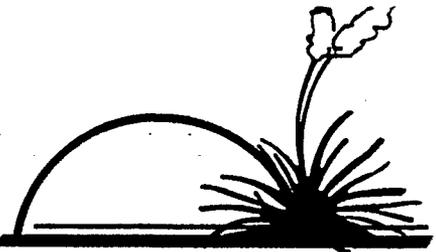


# CARD

Citizens For Alternatives To Radioactive Dumping



www.cardnm.org

11-29-2004

**STATE OF NEW MEXICO  
BEFORE THE SECRETARY OF ENVIRONMENT**

IN THE MATTER OF THE DRAFT )  
FINAL PERMIT FOR THE TRIASSIC PARK )  
WASTE DISPOSAL FACILITY )  
U.S. EPA NO. NM0001002484 )  
\_\_\_\_\_ )

No. HRM 01-02(P)

**MOTION TO RE-OPEN THE HEARING  
TO ADD DOCUMENTS TO THE ADMINISTRATIVE RECORD**

Introduction

Citizens for Alternatives to Radioactive Dumping (hereinafter "CARD") requests the Hearing Officer to re-open the hearing in the above captioned matter to receive documents into the Administrative Record and to afford the public and participating parties the opportunity to review these documents and comment on them.

At least 48 documents that were originally available for public review during the comment period have been deleted from the Administrative Record, including at least 10 written public comments; several documents that were used by the New Mexico Environment Department (hereinafter "NMED") in their

preparation of the draft permit were never entered into either the original Correspondence Report or the Administrative Record; and documents, including numerous written public comments are still not officially entered into the Administrative Record even though they were received before the end of the comment period. The unavailability of the complete Administrative Record during the comment period and during the period for *Findings of Fact and Conclusions of Law*, violates the public's right to participate in these proceedings.

**New Mexico Statutes, Including Hearing Procedures, Require that the Draft Permit, the Recommendation of the Hearing Officer, the Decision of the Secretary and Responses to Comments Be Based on the Complete Administrative Record.**

Permitting procedures under 20.4.1.901 require, in part that "[a]ny Draft Permit...shall be accompanied by a fact sheet and shall be based on the administrative file" 20.4.1.901 NMAC A(2) and that "[t]he Secretary shall give public notice that a Draft Permit...has been prepared, and shall allow...for review and public comment..." 20.4.1.901 NMAC A(3). The regulations also state that [t]he Secretary shall give due consideration and the weight he/she deems appropriate to all comments received during a public comment period and to all relevant facts and circumstances presented at a public hearing" 20.4.1.901 NMAC A(7) and "...shall issue a response to comments. This response shall briefly describe and respond to all comments on the draft permit or the permit application raised during the public comment period, or during any hearing, and be available to the public." 20.4.1.901 NMAC A(9)(b) and (c)

The hearing officer stated, during the hearing, that the hearing record was made up of the Administrative Record, including everything filed with the Hazardous Waste Bureau in the permit file. Permit procedures for NMED also define the Administrative Record as "...all public records used by the Division in evaluating the application or petition, including the application or petition and all supporting data furnished by the applicant or petitioner, all materials cited in the application or petition, public comments, correspondence, and as applicable, the draft permit and statement of basis or fact sheet, and any other material used by the Division to evaluate the application or petition." 20.1.4.107 NMAC A(2)

Forty-eight Documents That Were Listed in the Correspondence Log for the Triassic Park Permit at the beginning of the Comment Period Were Removed from the Administrative Record When the Correspondence Log Was Re-numbered and Re-named the Administrative Record Index.

At least 10 of the 48 documents (listed in Exhibit 1) were written public comments. The remaining 37 documents were a mixture of types of documents including, but not limited to, correspondence with citizens, regulatory agencies, the applicants, application and permit reviewers, newspapers and radio stations, and internal memoranda. None of the documents were listed as confidential documents in the Correspondence Report. (Confidential documents are listed with a letter "c" after their AR/invoice number and are also missing from the record; CARD is not requesting that any of these c-marked documents be returned to the record.) NMED appears to be inconsistent in what it removes from the Administrative Record and what it leaves in. Sometimes rough drafts are removed and sometimes left in. Sometimes drafts are the only copies of documents in the record as no final document has been filed (see below). Some notices to newspapers and radio stations are left in while others, at the same time, are removed. The same appears to be true of public comments.

It is impossible to know how important each document is or how much it was used (or should have been used) in preparing the draft permit since these documents are no longer available for public review. Correspondence with newspapers and radio stations etc. could indicate whether proper public participation procedures were followed or not. Internal memos were considered important enough when they were written to be entered in the Correspondence Report and at least one (Exhibit 2) gives an explanation and chronology of the draft permit, shows who was responsible in NMED for which action on the draft permit, and describes the intentions of the applicants. This is important for the public to understand the history of the permit and to know what kinds of reviews were done and with whom to discuss these reviews and actions. (CARD was only able to find this document because the document was present in an Administrative Record folder, though it is no longer "officially" recognized as part of the record and has no AR number.) Other missing memoranda may have been as important or more important in evaluating the application or the draft permit.

In addition, at least 10 documents listed as public comments have been removed. These written comments were received before the end of the comment period and should be available for both the public and the hearing officer to view. It is impossible for the hearing officer to give due consideration and the weight she deems appropriate to all comments received during a public comment period and to respond to all

comments on the draft permit, the permit application raised during the public comment period as required by the regulations (see above) when public comments are no longer available for her to read. In addition, public comment is important for parties to be able to review in a timely manner since information in comments (as well as in Department documents, correspondence and memoranda) can contain information that parties to the proceeding might want to bring out during the hearing or in *Findings of Facts and Conclusions of Law*. Removing documents that are pertinent to the proceedings, especially public comments, negates the public process and violates the public's right to participate fully in these proceedings.

Some Documents That Were Material to the Proceedings Have Never Appeared in Either the Correspondence Report or in the Administrative Record Index.

At least three documents that were used by NMED in evaluating the application and making decisions concerning the permitting process do not appear in either the Correspondence Report or the Administrative Record. The August 15, 2001 Fact Sheet (AR 01-142) as well as the June 15, 2001 Fact Sheet (AR 01-082) and the March 15, 2001 Fact Sheet (AR 01-081) all state that "In March of 2001 the Department determined that GMI's permit application was technically complete." However, there is no document in the Administrative Record Index sent either to "file" or to GMI stating that the Department ever actually determined that the application was technically complete.

On October 16, 1998 NMED issued its second determination that the application was administratively complete (AR 98-016). In that document they state that "All items in the Permit application Administrative Completeness Request for Supplementary Information [hereinafter "RSI"] of March 5, 1998 have been sufficiently addressed by GMI..." However, this March 5, 1998 RSI is missing from the Record. Only a faxed draft of an RSI which specifically states that it is unreviewed appears in the record. (2/2/98 AR 98-002). Since the RSI was in response to public comments that caused the Department to rescind the previous draft permit and require GMI to submit a revised permit application, it is important to know what information was required by the final RSI to know if the application was truly administratively complete at this time.

Finally, Gandy-Marly, Inc. presented NMED with a document in 1996 which was contained in an approximately 1" notebook binder and which outlined the business plan and schedule of deliverables by both Gandy-Marley, Inc. and NMED. This document was used in making decisions on various aspects of the

permitting process including reviewing the application contents. (see Exhibit 3). This document does not appear in either the Correspondence Report or the Administrative Record Index and has not been available for public review even though it appears to contain information material to the proceeding.

Various Documents Including Written Public Comments Have Not Been Entered Into the Administrative Record Even Though Most of The Documents Were Received Before the End of the Comment Period.

Even though it is more than a month after the close of the public comment period and close to the deadline for *Findings of Fact and Conclusions of Law*, numerous public comments and other written submittals received before the end of the comment period have not been assigned AR numbers or officially entered into the Record. These submittals include all the written public comments received from the October 25, 2001 Hagerman meeting and documents from the U.S. Department of the Interior, Fish and Wildlife Service/New Mexico Ecological Services Field Office (Cons. #2-22-01-I-700) as well as other submittals. The Fish and Wildlife documents include a cover letter referring to threatened or endangered species and wildlife habitats that could be affected by proposed development of the Triassic Park Facility, three copies of portions of the Federal Register (*Announcement of Final Policy for Candidate Conservation Agreements with Assurances, Habitat conservation Plan Assurances ["No Surprises"] Rule and Safe Harbor Agreements and Candidate Conservation Agreements With Assurances; Announcement of Final Safe Harbor Policy; Announcement of Final Policy for Candidate Conservation Agreements With Assurances; Final Rule and Notices*) and three U.S. Fish & Wildlife printed documents (*Candidate Species and Candidate Conservation Agreements With Assurances For Non-Federal Property Owners, U.S. Fish and Wildlife Service and National Marine Fisheries Service Habitat Conservation Plan [No Surprises] Assurances Final Rule and Habitat Conservation Plans and the Incidental Take Permitting Process*). Although these documents are available for public review, it is difficult to refer to them since they have not been assigned numbers and it is not clear if they are officially part of the Administrative Record.

Also, there are documents whose status is unclear for other reasons mixed in with documents that were received by the October 25, 2001 deadline and clearly should be part of the record. These additionally unclear documents include, but are not necessarily limited to, the 2/4/99 NMED memorandum referred to above (Exhibit 2) and documents received after the October 25, 2001 comment deadline (including a letter

from applicants' attorney dated 11/7/01 stating they had not included OSHA violations in their disclosure statements and the OSHA materials themselves concerning a single "serious" OSHA violation and fine. These latter documents have a FAXed date of 11/9/01 but are stamped "received" on 11/15/01).

Certainly the numerous written public comments must be available in a timely manner for the hearing officer's review and NMED's response to comments. These and other documents which also qualify to be part of the record should have been numbered and officially entered into the record in time for parties to use them when writing *Findings of Fact and Conclusions of Law*. The OSHA violation information should have been disclosed on the applicants' original disclosure forms since the violation took place years ago. By not submitting the materials until after the close of the hearing, applicants have excluded parties and other members of the public from reviewing, commenting on and cross-examining them on this serious violation. This, along with the difficulty or inability to review and refer to documents that were received before the October 25, 2001 deadline violate the public's right to participate in these proceedings.

The Official AR Numbers Given to Documents Appear to Change Frequently So That It Is Difficult To Know If the Correct Number Is Being Used.

Identifying numbers in the AR/Invoice Number column differ between the original Correspondence Report, the 9/19/2001 Administrative Record Index and the 10/15/2001 Administrative Record Index which CARD has used in this motion. It is possible that there is yet a later version with additionally changed numbers since many numbers in the 10/15/2001 AR Index are out of order. This puts an unreasonable burden on the public when trying to refer to documents during this proceeding and further complicates an already confusing Administrative Record.

Conclusion

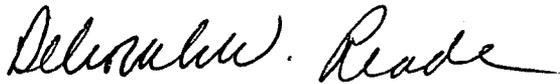
The missing and removed documents as well as the un-entered documents make it impossible for CARD and other members of the public to review the decision-making that went into the creation of the application and the draft permit or to comment adequately on the draft permit or to question the applicants and NMED about the application and the permit. The exclusion of the public from review of these documents violates the public's rights and limits their ability to participate in these proceedings. In addition, missing

written public comment and comments and documents that have not yet been added to the record in a timely manner, not only limit the public's ability to review and comment on the draft permit but the hearing officer's ability to do this also, as well as NMED's ability to respond to comments.

For the foregoing reasons, CARD respectfully requests the Hearing Officer to require the admission of the missing and removed and delayed documents to the Administrative Record, and to re-open the hearing so that the public and participating parties will be able to review these documents properly, question the applicants about them when necessary and have time to comment on them either in written public comments or *Findings of Fact and Conclusions of Law*.

Dated: November 28, 2001

CITIZENS FOR ALTERNATIVES  
TO RADIOACTIVE DUMPING (CARD)



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Deborah W. Reade  
Research Director

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 28, 2001 a copy of RESPONSE TO MOTION IN LIMINE was hand delivered or mailed first class to:

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Respectfully Submitted,



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Deborah Reade  
Research Director  
Citizens for Alternatives to Radioactive Dumping

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	X 3/1/96	Bob Sweeney ✓	TerraMatrix	Landfill Liner Alternatives HELP Analysis		96-018	
<i>missing</i> Triassic Park	X 3/1/96	TerraMatrix/kendall ✓	<u>EPA/Mayer</u>	Landfill Liner Alternatives HELP Analysis		96-019	
Triassic Park	X 3/5/96	TerraMatrix ✓	Bob Sweeney	Liner Alternative HELP Analysis Figures 1,2, & 3		96-020	
Triassic Park	X 3/6/96	Bob Sweeney ✓	NMED HRMB/Garcia	Memo Regarding Concerns on the Alterntive Liner Design Rev. 1		96-021	
Triassic Park	3/7/96	TerraMatrix/Kendall ✓	NMED/Stafford	Part B Application Rev. 1 Figures 2-8, 2-9, & 2-10		96-022	
Triassic Park	X 3/11/96	NMED SWB/Stafford ✓	Bob Sweeney	Liner & Cover Design HELP Model Review		96-023	
Triassic Park	3/14/96	US EPA/Neleigh ✓	NMED HRMB/Garcia	Part B Permit Application & Corresponding Revisions		96-024	
Triassic Park	X 03/14/1996	✓	NMED	Revision Draft Permit Application		96-025	
Triassic Park	4/4/96	NMED HRMB/Hoditschek ✓	Roswell Public Library	- Draft Permit for Public Review		96-026	
<i>missing</i> Triassic Park	4/4/96	NMED HRMB/Hoditschek ✓	Larry Gandy	-Draft Permit for Public Review		96-027	
Triassic Park	4/4/96	NMED HRMB/Hoditschek ✓	Albuquerque Publishing Co.	-Legal Notice for Public Review		96-028	

EXHIBIT 1

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	4/4/96	NMED HRMB/Hoditschek	✓ KRST FM/KRZY AM Radio	Public Announcement of Legal Notice for Public Review		96-029	
Triassic Park	4/4/96	NMED HRMB/Hoditschek	✓ US EPA/ Neleigh	Draft Permit for Public Notice		96-030	
Triassic Park	4/4/96	NMED HRMB/Hoditschek	KOB-AM 77	Public Announcement of Legal Notice for Public Review		96-031	
Triassic Park	4/4/96	NMED HRMB/Hoditschek	Radio Station KRSY	Public Announcement of Legal Notice for Public Review		96-032	
Triassic Park	4/4/96	NMED HRMB/Hoditschek	Roswell Daily Record	Legal Notice for Public Review		96-033	
Triassic Park	4/4/96	NMED HRMB/Hoditschek	Citizen	Draft Permit for Public Notice		96-034	
Triassic Park	4/18/96	US EPA/ Neleigh	✓ NMED HRMB/Garcia	Review: Draft Permit; EPA comments enclosed		96-035	
Triassic Park	4/22/96		✓ File	Attendance at Roswell Public Meeting		96-036	
Triassic Park	4/24/96	NMED HRMB/Garcia	Gandy Marley	Corrective Action Authorization & Flow of Corrective Action Documents		96-037	
Triassic Park	5/15/96	Larry Gandy	✓ NMED HRMB/Hoditschek	Comments on Draft Permit		96-038	
Triassic Park	5/19/96	Dorothy Russell	✓ NMED HRMB/Hoditschek	Draft Permit		96-039	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	5/19/96	Thomas Pearson	NMED HRMB/Hoditschek	Draft Permit		96-040	
Triassic Park	5/22/96	Betty Richards ✓	Mark Weidler	Requesting Public Hearing		96-041	
Triassic Park	6/7/96	Larry Gandy ✓	NMED HRMB/Amindyas	Comments & Responses on Draft Permit Between Dorothy Russell & Thomas Pearson and Larry Gandy		96-042	
Triassic Park	06/11/1996	NMED/Weidler ✓	Betty Richards	Comments		96-043	
Triassic Park	6/27/96	Betty Richards ✓	Mark Weidler	Letter To Weidler		96-044	
Triassic Park	X 6/28/96	Mike Welch ✓	NMED HRMB/Amindyas	Telephone conversation w/Mike Welch regarding Draft Permit		96-045	
Triassic Park	7/12/96	NMED/Kern ✓	Gandy Marley/Larry Gandy	Additional Drill Holes Proposed		96-046	
Triassic Park	X 7/17/96	NMED HRMB/Amindyas ✓	Betty Richards	Telephone notes on conversion w/Betty Richards		96-047	
Triassic Park	X 7/18/96	Betty Richards ✓	NMED HRMB/Hoditschek	Telephone Conversation: Draft Permit		96-048	
Triassic Park	X 7/26/96	NMED HRMB/Amindyas ✓	Betty Richards	Telephone conversation: Draft Permit		96-049	
Triassic Park	X 7/30/96	Karen Jo Herman ✓	Bill Richardson	Re: Triassic Park		96-050	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	10/1/96	NMED HRMB/Hoditschek	Larry Gandy	Request for Final Engineering Design		96-073	
Triassic Park	X 10/1/96	NMED HRMB/Garcia ✓	Mark Weidler	Disclosure Statements		96-074	
Triassic Park	10/2/96	Marl Weidler ✓	Cameron Fisher	Request for Review of Disclosure Statements		96-075	
Triassic Park	<sup>Meeting</sup> X 10/4/96 ✓	Bob Sweeney ✓	NMED HRMB/Garcia	Response to Sept. 27 memo		96-076	Confidential
Triassic Park	X 10/7/96	NMED HRMB/Amindyas	Department of Public Safety	Delivery of Disclosure Statements		96-077	
Triassic Park	X 10/8/96			Notes on meeting w/Ed kelley regarding conditional permit		96-078c	
Triassic Park	X 10/21/96			Notes on meeting regarding the submission of the final design		96-079c	
Triassic Park	X 10/21/96			Notes on meeting regarding independant contractor to review permit application		96-080c	
Triassic Park	10/27/96	Sherry Bixlar ✓	Jerry Bober	Fax: regarding site		96-081	
Triassic Park	10/29/96	Elizabeth Shores ✓	Jerry Bober	letter Regarding Request for Public Hearing		96-082	
Triassic Park	X 11/18/96	Bob Sweeney ✓	Constance Walker	Copies of text & Figures for Permit Application & Supporting Documents		96-083	

# Correspondence Report

Facility	Date on Correspondence	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	12/2/96	✓	File	Joint meeting w/Radioactive Waste Consultation Task Force		96-084	←
Triassic Park	X 12/10/96	TerraMatrix ✓	Ken Schultz	Fax: Typical RCRA TSD Conditional Permitting Approach		96-085	
Triassic Park	X 12/13/96	✓	File	Professional Services Contract		96-086	
Triassic Park	12/30/96	Cameron Fisher	Butch Tongate	Background Investigation		96-087	
Triassic Park	X 1/15/97	Sherry Bixler	Jerry Bober	Name Addition to mailing list for TP		97-001	
Triassic Park	X 1/22/97	<i>F missing</i> A.T. Kearney/Starkebaum	NMED HRMB/Bober	Fax: Part B Permit Application Deficiency Comments Rough Draft		97-002	
Triassic Park	X 1/23/97	<i>F missing</i> A.T. Kearney/Starkebaum	NMED HRMB/Bober	Fax: Completeness/Technical Evaluation Checklist & EPA Policy		97-003	<i>CONF.d</i>
Triassic Park	1/23/97	NMED HRMB/Bober ✓	NMED HRMB/Garcia	Rough Draft from A.T. Kearney		97-004	
Triassic Park	X 1/23/97	NMED HRMB/Bober ✓	A.T. Kearney	Memo from TerraMatrix to GM		97-005	
Triassic Park	X 1/24/97	NMED HRMB/Bober ✓	Ken Schultz	Fax: Rough Draft on Comments from A.T. Kearney		97-006	
Triassic Park	X 1/27/97	A.T. Kearney ✓	NMED HRMB/Bober	Fax: Rough Draft #2 PartB Permit Application Deficiency Comments		97-007	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	1/27/97	NMED HRMB/Bober ✓	NMED HRMB/Garcia	Additional Information		97-008	
Triassic Park	2/4/97	NMED HRMB/Bober ✓	A.T. Kearney	Fax: Guidance Document for HELP Program & Liner Design		97-009	
Triassic Park	2/9/97	A.T. Kearney ✓	NMED HRMB/Bober	Fax: Rough Draft #3 Part B Permit Application		97-010	
Triassic Park	2/10/97	NMED HRMB/Bober ✓	TerraMatrix	Missing Tables & Figures		97-011	
Triassic Park	2/11/97 <i>Fanning</i>	NMED HRMB/Dinwiddie	NMED HRMB/Garcia	Permit Application Status		97-012	<i>Conf.</i>
Triassic Park	2/21/97	A.T. Kearney ✓	NMED HRMB/Garcia	Permit Application Review		97-014	
Triassic Park	2/26/97	NMED HRMB/Bober ✓	Ken Schultz	A.T. Kerney review of permit application		97-015	
Triassic Park	3/21/97	NMED HRMB/Garcia ✓	Larry Gandy	SI Request		97-016	
Triassic Park	4/8/97 <i>Fanning</i>	NMED HRMB/Garcia	NMED/Weidler	Memo: Draft Permit Requirements		97-017	<i>Confid.</i>
Triassic Park	4/9/97	TerraMatrix ✓	NMED HRMB/Garcia	Part B Application Revisions & NMED Comment Responses		97-018	
Triassic Park	4/30/97	NMED HRMB/Garcia ✓	Ken Schultz	HRMB Response to 4/9 letter		97-019	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	11/6/97		File	Telephone Log		97-043	
Triassic Park	11/21/1997	Techlaw/Jordan ✓	NMED/Garcia	Proposal for Permit Application & Technical Document Review		97-044	
Triassic Park	12/3/97	NMED HRMB/Garcia ✓	GM/D. Gandy	Submittal Date of Permit Application		97-045	
Triassic Park	12/12/1997	Mongomery Watson/Corser ✓	Gandy Marley/D. Gandy	Transmittal: Part A & B Permit Application Volumes 1,2, 3, 4, 5, & 6		97-046	
Triassic Park	1/2/98	NMED HRMB/Garcia ✓	NMED HRMB/Dinwiddie	Request for Timeline Updates on Specific Activities		98-001	CONF
Triassic Park	1/6/98	NMED HRMB/Dinwiddie ✓	Gandy Marley	Revisions to Hazardous Waste Fee Regulations		98-002	
Triassic Park	2/2/98	NMED HRMB/Amindyas ✓	Larry Gandy	Fax: Attachment A SI Request		98-003	
Triassic Park	2/20/98	NMED HRMB/Dinwiddie ✓	Larry Gandy	Guide to RCRA Permits Management Program Documents Requirements		98-004	
Triassic Park	02/27/1998		✓	Administrative Completeness Checklist - 12/16/97 - 2/27/1998		98-005	
Triassic Park	3/27/98	NMED HRMB/Amindyas ✓	Larry Gandy	Fax: Need List of possible companies & labs you plan to accept hazardous waste from		98-007	
Triassic Park	3/30/98	NMED HRMB/Amindyas ✓	Larry Gandy	Fax: Final inspection checklist for landfill & surface Impoundments		98-008	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	11/9/98	Pat Corser ✓	NMED HRMB/Amindyas	Fax: GW Monitoring		98-020	
Triassic Park	11/9/98	NMED HRMB/Dinwiddie ✓	Larry Gandy	Request for Submittal of Revised Permit Application		98-021	
Triassic Park	11/9/98	Montgomery Watson ✓	NMED HRMB/Amindyas	Fax: GW Monitoring Waiver		98-023	
Triassic Park	11/10/98	Pat Corser ✓	NMED HRMB/Amindyas	Revised Volumes I & III of Part A & B Permit Application		98-024	
Triassic Park	11/30/98	<i>Mason</i> NMED HRMB/Garcia	Techlaw, Inc.	Instructions & Request for Cost Estimate - Permit Application Review		98-025	
Triassic Park	12/15/98	Techlaw, Inc. ✓	NMED HRMB/Garcia	WP Rev. 0		98-026	
Triassic Park	1/6/99	NMED HRMB/Amindyas ✓	Techlaw, Inc.	Permit Application Volume II & GM's Responses to A.T. Kearneys Comments		99-001	
Triassic Park	1/14/99	Techlaw, Inc. ✓	NMED HRMB/Garcia	WP Rev. 0		99-002	
Triassic Park	1/26/99	Techlaw, Inc. ✓	NMED HRMB/Pullen	Technical memo regarding regulatory status of the pproposed truck wash		99-003	
Triassic Park	2/1/99	✓	NMED HRMB/Pullen	Notes on Truck Wash operating plans		99-004	
Triassic Park	2/4/99	<i>Mason</i> NMED HRMB/Amindyas	Gregory Lewis	Memo: Briefing on Permit		99-005	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	2/21/99	Albuquerque Journal ✓	File	Article: Oil Patch Wants N-Plant		99-006	
Triassic Park	2/27/99	J. Dreith ✓	NMED HRMB/Garcia	Engineering Design Review; Draft Deliverable		99-007	
Triassic Park	3/1/99	Techlaw, Inc. ✓	NMED HRMB/Garcia	Engineering Design Review; Draft Deliverable		99-008	
Triassic Park	3/4/1999 ✓	NMED HRMB/Dinwiddie ✓	NMED HRMB/Kruse	Review Checklist for Waste Analysis Plan		98-006	
Triassic Park	3/5/99 ✓	NMED HRMB/Dinwiddie	Larry Gandy	Draft: SI Request		99-009	
Triassic Park	3/9/99 ✓	NMED HRMB/Pullen	NMED HRMB/Kruse	Corrections on SI Request for the Engineering Design Issues		99-010	
Triassic Park	3/10/99 ✓	NMED HRMB/Kruse	Larry Gandy	Draft: SI Request		99-011	
Triassic Park	3/11/99 ✓	NMED HRMB/Dinwiddie	Larry Gandy	SI Request		99-012	
Triassic Park	3/11/99 ✓	NMED HRMB/Dinwiddie	Larry Gandy	SI Request		99-013	
Triassic Park	3/16/99 ✓	NMED HRMB/Kruse	Gandy Marley	Fax: Replacement Pages		99-014	
Triassic Park	4/8/99 ✓	Stephen Gilrein	EPA/Burnett	RCRA Facilities		99-015	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	4/14/99		File	Meeting about Part B Permit Review		99-016	
Triassic Park	4/14/99	NMED HRMB/Kruse ✓	File	Meeting Notes 4/14/99		99-017	
Triassic Park	4/15/99	G.Starkebaum ✓	J. Dreith	Meetings w/Consultant		99-018	
Triassic Park	4/21/99	NMED HRMB/Kruse ✓	NMED HRMB/Dinwiddie	Permit Application		99-019	
Triassic Park	4/21/99		NMED HRMB/Kruse	SI Request Engineering Design Issues		99-020	
Triassic Park	4/26/99	Ken Schultz ✓	NMED HRMB/Garcia	Fax: Meeting Notes 4/14/99		99-021	
Triassic Park	4/27/99	G.Starkebaum ✓	J. Dreith	Meetings w/Consultant		99-022	
Triassic Park	4/28/99	Elizabeth Cotsworth ✓	EPA/Julie Wanslow	Clarification of Provisions of the 10/22/98 Final Post Closure Rule		99-023	
Triassic Park	5/5/99	G. Starkebaum ✓	J. Dreith	4th Meeting w/Consultant		99-024	
Triassic Park	5/6/99	Pat Corser ✓	NMED HRMB/Dinwiddie	SI Request		99-025	
Triassic Park	5/10/1999	InfMedia/Jim Bonner ✓	NMEDHWB/Pullen	Fax: Comments & GW Monitoring Suspension Request		99-026	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	5/11/99	NMED HRMB/Dinwiddie ✓	Larry Gandy	Extension Request: SI Response		99-027	
Triassic Park	5/13/99	Edward Hansen ✓	NMED HRMB/Kruse	Escorted Visitor Orientation		99-028	
Triassic Park	5/20/99	Techlaw, Inc. ✓	NMED HRMB/Kruse	Fax: Response NMED Comments 3/11/99; Draft		99-029	
Triassic Park	5/20/99	NMED HRMB/Dinwiddie ✓	File	Final Draft - Response to RSI (stu's Comments)		99-030	
Triassic Park	5/24/99	Montgomery Watson ✓	NMED HRMB/Kruse	SI Request: Draft Permit Application		99-031	
Triassic Park	5/25/99	NMED HRMB/Kruse ✓	Gandy Marley	HRMB Comments on Draft RSI Responses		99-032	
Triassic Park	5/26/99	Delhart ✓	NMED HRMB/Kruse	Permit		99-033	
Triassic Park	5/27/99	Techlaw, Inc. ✓	NMED HRMB/Kruse	Drafig Help on permit		99-034	
Triassic Park	5/27/99	NMED HRMB/Kruse ✓	Techlaw, Inc.	Request for WP for Writing Permit/Ancillary Activities		99-035	
Triassic Park	6/7/99	NMED HRMB/Kruse	Gandy Marley	Teleconference		99-036	
Triassic Park	6/10/99	NMED HRMB/Bearzi ✓	Larry Gandy	Comments: Draft Responses to SI Request		99-037	

*Handwritten:* 6/7/99

*Handwritten:* 99-036

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	8/30/99	W. Watson	NMED HRMB/Kruse	Teleconference		99-071	
Triassic Park	9/8/99	Montgomery Watson ✓	NMED HRMB/Kruse	Draft Copies of Section 2; Treatment, Storage & Disposal & Section 5, Procedures to Prevent Hazards		99-072	
Triassic Park	9/10/99	Montgomery Watson ✓	NMED HRMB/Pullen	Final RPT: 99 Stratigraphic & Groundwater Characterization Program		99-073	
Triassic Park	9/13/99	Montgomery Watson ✓	NMED HRMB/Pullen	Groundwater Monitoring Draft Waiver Request		99-074	
Triassic Park	9/14/99	NMED HRMB/Kruse ✓	Montgomery Watson	Definitions from the Solid Waste Regs		99-075	
Triassic Park	10/01/99	Montgomery Watson ✓	NMED HRMB/Pullen	Groundwater Monitoring Draft Waiver Request		99-076	
Triassic Park	10/29/99	Techlaw/Starkebaum ✓	NMED HRMB/Kruse	Fax: TP Meeting		99-077	
Triassic Park	11/19/1999	NMED/Hansen ✓	Montgomery Watson	Multimedia Files		99-078	
Triassic Park	11/29/99	NMED HRMB/Kruse ✓	Montgomery Watson	Comments on EPA Checklists		99-079	
Triassic Park	12/2/99	Trey Greenwood ✓	NMED HRMB/Kruse	Outline of the WAP		99-080	
Triassic Park	12/2/1999	Leah Wolf ✓	Pat Corser	Fax: Travel Times		99-081	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	01/15/2000 ✓	Mongomery Watson	Techlaw/Starkebaum	Updated Part B Permit Section 1,2,4,5,6,7,8,9,10, & 11; Updated Engineering RPT; Updated Specifications; Updated CQA Pla; Updated Drawings; Draft Operations & Maintenance Plan		00-005	
Triassic Park	<del>01/15/2000</del> 1/19/2000	Techlaw/Dreith	NMED HRMB/Kruse	Revised Draft Part B Permit Review		00-006	
Triassic Park	1/24/2000 ✓	Montgomery Watson	NMED HRMB/Pullen	Groundwater Monitoring Final Waiver Request		00-007	
Triassic Park	<del>01/24/2000</del> 01/24/2000 ✓	NMED/Kruse	Techlaw/Dreith	Revised Part B Permit Application		00-008	
Triassic Park	2/5/2000 ✓	Montgomery Watson	NMED HRMB/Kruse	Revised Draft of Section 3 - Part B Permit Application		00-009	
Triassic Park	2/11/2000 ✓	Montgomery Watson	NMED HRMB/Pullen	Draft Vadose Zone Monitoring System WP		00-010	
Triassic Park	2/16/2000 ✓	Techlaw/Dreith	NMED HRMB/Bearzi	Review of Facility's 1/00 Submittals; Draft Deliverable		00-011	
Triassic Park	3/4/2000 ✓	NMED HRMB/Kruse	Montgomery Watson	Comments on Engineering Design Portions of Revised Part B Permit Application		00-012	
Triassic Park	3/9/2000 ✓	Montgomery Watson	NMED HRMB/Pullen	Draft Operations & Maintenance Plan		00-013	
Triassic Park	3/10/2000 ✓	NMED HRMB/Kruse	Trey Greenwood	Comments: Section 8.0, Closure & Post-Closure of Permitted Units		00-014	
Triassic Park	3/16/2000 ✓	NMED HRMB/Kruse	Montgomery Watson	Comments: Draft Vadose Zone Monitoring System WP, Dated 2/11/00		00-015	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	6/2/2000	Montgomery Watson ✓	NMED HRMB/Kruse	Closure Soil Sampling Frequency Proposal		00-038	
Triassic Park	6/6/2000	Montgomery Watson ✓	NMED HRMB/Pullen	Comments on Module X.A - Corrective Action for Regulated Units		00-039	
Triassic Park	6/19/2000	NMED HRMB/Kruse ✓	Diane Dwire	Confirmation of verbal discussion		00-040	
Triassic Park	6/23/2000	Montgomery Watson ✓	NMED HRMB/Pullen	Fax: Update to paragraph #6 of Section 3 of the VZMS WP		00-041	
Triassic Park	6/26/2000	Techlaw/Dreith ✓	NMED HRMB/Bearzi	Review of Montgomery Watson's Memo "Response to NMED/Techlaw Comments on TP Engineering RPT		00-042	
Triassic Park	6/26/2000	NMED HRMB/Cobrain ✓	Diane Dwire	E-Mail: Document Receipt & AI Request		00-043	
Triassic Park	6/26/2000	Montgomery Watson ✓	NMED HWB/Kruse	E-mail: Revised Section 8 of Permit Application		00-044	
Triassic Park	06/26/2000 ✓	NMED/Cobrain	Montgomery Watson/Dwire	E-mail: Document Receipt & AI Request		00-045	
Triassic Park	6/27/2000	Montgomery Watson ✓	NMED HRMB/Cobrain	Permit application Drawings		00-046	
Triassic Park	6/27/2000	Montgomery Watson ✓	NMEDHWB/Pullen	E-mail: Draft Corrective Action Permit Module		00-047	
Triassic Park	6/28/2000	✓		E-mail: MW Comments on Module X.A - Corrective Action for Regulated Units		00-048	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	7/24/2000	NMED HWB/van Goten ✓	Montgomery Watson/Dwire	E-mail: Requesting Revised Figures		00-060	
Triassic Park	7/25/2000	Montgomery Watson ✓	NMED HRMB/Kruse	Fax: Closure Schedule		00-061	
Triassic Park	7/29/2000	Pat Corser ✓	NMED HWB/Kruse	E-mail: Draft of Cross-Walk for Part B Permit Application		00-062	
Triassic Park	7/29/2000	Pat Corser ✓	NMED HWB/Kruse	E-mail: Status RPT for Permit Application		00-063	
Triassic Park	7/31/2000	Pat Corser ✓	NMED HWB/Kruse	E-mail: Updated Set of Inspection Forms		00-064	
Triassic Park	8/2/2000	Montgomery Watson ✓	NMED HWB/Kruse	Revised Part A Form for Landfill Capacity		00-065	
Triassic Park	08/03/2000	Mongomery Watson/Corser ✓	NMED/Kruse	Techlaw Correspondence related to Permit Application		00-066	
Triassic Park	8/4/2000	Montgomery Watson ✓	NMED HWB/Kruse	Permit Application - Section 3.0, GW Protection		00-067	
Triassic Park	8/7/2000	NMED HWB/Bearzi ✓	Larry Gandy	Qualifications for Engineering Certification		00-068	
Triassic Park	08/11/2000	NMED HWB/Cobrain ✓	Pat Corser	E-mail: GMI Cost Estimate		00-069	
Triassic Park	8/22/2000	NMED/van Goten	NMED/Kruse	E-mail: Permit Application - Section 3		00-070	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	12/3/2000	Charlotte Robinson	NMED/Kruse	Review of Draft Permit		00-093c	
Triassic Park	12/05/2000	Techlaw/Robinson	NMED/Kruse	Draft Permit Review		00-094	
Triassic Park	12/18/2000	Charlotte Robinson	NMED/Kruse	E-mail: Redline Version of Changes to Modules 3, 4, & 5		00-095c	
Triassic Park	12/19/2000	NMED/Kieling ✓	TP/Dale Gandy	Addition to Samples of Contingency Plans sent to Montgomery Watson		00-096	
Triassic Park	12/20/2000	Charlotte Robinson	NMED/Kruse	Comments on BB & CC Provisions		00-097c	
Triassic Park	12/20/2000	Charlotte Robinson	NMED/Kruse	E-mail: Authority to Regulate Methane Gas		00-098c	
Triassic Park	12/28/2000	Montgomery Watson/Corser ✓	NMED/Kieling	Fax: Drawing L-1 Excuvation Plan		00-099	
Triassic Park	12/28/2000	Montgomery Watson/Warner ✓	NMED/Kruse	Memo: Part A & B Application		00-100	
Triassic Park	1/4/2001	NMED/Pullen ✓	NMED/Kruse	E-mail: Attachment F1 & Part 2-Training		01-001	
Triassic Park	1/7/2001	Charlotte Robinson ✓	NMED/Kruse	E-mail: New Address, Telephone Number & Fax Number		01-002	
Triassic Park	01/08/2001	NMED/Pullen ✓	File	Corrective Action Technical Supporting Document		01-003	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	3/15/2001	Albuquerque Journal ✓	NMED	Copy of Public Notice Published in Paper 3/15/2001		01-026	
Triassic Park	3/15/2001	NMED/Kieling ✓	Concerned Citizen	Proposed Haz Waste Disposal Permit, Fact Sheet, & Request for Comment		01-027	
Triassic Park	3/15/2001	NMED/Bearzi ✓	Gandy Marley/L. Gandy	Delivery of Draft Permit		01-028	
Triassic Park	3/15/2001	Roswell Daily Record	NMED	Copy of Public Notice Published in Paper 3/15/2001		01-029	
Triassic Park	3/15/2001	NMED/Kruse	Techlaw/Dreith	Delivery of Draft Permit		01-030	
Triassic Park	3/15/2001	NMED/Kruse	EPA/Neleigh	Delivery of Draft Permit		01-031	
Triassic Park	3/15/2001	NMED/Pullen ✓	NMED/Vigil	E-mail: Web Stuff		01-032	
Triassic Park	03/15/2001	Carlsbad Current Argus ✓	NMED/Pullen	Affidavit of Publication on 3/15/2001		01-033	
Triassic Park	3/15/2001	Clovis News Journal	NMED/Pullen	Affidavit of Publication on 3/15/2001		01-034	
Triassic Park	3/15/2001	Albuquerque Journal	NMED/Pullen	Affidavit of Publication on 3/15/2001		01-035	
Triassic Park	3/15/2001	NMED/Johanna ✓	KANW/Valdez	Public Service Announcement		01-036	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	3/15/2001	NMED/Johanna	KPSA/Mendez	Public Service Announcement		01-037	
Triassic Park	3/16/2001	NMED/Pullen ✓	Hearing Clerk/Vigil	Notice for Public Comment & Possible Hearing		01-038	
Triassic Park	3/16/2001	Santa Fe New Mexican ✓	NMED/Pullen	Copy of Public Notice Published in paper 3/16/2001		01-039	
Triassic Park	3/16/2001	Santa Fe New Mexican ✓	NMED/Pullen	Affidavit of Publication		01-040	
Triassic Park	3/19/2001	NMED/Kruse ✓	File	Replaced 6.0, App. K, L, & M. See 1/17/01 Letter		01-041	
Triassic Park	3/19/2001	NMED/Kruse ✓	File	Replaced. TOC Section 4, See 3/14/01 Letter		01-042	
Triassic Park	4/3/2001	NMED/Kruse ✓	Victor Blair	Regarding Requested information sent		01-043	
Triassic Park	4/10/2001	NMED/Pullen ✓	Hearing Clerk/Vigil	Draft Permit, Public Notice Record		01-044	
Triassic Park	4/12/2001	Victor Blair	NMED/Maggiore	Letter Regarding Public Information Meeting		01-045	
Triassic Park	4/13/2001	NMMI/Beckel ✓	NMED/Maggiore	Letter Regarding Increase Traffic by School		01-046	
Triassic Park	4/16/2001	NMED/Pullen ✓	Gandy Marley/Dale Gandy	Fax: Regarding Arrangement of Public Meeting		01-047	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	4/18/2001	GMI/Schultz ✓	NMED/Pullen	Fax: Draft of Meeting Notice		01-048	
Triassic Park	4/18/2001	Bobby Tolton ✓	NMED/Pullen	Public Meeting Information		01-049	
Triassic Park	4/19/2001	CARD/Greenwald ✓	NMED/Kruse	Fax: Regarding Proposed Waste Management Facility Permit Public Meeting		01-050	
Triassic Park	4/19/2001	CARD/Reade	NMED/Kruse	Fax: Regarding Proposed Waste Management Facility Permit Public Meeting		01-051	
Triassic Park	4/20/2001	Dorelen Bunting ✓	NMED/Kruse	Letter Regarding Information Meeting		01-052	
Triassic Park	4/24/2001	NMED/Pullen ✓	Bobbie Tolton	Public Meeting Signs		01-053	
Triassic Park	4/24/2001	NMED/Pullen ✓	Jane Hamilton	Public Meeting Signs		01-054	
Triassic Park	4/24/2001	NMED/Pullen	Betty Rickman	Public Meeting Signs		01-055	
Triassic Park	4/25/2001	GMI/Schultz ✓	NMED/Pullen	Fax: Published Meeting Notices		01-056	
Triassic Park	4/25/2001	Kelly McCloy ✓	NMED/Kruse	Public Comments		01-057	
Triassic Park	4/25/2001	Ross & Bonnie Kennedy	NMED/Kruse	Public Comments		01-058	

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Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	4/25/2001	<i>meeting</i> Carl Johnson	NMED/Kruse	Public Comments		01-059	
Triassic Park	4/25/2001	<i>meeting</i> Mary March	NMED/Kruse	Public Comments		01-060	
Triassic Park	4/25/2001	<i>meeting</i> Lula Graham	NMED/Kruse	Public Comments		01-061	
Triassic Park	4/25/2001	<i>meeting</i> James Odle	NMED/Kruse	Public Comments		01-062	
Triassic Park	4/25/2001	<i>meeting</i> Nannette West	NMED/Kruse	Public Comments		01-063	
Triassic Park	4/25/2001	<i>meeting</i> Casey Graham	NMED/Kruse	Public Comments		01-064	
Triassic Park	4/25/2001	<i>meeting</i> Casey Graham	NMED/Kruse	Public Comments		01-065	
Triassic Park	4/25/2001	<i>meeting</i> Linda Sisk	NMED/Kruse	Public Comments		01-066	
Triassic Park	4/25/2001	<i>meeting</i> Weldon & Edith Dallas	NMED/Kruse	Public Comments		01-067	
Triassic Park	4/26/2001	NMED/Pullen ✓	Peggy Johnson	Site Characterization Information		01-068	
Triassic Park	4/29/2001	Rep. Avon Wilson ✓	Gandy Marley	Letter Regarding Public Meeting		01-069	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	5/1/2001	NMED/Pullen ✓	File	List of Citizens wanting ongoing permit information		01-069	
Triassic Park	5/2/2001	Judy Stubbs ✓	Mayor Owen	Regarding Public Meeting		01-070	
Triassic Park	5/2/2001	<i>Handwritten: M. Maggior</i> Judy Stubbs	Dale Gandy	Regarding Public Meeting		01-071	
Triassic Park	5/2/2001	<i>Handwritten: M. Maggior</i> Joseph & Sue Chianta	NMED/Maggiore	Regarding Public Meeting		01-072	
Triassic Park	5/2/2001	Rod Adair ✓	NMED/Bearzi	Regarding Permit Support		01-073	
Triassic Park	5/5/2001	Elaine McVay ✓	NMED/Kruse	Regarding Public Notice		01-074	
Triassic Park	5/5/2001	Michael Porter ✓	NMED/Pullen	Permit on Web Site		01-075	
Triassic Park	5/10/2001	Ken Schultz ✓	NMED/Pullen	Fax: Issues Raised at Public Meeting		01-076	
Triassic Park	5/10/2001	Jimi Gadzia ✓	NMED/Bearzi	Letter Regarding Extra Public Meetings		01-077	
Triassic Park	5/10/2001	Sherry Bixler ✓	NMED/Maggiore	Regarding Permit		01-078	
Triassic Park	5/11/2001	NMED/Pullen ✓	Montgomery Watson/Corser	5/4/01 Public Meeting Issues & Questions		01-079	

# Correspondence Report

Facility	Date on Correspondance	From	To	Subject	Site	AR/Invoice Number	Task Number
Triassic Park	5/11/2001	NMED/Kieling ✓	Larry Loy	E-mail: Public Meeting		01-080	
Triassic Park	5/12/2001	William Briney ✓	NMED/Maggiore	Regarding Public Meeting 5/4/01		01-081	
Triassic Park	5/14/2001	NMED/Pullen ✓	Jody Plum	Regarding Public Meeting List 5/4/01		01-082	
Triassic Park	5/14/2001	NMED/Pullen ✓	Victor Blair	Regarding Public Meeting List 5/4/01		01-083	
Triassic Park	5/14/2001	Peg Briney ✓	NMED/Maggiore	Questions Concerning Permit		01-084	
Triassic Park	5/15/2001	Gandy Marley ✓	NMED	GMI Response to Issues Raised at 5/4/01 Public Meeting		01-085	
Triassic Park	5/15/2001	Carl Johnson ✓	NMED/Pullen	Corrections & Comments to GMI Response to Issues Raised at Public Meeting 5/4/01		01-086	
Triassic Park	5/18/2001	Larry Loy ✓	NMED/Pullen	Letters of Concern Expressed by Citizens		01-087	
Triassic Park	5/29/2001	Holly Harris-Schott ✓	NMED/Pullen	E-mail: Add name to Mailing List		01-089	
Triassic Park	5/30/2001	NMED/Pullen ✓	Ken Schultz	New Telephone Numbers		01-090	
Triassic Park	5/30/2001	NMED/Pullen ✓	Joni Arends	E-mail: Regarding being on Mailing List		01-091	