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To: Steve Pullen, Project Manager, Triassic Park Project  
Alicia Orth, Hearing Officer, New Mexico Environment Dept.

From: Judith V. Kelly and John W. Kelly  
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RE: Our Objections to the Triassic Park Project

Date: October 24, 2001

Since this appears to be the final deadline for presenting our objections, fears, and anxieties regarding the Triassic Park Toxic Waste Site, we have listed our major objections in the following outline.

1. There is a great deal of question in the minds of many regarding the publicity regarding this project and its presentation to the public. While we all acknowledge that the New Mexico Environment Department has the final say in the matter, it often seemed that the department felt that it had the only say. Both GMI and the state environment personnel were cavalier in their presentation of materials. The general attitude seemed to be that the general public was far too uneducated to comprehend the scientific import of the project, so no attempt was made to present the background in anything but rather vague jargon of the geologic community and the toxic waste industry. GMI presented a slick presentation, reminiscent of an advertising infomercial and refused all questions until well after. The impression that we received was that it didn't really matter what the local citizenry thought or felt, that the decision was out of our hands and had little to do with us. Contrary to your attitude, we would like to remind you that the environmental department policy, regulations and personnel change on a regular basis, but we still have to live here and we feel that our concerns should be addressed just as earnestly as those of the toxic waste industries concerns are addressed.

Pursuant to that line of thought, there has been a great deal of concern that the fears of the hispanic members of our community have not been addressed. At the first meeting that we attended, snide comments were made regarding the exit of Spanish-speaking residents after they were told that an interpreter would not be provided until the question and answer segment of the GMI presentation. Please consider that if a person does not understand your explanation, he will not be able to formulate the necessary questions. The attitude on that particular evening was condescending and seemed to be directed to those who were already in support of the project.

2. As far as the project itself, we were not convinced by the company presentation that adequate efforts are being made to protect the groundwater in that area over an extended period of time. It would seem that the company does not see fit to present adequate scientific proof that they have done the necessary research, utilizing independent scientific sources to verify that their findings are consistent with industry standards. Since that time, it is our understanding that their vadose

*Also, what would happen if  
GMI declares bankruptcy?*

zone monitoring system has come into question. There seems to be some question regarding their long term financial plan to assure the safety of the site once they abandon it.

3. Another question we have is regarding the viability of toxic waste dumps. They tend to be of a temporary nature, and if the past is any indicator, they will probably cost taxpayers an arm and a leg to clean it up in twenty years or so. Since the science has evolved to the point that most of these toxic waste materials could be recycled safely or neutralized safely, why are we concentrating on dump sites that make the owners happy, but give the rest of us headaches for decades to come. We only ask that instead of approving another dump for toxic materials, the state consider doing some feasibility studies on more environmentally-friendly ways of disposing of said materials.

4. The matter of transportation of these toxic materials is of great concern. While GMI repeatedly pointed out, they are going to be on top of any spills or leaks at the site, but the amount of waste coming in daily means a tremendous increase in trucks carrying toxic materials through our towns and over our rural roads. The number of trucks carrying these materials would greatly increase the probability of accidents and cleanup could become a dangerous and costly matter. While GMI would not control that end of the business, it presents a definite problem for those of us who travel New Mexico highways.

5. In the past month, with the incidents in New York City and in Washington, D.C., we have all become more security conscious. It is to be hoped that GMI will produce an emergency procedure which will apply to the securing of those toxic materials from theft or from use in a possible terrorist attack. Since chemical companies and nuclear waste sites are on heightened alert and have established emergency procedures, we would expect GMI and the state to come up with an emergency plan so that these materials cannot be used against our country. While you may shrug this off, please consider that the president himself has indicated that this war will extend over a long period of time, possibly years, and that we will have to be constantly vigilant regarding a variety of attack scenarios.

6. It has come to our attention that a document exists, coming out of the state files, which indicates that it has been discussed in the past couple of years that GMI's toxic waste site could apply for and obtain a low-level nuclear waste site clearance within a couple of years of its opening. This is not acceptable. We have attached a copy of a memo which refers to this, and we hope that our extreme trepidation regarding this possibility is noted and considered. While the state and GMI have shrugged off this possibility, it would seem that someone hasn't put all his cards on the table. We are not questioning the veracity or integrity of either the state environment personnel or GMI, but please remember that integrity is not just saying "I've ranched in this area all my life". There's nothing anywhere that says being a rancher gives you any more integrity than the next guy. What you do or for whom you work does not contribute to personal integrity. Integrity comes from consistently and honestly dealing with your fellow man in an open and sincere manner, listening to his needs and candidly discussing your own. (Document is memorandum from Cornelius Amandyas to Gregory Lewis, Director, and was through Benito Garcia, Robert Dimwiddie, Steve Pullen and Stephanie Kruse and was appropriately initialed. The date of said memo is February 4, 1999 and relates to the briefing on the Triassic Park Waste Disposal Facility Permit. Also included with the memo is a chronology and time table for issuance of said permit.)

Thank you for this opportunity to present our grievances and anxieties. We hope that you will consider them and that you will make the appropriate recommendations to the Secretary.

Judith V. Kelly

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