiver.
- 8) To Mr. James P. Bearzi, Chief, HRMB, NMED; from June K. Dreith, TechLaw; dated August 2, 1999. Summary: This deliverable addresses the July 1995 Response to Request for Supplemental Information on the engineering design portion of the application.
- 9) To Ms. June K. Dreith, TechLaw; from Mr. Greg Starkebaum, TechLaw; dated October 29, 1999. Summary: The memorandum summarizes the meeting between Mr. Greg Starkebaum of TechLaw and Mr. Jorge Trancoso of Montgomery-Watson, the contractor for Gandy-Marley. The memo discusses issues on the landfill design and the truck wash building.

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- 10) To Mr. Greg Starkebaum, TechLaw; from Mr. Patrick Corser, Montgomery-Watson; dated January 15, 2000. Summary: This letter transmits to TechLaw copies of several engineering diagrams, drawings, and specifications. It also provides the CQA Plan and the Operations and Maintenance Plan (copies not included in files sent to NMED).
- 11) To Ms. June Dreith, TechLaw; from Ms. Stephanie Kruse, NMED; dated January 24, 2000. Summary: Technical Directive from Ms. Kruse to complete the engineering evaluation.
- 12) To Mr. James P. Bearzi, Chief, HRMB, NMED; from Ms. June Dreith, TechLaw; dated February 16, 2000. Summary: The deliverable provides a review of the revised Triassic Park Part B Permit Application. The review was performed to verify updated documents.
- 13) To Ms. Stephanie Kruse, NMED, and Ms. June Dreith, TechLaw; from Mr. Greg Starkebaum, TechLaw; dated April 20, 2000. Summary: A memo that summarizes Mr. Starkebaum's meeting with Mr. Pat Corser and Mr. Jorge Trancoso of Montgomery Watson. The meeting discussed outstanding issues identified in the February 16, 2000, TechLaw review. Several issues had already been addressed.
- 14) To Ms. Stephanie Kruse, NMED; from Mr. Greg Starkebaum, TechLaw; dated April 28, 2000. Summary: This e-mail transmittal provides Ms. Kruse with an incomplete review (half done) in addressing the issues that are still outstanding. (The rest of the review was completed by Mr. Koenig and transmitted to NMED on May 11, 2000.
- 15) To Ms. June K. Dreith, TechLaw; from Ms. Stephanie Kruse, NMED; dated May 9, 2000 (fax). Summary: Via fax, Ms. Kruse submitted to TechLaw for review a draft Tank Certification from Mr. Patrick Corser of Montgomery Watson. Summary: Provides proposed language for the Tank Certification specified by 40 CFR 264.192.

- 16) To Mr. James Bearzi, NMED; from Ms. June Dreith, TechLaw; dated May 11, 2000.
Summary: The draft deliverable provides a review of the engineering design portions of the revised Triassic Park Part B Permit Application.
- 17) To Mr. Patrick Corser, Montgomery-Watson; from Ms. Stephanie Kruse, NMED; dated May 12, 2000. Summary: The letter transmits TechLaw's comments (sent to NMED on May 11, 2000) regarding the review of the engineering design portions of the revised Triassic Park Part B Permit Application.
- 18) To Mr. James Bearzi, NMED; from Ms. June Dreith, TechLaw; dated May 16, 2000.
Summary: The draft deliverable provides a review of the draft tank system certification, dated May 8, 2000, to be incorporated in the Triassic Park Part B Permit Application.
- 19) To Ms. June Dreith, TechLaw; from Ms. Stephanie Kruse, NMED; dated June 14, 2000.
Summary: This fax transmittal provides the response to NMED/TechLaw comments, dated May 12, 2000, on the engineering design portions of the Triassic Park Part B Permit Application. The response memorandum is also a fax transmittal, to Ms. Stephanie Kruse, NMED; from Ms. Diane Dwire, Montgomery Watson; dated May 25, 2000; subject: "Response to NMED/TechLaw Comments on Triassic Park Engineering Report."
- 20) To Mr. James Bearzi, NMED; from Ms. June Dreith, TechLaw; dated June 26, 2000.
Summary: The draft deliverable provides a review of Montgomery Watson's May 25, 2000 Memorandum, "Response to NMED/TechLaw Comments on Triassic Park Engineering Report."
- 21) To Mr. Steve Pullen, NMED; from Mr. Patrick Corser, Montgomery Watson; dated July 14, 2000. Summary: This letter transmits three copies of the Final Vadose Zone Monitoring System Work Plan, Triassic Park Waste Disposal Facility, Gandy Marley, Inc., dated July 2000.
- 22) To Mr. Larry Gandy, Gandy Marley, Inc.; from Mr. James Bearzi, NMED; dated September 12, 2000. Summary: This letter transmits Notice of Deficiency: Waste Analysis Plan, Etc.: Triassic Park Permit Application Revision, April 2000.
- 23) To Mr. Bob Thielke *et al*, TechLaw; from Mr. Michael Smith, TechLaw; dated September 28, 2000. Summary: This e-mail provides information regarding the future transmittal of electronic files from NMED for the review of the Triassic Park/Gandy Marley Part B Permit Application.
- 24) To Ms. June Dreith, TechLaw; from Mr. Steve Pullen, NMED; dated September 28, 2000.
Summary: This e-mail indicates the June 2000 version of the Groundwater Protection section is the most current and was provided to TechLaw. In addition, the e-mail includes two prior e-mail communications from earlier in the day on October 31, 2000, including: 1) an e-mail (12:38 p.m.) from Mr. Gary Koenig to Ms. June Dreith, both of TechLaw, that presents a list of the portions of the Triassic Park Part B Permit Application received by Mr.

- Koenig, and 2) an e-mail (no time/date) from Ms. June Dreith, TechLaw, to Mr. Steve Pullen, NMED, to transmit the list of documents presented in Mr. Koenig's e-mail.
- 25) To Mr. Steve Pullen, NMED; from Ms. June Dreith, TechLaw; dated October 4, 2000. Summary: This e-mail confirms receipt of additional, unidentified materials.
 - 26) To Ms. June Dreith, TechLaw; from Mr. Gary Koenig, TechLaw; dated October 24, 2000. Summary: This e-mail transmits a draft deliverable entitled, "Review of Table of Response to Comments from NMED, Triassic Park Facility Permit Application, October 2000." (Based on a footer on the draft deliverable, the table of responses was submitted to satisfy an NMED Notice of Deficiency, dated September 2000.)
 - 27) To Ms. June Dreith, TechLaw; from Mr. Michael Smith, TechLaw; dated October 25, 2000. Summary: This e-mail transmits review comments on Gandy Marley Inc.'s responses to issues identified in the September 6, 2000 and September 12, 2000 Notices of Deficiency.
 - 28) To Ms. June Dreith, TechLaw; from Mr. Michael Smith, TechLaw; dated October 25, 2000, 10:01 a.m. Summary: This e-mail presents issues regarding the construction of perimeter dikes at the Triassic Park Hazardous Waste Facility.
 - 29) To Ms. June Dreith, TechLaw; from Mr. Michael Smith, TechLaw; dated October 25, 2000, 1:09 p.m. Summary: This e-mail presents a draft comment regarding the construction of perimeter dikes at the Triassic Park Hazardous Waste Facility.
 - 30) To Ms. June Dreith, TechLaw; from Mr. Michael Smith, TechLaw; dated October 25, 2000, 1:24 p.m. Summary: This e-mail requests a teleconference to discuss issues regarding the construction of perimeter dikes at the Triassic Park Hazardous Waste Facility.
 - 31) To Mr. Steve Pullen, NMED, and Ms. Stephanie Kruse, NMED; from Ms. June Dreith, TechLaw; dated October 26, 2000. Summary: This memorandum presents TechLaw's informal review of outstanding issues identified by the September 6, 2000 and September 12, 2000 Notices of Deficiency. (Note: This memorandum indicates that TechLaw does not have a copy of the September 6, 2000 NOD.)
 - 32) To Ms. June Dreith, TechLaw; from Mr. Michael Smith, TechLaw; dated October 31, 2000, 9:52 a.m. Summary: This e-mail presents compliance schedule issues associated with Triassic Park Permit Part 5, the engineering design for the proposed surface impoundment. In addition, the e-mail includes two prior e-mail communications on the same subject from earlier in the day on October 31, 2000, including: 1) an e-mail (7:25 a.m.) from Mr. Michael Smith to Mr. Steve Druschel and Ms. June Dreith, all of TechLaw, and 2) an e-mail (11:42 a.m.) from Ms. June Dreith to Mr. Michael Smith, both of TechLaw.
 - 33) To Ms. June Dreith, TechLaw, from Ms. Connie Walker, TechLaw; dated October 31, 2000. Summary: This e-mail forwards Parts 7 and 8 and Attachment Q of the Triassic Park Permit, as well as a table documenting edits to the permit, from an earlier e-mail sent by Mr. Kevin Higgins, TechLaw, to Ms. Connie Walker, TechLaw, on October 30, 2000.

- 34) To Mr. Steve Pullen, NMED, from Ms. June Dreith, TechLaw; dated November 10, 2000. Summary: This letter provides the transmittal of the draft deliverable comments for TechLaw's review of Triassic Park RCRA Operating Permit Parts 1 through 11; Attachments F1, F2, and Q; and a table documenting TechLaw's editorial changes to the Draft RCRA Permit.
- 35) To Ms. Susan McMichael, NMED, Ms. Charlotte Robinson, Esq., and Ms. June Dreith, TechLaw; from Ms. Stephanie Kruse, NMED; dated November 19, 2000. Summary: This e-mail transmits Triassic Park RCRA Permit Attachments B1 and L1.
- 36) To Ms. Susan McMichael, NMED, Ms. Charlotte Robinson, Esq., Ms. June Dreith, TechLaw, and Mr. Steve Pullen, NMED; from Ms. Stephanie Kruse, NMED; dated November 21, 2000. Summary: This e-mail transmits Triassic Park RCRA Permit Parts 3, 4, and 7, and Attachment N.
- 37) To Ms. Susan McMichael, NMED, Ms. Charlotte Robinson, Esq., and Ms. June Dreith, TechLaw; from Ms. Stephanie Kruse, NMED; dated November 22, 2000. Summary: This e-mail transmits Triassic Park RCRA Permit Part 6 and Attachments F and F1.
- 38) To Ms. Susan McMichael, NMED, Ms. Charlotte Robinson, Esq., and Ms. June Dreith, TechLaw; from Ms. Stephanie Kruse, NMED; dated November 22, 2000. Summary: This e-mail transmits Triassic Park RCRA Permit Parts 8, 9, and 10.
- 39) To Ms. Susan McMichael, NMED, Ms. Charlotte Robinson, Esq., and Ms. June Dreith, TechLaw; from Ms. Stephanie Kruse, NMED; dated November 22, 2000. Summary: This e-mail transmits Triassic Park RCRA Permit Part 6 and Attachments F and F1.
- 40) To Ms. Susan McMichael, NMED, Ms. Charlotte Robinson, Esq., and Ms. June Dreith, TechLaw; from Ms. Stephanie Kruse, NMED; dated November 22, 2000. Summary: This e-mail transmits Triassic Park RCRA Permit Attachments G, H, J, M, N, O, O2, P1, R, S, and T.
- 41) To Mr. Steve Pullen, NMED; from June Dreith, TechLaw; dated November 28, 2000. Summary: This letter presents a list of TechLaw's deliverables to NMED regarding the engineering sections of the Gandy Marley Part B Permit Application.
- 42) To Ms. June Dreith, TechLaw; from Ms. Susan McMichael, NMED; dated December 12, 2000. Summary: This e-mail transmits three redline files for the Gandy Marley RCRA Permit.

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- 43) To Ms. June Dreith, TechLaw; from Ms. Charlotte Robinson, Esq.; dated January 24, 2001. Summary: This letter presents a summary of the completeness of responses to issues raised in Ms. Robinson's December 3, 2000 Memorandum.

- 44) To Mr. Larry Gandy, Gandy Marley, Inc.; from Mr. James Bearzi, NMED; dated January 30, 2001. Summary: This letter discusses the time frame and requirements for issuance of the Draft Triassic Park RCRA Operating Permit, including the proposed initiation of the public participation process.
- 45) To Ms. Stephanie Kruse, NMED; from Ms. June Dreith, TechLaw; dated February 8, 2001. Summary: This letter transmits a modified Attachment F, Waste Analysis Plan, with changes specifically made in the Sampling Plan, which is Section 4.6 of Attachment F.
- 46) To Mr. James Bearzi, NMED; from Ms. June Dreith, TechLaw; dated February 9, 2001. Summary: This letter transmits legal research performed by Ms. Charlotte Robinson, Esq., regarding cases involving permits with “conditions subsequent” to issuance of a permit.
- 47) To Mr. Steve Pullen, NMED; from Ms. June Dreith, TechLaw; dated June 6, 2001. Summary: This letter transmits the binder and spine covers for the Gandy-Marley Draft Permit.
- 48) To Mr. Larry Gandy, Gandy-Marley Corporation; from Mr. James Bearzi, NMED; dated June 13, 2001. Summary: This letter transmits the Draft RCRA Permit for the Triassic Park Waste Disposal Facility.