

James Bearzi File



**State of New Mexico
ENVIRONMENT DEPARTMENT**

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K

RED CAFB 6/01

September 5, 2001

Linda DeVine
Headquarters Air Combat Command/CEVP
129 Andrews Street
Suite 102
Langley AFB
VA 23665-2769

Dear Ms. DeVine:

**RE: DRAFT ENVIRONMENTAL ASSESSMENT FOR CANNON AIR FORCE BASE'S
(AFB), NEW MEXICO, DEFENSIVE TRAINING INITIATIVE, GEORGIA (STATE
CLEARINGHOUSE #FL9909080744C)**

This transmits New Mexico Environment Department (NMED) staff comments concerning the above-referenced Draft Environmental Assessment (DEA).

SURFACE WATER QUALITY

The U.S. Environmental Protection Agency (USEPA) may require National Pollutant Discharge Elimination System (NPDES) Storm Water Multi-sector General Permit (see Federal Register/Vol. 65, No. 210/Monday, October 30, 2000) coverage for this type of facility. Waste deposition areas, soil remediation activities, etc. likely qualify as potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from activities that meet the USEPA definition of "industrial activities" under Sector K and/or L.

Among other things, this permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared for the site and that appropriate Best Management Practices (BMPs) be installed and maintained to prevent, to the extent practicable, pollutants in storm water runoff from entering waters of the U.S.

AIR QUALITY

The proposed implementation of the Defensive Training Initiative for Cannon Air Force Base (AFB) New Mexico does not conflict with New Mexico's laws and regulations pertaining to air quality.

The special use airspace includes the Pecos Military Operations Area (MOA)/Air Traffic Control Assigned Airspace (ATCAA), Sumner ATCAA, Taiban MOA, Restricted areas (R-5104/5105),

and the northern part of Military Training Routes (MTRs) Visual Routes (VRs)-100/125. These areas are currently in attainment for all national ambient air quality standards (NAAQS).

These activities are exempt from New Mexico air quality permitting requirements in accordance with 20.2.72.202 NMAC, which states:

Government military activities such as field exercises, explosions, weapons testing and demolition to the extent that such activities (a) do not result in visible emissions entering publicly accessible areas; or are not subject to NSPS (New Source Performance Standards) or NESHAP (National Emissions Standards for Hazardous Air Pollutants).

Air quality impacts from ground disturbances during the training exercises are not described and should be discussed along with any mitigating measures for additional dust impacts. Military personnel are requested to take care that wind blown dust from military activities does not obscure visibility on roadways adjacent to the project activities.

HAZARDOUS WASTE

The Department's Hazardous Waste Bureau (HWB) staff has a number of comments on the DEA with respect to requirements or conflicts with NMED-related laws and regulations.

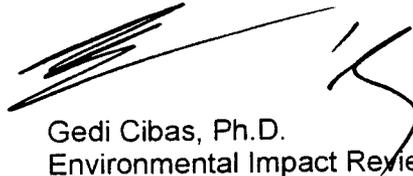
1. The DEA fails to discuss the applicability of RCRA, the HWA, and the CAFB's Operating Permit at Melrose Air Force Range to their proposed actions. Appendix D lists several Federal statutes and regulations, but does not list any New Mexico statutes or regulations, nor does the DEA address CAFB's hazardous waste permit for the Melrose Air Force Range. NMED regulations that CAFB is potentially subject to include, but are not limited to: the Hazardous Waste Act, the Hazardous Waste Management Regulations, the Solid Waste Management Regulations, and the Water Quality Control Commission Regulations.
2. Flares and chaff appear to "military munitions", as defined in 20.4.1.100 NMAC, incorporating 40 CFR 260.10 (Definitions). According to 20.4.1.700 NMAC, incorporating 40 CFR 266.202(d), military munitions are at least solid waste and "...therefore, is potentially subject to RCRA corrective action authorities under sections 3004(u) and (v), and 3008(h), or imminent and substantial endangerment authorities under section 7003, if the munition lands off-range and is not promptly rendered safe and/or retrieved. Any imminent and substantial threats associated with any remaining material must be addressed. If remedial action is infeasible, the operator of the range must maintain a record of the event for as long as any threat remains. The record must include the type of munition and its location (to the extent the location is known)."
3. The DEA should address the CAFB's regulatory obligations under the above noted regulations and should specifically discuss the regulatory status of discarded military munition components that land off-range from Melrose Air Force Range.
4. Although the DEA indicates that chaff and flares do not contain listed hazardous constituents, one of the constituents (potassium perchlorate) could potentially pose a risk to human health in sufficient concentrations.
5. Other risks that appear to be of concern to the general public include the risk of fire and the ingestion of chaff and/or flare components by cattle. The DEA should more completely address the results of the studies conducted on the ingestion effects of chaff on animals. On

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page 4-16 the document states that cattle and goats avoided eating chaff, but does not discuss what happens when cattle and goats actually consumed chaff with their feed. The DEA should either incorporate the toxicological study or more completely address the results of the study. One of the attached letters (from Bill and Peggy Haverlah) indicates that the Air Force has stated in some forum that "...prolonged inhalation of chaff fibers cause respiratory inflammatory response." CAFB should address all potential pathways to the environment including ingestion, inhalation, dermal contact, etc.

We appreciate the opportunity to comment on this document.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gedi Cibas', is written over the typed name and title.

Gedi Cibas, Ph.D.
Environmental Impact Review Coordinator

NMED File No. 1489ER