



Certified Mail - Return Receipt Requested

July 26, 2021

Colonel Robert A. Masaitis
Commander, 27th Special Operations Wing
100 Air Commando Way, Suite 100
Cannon Air Force Base
New Mexico 88103-5214

**RE: APPROVAL
SECOND EXTENSION REQUEST FOR FACILITY-WIDE LONG-TERM
GROUNDWATER MONITORING PLAN
CANNON AIR FORCE BASE, NEW MEXICO
EPA ID #NM7572124454
HWB-CAFB-19-003**

Dear Colonel Masaitis:

The New Mexico Environment Department (NMED) has received the Cannon Air Force Base (Permittee) time extension request (Request) dated June 24, 2021. This is the Permittee's second Request following issuance of NMED's December 2, 2020, *Disapproval Work Plan Addendum Facility-Wide Long-Term Monitoring, Maintenance, and Inspection at Multiple Sites* (Disapproval). On January 13, 2021, the Permittee requested a 365-day time extension from the original April 30, 2021 submittal date for the revised Facility-Wide Long-Term Groundwater Monitoring Plan (FLGMP); NMED approved a 90-day extension. This second Request asks for another 273-days from the amended July 31, 2021, deadline. The permittee continues to cite budget and contracting issues as the basis for the Request.

Cannon Air Force Base (CAFB) RCRA Corrective Action Only Permit (Permit) Part 1.17.2, Extensions of Time, requires the Permittee to provide good cause for a time extension request. Although considered by NMED for certain project work, Permittee contracting issues and budgetary constraints generally do not serve as good cause for a deadline time extension. The Permittee's failure to address the budget and contracting issue following receipt of the Disapproval also does not support cause for granting the Request.

In addition, the Request does not appear to be proportional to the task of addressing the Disapproval. Work plans are a standard requirement for initiating corrective action project work under the Permit, and the minimum work scope requirements for all work plans and monitoring

Colonel Masaitis

July 26, 2021

Page 2

plans are outlined in Permit Part 6.2, Investigation Work Plan. Furthermore, the requirement to submit an updated FLGMP was clearly specified in NMED's March 19, 2019, *Interim Facility-Wide Groundwater Monitoring Plan* correspondence received by the Permittee two years and nearly four-months ago for a revision to an existing plan.

The Permittee did not provide good cause for granting the Request as proposed. However, NMED hereby grants an extension of an additional 60-days to the July 31, 2021, deadline. Additionally, an accounting of time from the date of issuance of the Disapproval to the amended deadline specified in this letter indicates that the time allowed by NMED to submit the revised FLGMP will have totaled 302 days. Based on the Permittee's January 13, 2021, Request this should have been ample time to budget appropriately, program the task for contracting, address the Disapproval, and submit the revised FLGMP to NMED for review.

The Permittee must address all comments of the Disapproval and submit an updated FLGMP no later than **September 29, 2021**. The Permittee must allocate the appropriate budget and initiate contract procurement for the scope of work.

Further failure to resolve the contracting issue for the required scope of work within the approved deadline specified in this letter will be in conflict with NMED's specified schedule of compliance and the conditions outlined in Permit Part 1.3, Permitted Activity. Failure to comply with the Facility's Permit may result in disapproval of any additional extension requests and potentially subject the Permittee to an enforcement action specified in Permit Part 1.7, Enforcement.

If you have any questions regarding this letter, please contact Gabriel Acevedo at (505) 690-5760.

Sincerely,

Ricardo Maestas Digitally signed by Ricardo Maestas
Date: 2021.07.26 08:54:17 -06'00'

Ricardo Maestas, Acting Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
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