



VanHorn, Kristen, NMENV

From: VanHorn, Kristen, NMENV
Sent: Wednesday, October 19, 2011 4:28 PM
To: Riege, Ed; Cobrain, Dave, NMENV
Cc: Hains, Allen; Scott T. Crouch
Subject: RE: Draft RCRA Post Closure Permit

Ed,
We have to wait until the public comment period is over before we can have a meeting; public participation is an important part of the permitting process. We were expecting Western to have comments on the draft permit – Western needs to formally submit comments to NMED as part of the public comment period (see next paragraph). Once we have all of the comments, including potential comments from the public, we can sit down and have a discussion about the issues you brought up in your email as well as any additional comments you may send in. The public comment period ends November 15th, so Western has until then to submit comments in writing. Then, we can discuss the issues and NMED will respond to comments in writing. Sorry for the confusion about the process of submitting comments regarding the draft permit. Thanks for contacting us about it.

Per the public notice (available here: http://www.nmenv.state.nm.us/hwb/documents/IntPersLtr_PN_9-16-2011_English.pdf):

“Written comments must be based on reasonably available information and include, to the extent practicable, all referenced factual materials. Documents in the administrative record need not be resubmitted if expressly referenced by the commenter ... The Department must ensure that the draft Permit is consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted will be considered in formulating a decision on issuance of a final permit, or that may cause the revised draft Permit to be modified. The Department will respond in writing to all public comments. This response will specify which provisions, if any, of the draft Permit have been changed in the final permit and the reasons for the changes. All persons presenting written comments or who requested notification in writing will be notified of the decision by mail. These responses will also be posted on the Department’s website. After consideration of all the written public comments received the Secretary of the Department or his designee will make the final decision on this draft Permit. The decision will be publicly available, and shall be included in a notification to the Applicants by certified mail. The Secretary’s decision shall constitute a final agency decision and may be appealed as provided by the HWA.”

Let me know if you have any questions.

Thanks,
Kristen

Kristen Van Horn

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From: Riege, Ed [<mailto:Ed.Riege@wnr.com>]
Sent: Wednesday, October 19, 2011 9:10 AM
To: Cobrain, Dave, NMENV; VanHorn, Kristen, NMENV
Cc: Hains, Allen; Scott T. Crouch
Subject: Draft RCRA Post Closure Permit

Kristen, Dave:

I tried calling this morning but missed you. We (Allen Hains, Scott Crouch and I) would like to meet with you next week, preferably sometime Tuesday through Thursday and if possible starting after lunch, although we'll work around your availability. The purpose of the meeting is to discuss the draft of the RCRA Post-Closure Care Permit we recently received for Gallup. A few particular topics for discussion are as follows:

- New list of SWMUs;
- Schedule for future submittals; and
- Post-Closure sampling at the LTU.

We appreciate your consideration.

Thanks,
Ed

Ed Riege
Environmental Manager

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