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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

March 21, 2007

Keith Landreth
Attn: ATZC-DOE (Landreth)
Bldg. 624
1733 Pleasanton Rd.
Fort Bliss, New Mexico 79916-6812

**RE: NOTICE OF DEFICIENCY (NOD)
RCRA FACILITY INVESTIGATION WORK PLAN
ORO GRANDE LANDFILL (SWMU 25/FTBL-14)
FORT BLISS, NEW MEXICO, EPA ID# NM4213720101-01
HWB-FB-06-001**

Dear Mr. Landreth:

The New Mexico Environment Department (NMED) has received and reviewed the Department of the Army's (Permittee) November 2006 *RCRA Facility Investigation Work Plan, Oro Grande Landfill (SWMU 25/FTBL-14*. NMED has determined that several changes must be made before approval can be granted for the work plan. The following comments explain these deficiencies.

COMMENT 1

The Permittee states in Section 3.2.3 that background concentrations were determined by Roy F. Weston, Inc. (date unknown) based on the soil samples collected in the vicinity of the Doña Ana, McGregor, and Oro Grande Range Camps. The Permittee cannot utilize site-specific calculated background values until they are approved by NMED. The Permittee must revise the work plan to either reference a NMED-approved background study or remove the reference to background values.

COMMENT 2

The Permittee references in Section 3.3 soil metal concentrations detected at the site as being lower than EPA Region 3 Risk Based Concentrations for Soil Ingestion Levels. For all individual

contaminants for which NMED has specified soil screening levels in NMED's *Technical Background Document for Development of Soil Screening Levels*, the residential or industrial land use scenario cleanup levels shall be the screening levels as specified in the most recent version of that document. The method for determining cleanup levels for sites with multiple contaminants must follow NMED's *Technical Background Document for Development of Soil Screening Levels (as updated)* and items A and B below, as applicable.

- A. If PCBs are a concern at a site, the Permittee shall propose a soil cleanup level for PCBs based on NMED's Position Paper Risk-based Remediation of Polychlorinated Biphenyls at RCRA Corrective Action Sites (March 2000 as updated); and
- B. If a NMED soil screening level (SSL) has not been established for a hazardous waste or hazardous constituent, the Permittee shall propose for NMED approval, a cleanup level based on the most recent version of the EPA Region VI Human Health Medium Specific Screening Levels (HHMSSL) (based on a HI of one (1.0) for compounds designated as "n" (noncarcinogen effects), "max" (maximum concentration), and "sat" (soil saturation concentration), or ten times the EPA Region VI HHMSSL for compounds designated "c" (carcinogen effects) (*i.e.* a target excess cancer risk level of 10^{-5}).

The Permittee must revise the work plan by removing references to EPA Region 3 and adding references to NMED SSLs and Items A and B above.

COMMENT 3

In Section 3.5, the Permittee identifies several data gaps. The Permittee states that the subsurface geology has not been evaluated to allow for verification of the absence of a groundwater pathway. This statement contradicts Figure 2-3, which shows that all the pathways regarding groundwater are incomplete.

The Permittee must revise Figure 2-3 to show that some of the exposure pathways are currently unknown.

COMMENT 4

The Permittee states in Section 4.1 that one geotechnical soil sample will be collected from the deepest boring drilled to assess the subsurface geology, particularly the first clay layer encountered.

The Permittee must prepare a detailed log for each boring that describes the characteristics of all soil/sediments/rock observed in the boring. The Permittee must ensure that the geotechnical data collected from the selected clay layer(s) can and will be used to determine and report the hydraulic conductivity of the clay layer. The Permittee must demonstrate that a competent confining layer (a layer of sufficiently low permeability to minimize the passage of potential contaminants to lower stratigraphic units, including saturated zones) exists beneath the landfill and determine the lateral extent of the stratigraphic unit relative to the landfill.

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COMMENT 5

Inorganic constituents other than the eight RCRA metals may have been released from the landfill and would more likely occur deeper than two feet below the ground surface.

The Permittee must revise their sampling strategy to specify that soil samples will be analyzed for all inorganic constituents listed in 40 CFR 261 appendix VIII. The work plan must also be revised to include activities for the establishment of background concentrations in subsurface soils (> 0.5 feet below ground surface), in addition to surface soils (0 to 0.5 ft interval). Soil from specific horizons must be compared to background concentrations calculated from the same or comparable soil horizon.

COMMENT 6

The Permittee states in Section 4.4.3 that soil samples collected for background will be composited.

The work plan must be revised to state that soil samples used to calculate background will be composited only if they are from comparable soil horizons.

COMMENT 7

The Permittee states in Section 5.0 that field activities are expected to begin in January 2006.

The Permittee must alter the projected schedule in Section 5 to accommodate changes to the work plan and the dates of tasks to be performed.

COMMENT 8

Table J-1 in Attachment J shows the reporting limits, standards and screening levels for the sampling analyte list. The Permittee does not reference what screening levels and human health standards are listed in the table.

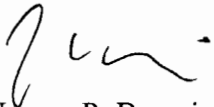
The Permittee must revise this table to include the screening levels and human health standards listed in Comment 2 of this letter.

The Permittee must submit a revised work plan within 90 days of receipt of this letter. In addition, the Permittee must include a response letter that indicates precisely where revisions have been made, cross-referencing NMED's numbered comments.

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If you have any questions regarding this letter, please contact Cheryl Frischkorn at (505) 476-6058.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB: caf

cc: J. Kieling, NMED HWB
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