

# SIERRA CLUB

ENTERED

## SOUTHERN NEW MEXICO GROUP

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October 3, 1994

Barbara Hoditschek, Manager  
NM Environment Department  
Hazardous and Radio Active Materials Bureau  
525 Camino de los Marquez Suite #4  
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Re: Draft Permit OB/OD Unit US Army Fort Bliss in New Mexico

Dear Barbara Hoditschek:

The Southern New Mexico Group of the Sierra Club has organized field trips to McGregor Range, and our members, as individuals, have had, and presently have, Access Permits issued by the US Army Ft. Bliss through the Bureau of Land Management (BLM) to hike, camp, and watch wildlife on McGregor Range. Therefore, we believe we are qualified as an organization to Comment on the Draft Permit for the Open Burn/Open Detonation unit (OB/OD) on McGregor Range.

As a side note: the adjoining property owners in Otero County should be personally informed of this Draft Permit, since the Draft Permit is not available in their County. Also, if a public hearing is called, such a Public Meeting should be held in Otero County. Otero County is well-known for its desire to participate in decisions regarding planned uses of lands within its boundaries.

The Draft Permit contends the OB/OD unit is located in a remote area. Approximately 1,000 Access Permits were issued to McGregor Range in 1993-1994 alone, according to Col. Kingerly in charge of such. Ranches and major transportation routes as well as housing developments have begun to encircle Ft. Bliss.

According to testimony given to the US Congress in 1986, McGregor Range was used by the US Army, without authorization, since 1975. The application for this Permit indicates the OB/OD unit has been in operation since 1965. Can this date be in error, or is it correct and the Army may have misspoken in 1986? Are the logs, usually required for OB/OD sites, available for scrutiny?

In 1986 the US Congress passed P.L. 99-606 (a copy is attached) withdrawing the lands of McGregor Range in New Mexico and others. P.L. 99-606 states the duration of the withdrawal to be 15 years from the date of the passage of the legislation, Nov. 6, 1986.

This withdrawal will, therefore, be up for renewal in the year 2001. If a Permit were issued, the duration should not be longer than year 2001. P.L. 99-606 states that McGregor Range be jointly managed by the Dept. of the Interior, Bureau of Land Management (see highlighted passages). Portions of McGregor Range are presently managed by BLM, Caballo Resource Area for grazing, hiking, camping, regular hunting seasons, and wildlife watching as indicated above. The wildlife and hunting seasons are managed by the State of New Mexico Dept. of Game and Fish.

P.L. 99-606 requires that a Management Plan for McGregor Range be completed not later than three years after the enactment of the Act, that would be Nov. 6, 1989. To the best of our knowledge no such Plan has gone through the NEPA process. A Draft EIS is required no later than 1998. To the best of our knowledge very little base line data has been collected by Ft. Bliss to date in preparation for this deadline. All this information is important to determining the suitability of this proposed Permit in this location at this time. U.S. ARMY

The Draft Permit refers to munitions presently stored in bunkers? Where specifically are these munition bunkers presently located? In New Mexico? In Texas? Where is the rocket propellant presently stored? How will the munitions and propellant be transported to the site? Are materials expected to be imported from Texas? Have they been imported from Texas in the past? Since Fort Bliss exists on both sides of the New Mexico/Texas state line, these are important facts needed to insure jurisdiction and public safety. Does New Mexico Dept. of the Environment have jurisdiction for munitions and propellants being moved from Ft. Bliss Texas, to Fort Bliss in New Mexico? If not who does?

If materials proposed to be detonated and burned are to cross Highway 54, or use Highway 54, to reach the OB/OD site, there should be special requirements to insure public safety. Highway 54 is two lanes and is heavily used as a transport and commuter route to and from El Paso, Texas.

Grandstands exist within approximately <sup>2.5</sup> ~~one-quarter~~ mile of the OB/OD area. These grandstands are for members of the public to observe missile launchings. Is this a safe and proper place for an OB/OD area to be located? are missile launches a threat to the safety of the site?

We have grave concerns for the safety of the ground water. This is a very old and heavily used OB/OD unit. Maps indicate a number of wells exist in the area. Are these monitoring wells? wells for natural gas or oil? for drinking water? What and where is the data from these wells?

Spontaneous combustion is a major concern. It is our understanding that one of the major hazards associated with an

OB/OD unit is the by-product white phosphorus, found on the surface and buried. White phosphorus is particularly associated with the burning of propellants. Because of the age of this unit, we assume white phosphorus is present. Does Ft. Bliss have hazardous waste fire fighting capacity present on McGregor Range? To the best of our knowledge it does not, since BLM is responsible for fighting range fires.

The Draft Permit is not clear as to who has been operating this OB/OD unit in the past, US Army or private contractor, and who would be operating this unit in the future? US Army? private contractor? Combination? If private contractors are involved, are they properly licensed in New Mexico?

The Draft permit requires numerous analysis. We doubt that the Army has on site capability to make these analysis. Have logs been kept in the past? If not what assurances will be given that they will be kept in the future?

What enforcement by the New Mexico Department of the Environment can the public expect?

Hazardous waste inspectors, and permit compliance officers should be located near the sites on Ft. Bliss.

Until these questions can be answered and the Permit process completed, the US Army should be ordered to immediately cease and desist operation of the OB/OD unit for the sake of public safety and the safety of natural resources. And, we request in the strongest terms, that the site be slated for decontamination

We believe this OB/OD unit has been operating without the required Permits for some time, therefore we believe all laws should be rigorously enforced, and any penalties be assessed to the US Army.

Thank you for the opportunity to present our Comments.

Sincerely,



Marianne H. Thaeler, Chair  
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