



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone (505) 476-6000 Fax (505) 476-6030
www.nmenv.state.nm.us



ENTERED



DAVE MARTIN
Secretary

BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 14, 2012

Mr. Larry Gandy, Vice President
Gandy Marley, Inc.
P. O. Box 1658
Roswell, NM 88202

**RE: ADMINISTRATIVE INCOMPLETE DETERMINATION
PART A AND PART B PERMIT RENEWAL APPLICATION
TRIASSIC PARK DISPOSAL FACILITY
EPA ID# NM0001002484
TPDF-12-001**

Dear Mr. Gandy:

The New Mexico Environment Department (NMED) has received the *Part A and B Permit Renewal Application for the Triassic Park Waste Disposal Facility, October 17, 2011* (Renewal Application) dated and received October 17, 2011. NMED has determined that the Renewal Application is not administratively complete in accordance with 20.4.1.900 incorporating 40 CFR 270.14. NMED provides following comments that need to be addressed before a technical review of the submittal can be conducted in accordance with the New Mexico Hazardous Waste Permit and Corrective Action Fee Regulations, 20.4.2.201.B(2) NMAC.

Comments:

1. The Permittee was granted a Groundwater Monitoring Waiver for the Permit issued on March 18, 2002. The Renewal Application was submitted on October 17, 2011; however, the application did not include a request for a groundwater monitoring waiver. The Permittee must resubmit the request for a Groundwater Monitoring Waiver with the Renewal Application. Attachment H, Ground Water Monitoring Waiver Request was not included in the hard copy submitted to the NMED. Since the Triassic Park Disposal Facility has not been constructed and

the site conditions have not changed from the time original permit was issued, the Permittee may use the original justification for requesting a waiver. Please note that the supporting documents submitted with the original waiver request are not required to be resubmitted, but references to the supporting documents must be provided.

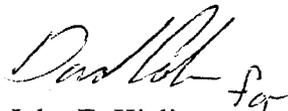
2. The table of contents for Volume II of the Renewal Application indicates that several attachments were not included in the Renewal Application. The Permittee states in the Introduction that the portions of the original permit that are not being changed are not being resubmitted. The Permittee must submit a hard copy of the Part A and Part B Application and of all relevant attachments for NMED's administrative record and for public review. The Permittees may submit a redline strike out version of the revised permit electronically but a clean hard copy must be submitted for NMED's Administrative Record that includes all relevant attachments.
3. The table of contents indicates that Attachment L5, "Landfill Stormwater and Leachate Recirculation Modeling" is included with the document. NMED could not locate Attachment L5 in the document. Resubmit the Renewal Application with all relevant attachments.
4. Several discrepancies were noted in the Regulatory Requirements Crosswalk provided with the document. For example, crosswalk for the regulatory requirement of §270.14(b)(8)(vi) regarding prevention of releases to the atmosphere was not included in the crosswalk. However, section 5.4.8 of the Part B application addressed the requirement; the crosswalk should be revised to indicate this.
5. Third column of the Regulatory Requirements Crosswalk indicates the location of regulatory requirements in the Renewal Application. Review of the crosswalk table indicates that some of these locations are not accurate. For example, the table states that the requirements for §270.14(c)(2), §270.14(c)(5) and §270.14(c)(6) are located in section 7. However, section 7 of the Renewal Application discusses personnel training, not groundwater monitoring. Similarly, references to sections 6 and 8 in the crosswalk table are incorrect. Revise the crosswalk table to resolve these discrepancies.

The Permittee must address all these comments and submit a revised copy to NMED no later than April 30, 2012. All submittals (including maps and tables) must be in the form of two paper copies and one electronic copy.

Mr. Larry Gandy
March 14, 2012
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If you have any questions regarding this letter, please contact Neelam Dhawan at (505) 476-6042.

Sincerely,

A handwritten signature in cursive script, appearing to read "John E. Kieling".

John E. Kieling
Acting Chief
Hazardous Waste Bureau

cc: J. Davis, NMED RPD
J. Valdez, NMED HWB
J. Kieling, NMED HWB
D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
Pete, Domenici, Domenici Law Firm P.C.
Mark Miller, Daniel B. Stevens & Associates, Inc.

File: TPDF 2012, Part A & Part B Permit Renewal Application, TPDF-12-001