



BILL RICHARDSON
GOVERNOR

FBCB
State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
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ENTERED



RON CURRY
SECRETARY

DERRITH WATCHMAN-MOORE
DEPUTY SECRETARY

July 9, 2003

Captain O'Brien
Commander 741st Ordnance Company, EOD
11000 Sanitary Landfill Road
Fort Bliss, TX 79916

Dear Captain O'Brien:

In a discussion earlier today with Mr. John Thacker of BLM, I was told that potential UXO (75mm pyrotechnic fuze, later defined as 81mm illumination round) was found on BLM property near a hiking path and an archeological site in southern New Mexico. He had requested your assistance in disposing of the ordnance.

The New Mexico Environment Department (NMED) authorizes the treatment of the ordnance in a manner that will minimize harm to public health and the environment, either in place in accordance with 40 CFR 270.1(c)3 (as agreed by both you and Mr. Thacker) or at the OD site on Fort Bliss in accordance with 40 CFR 264.1(g)8.. Further, you must follow the reporting procedures outlined in 40 CFR 270.30(l)6 for non-compliance if treated at Fort Bliss. If any hazardous residues remain after the detonation, they must be disposed of as hazardous waste.

Thank you for your assistance in handling this situation. If you have any questions, please contact me at (505) 428-2528.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barry Birch".

Barry S. Birch
(Acting) Manager
Compliance & Technical Assistance Program

Cc: Sandra Y. Martin, (Acting) Chief, Hazardous Waste Bureau