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Mr. David Cobrain
Hazardous Waste Bureau
2905 Rodeo Park Dr. E/Bldg 1
Santa Fe, NM 87505

RE: Draft Technical Review Comments on the Response to Comments Dated June 6, 2005 and January 10, 2007 and the Final Revised Supplemental RCRA [Resource Conservation and Recovery Act] Facility Investigation Report, Solid Waste Management Unit No. 19, McGregor Range Camp Oxidation Lagoon, Fort Bliss, New Mexico, November 2009

Dear Mr. Cobrain:

This letter serves as a deliverable and contains a discussion of the technical review of the human health and ecological risk assessments in the *Final Revised Supplemental RCRA Facility Investigation Report, Solid Waste Management Unit No. 19, McGregor Range Camp Oxidation Lagoon, Fort Bliss, New Mexico* (November 2009). As part of this review, past comments and summaries of conference calls conducted between, the New Mexico Environment Department (NMED), the former risk assessment contractor (TechLaw), and the facility were evaluated to ensure consistency with past agreements.

Overall the report is fairly disjointed and out of date. It is unclear why more up to date screening levels were not applied in the 2009 revision of the report. For example, the report references toxicity reference values from the 2000 version of the NMED Ecological Screening Document. These data were removed from the guidance during the 2008 update. Previously submitted technical comments from TechLaw requested that more current data be applied, however, it does not appear that any updates to reflect the most currently available data at the time of the 2009 revision was applied. As part of this review, currently applied ecological screening data from sources such as Environmental Protection Agency (EPA) Regions 4 and 5, the EPA Ecotox database, and Department of Energy (Savannah River Site) databases were reviewed to see if application of new data would impact the overall conclusions of the report. While there were many differences in screening data, it does not appear that a different conclusion on ecological risk would have been drawn. Therefore, additional comments were not drafted on this issue.

The responses to all risk assessment comments dated June 6, 2005 and January 10, 2007 are adequate as provided unless specifically addressed below. Comments not included in this review were General Comment Nos. 1, 4, and 13, and Specific Comment Nos. 4, 8, 10, and 17.

There is some concern with the structural integrity of the liner system of the lagoon as noted in General Comment No. 1 and Specific Comment No.10. It is noted that, due to erosion, the plastic liner along the berms and immediately encompassing the berms has been compromised due to ultraviolet (UV) exposure and the liner appears cracked and damaged. The facility indicated that water levels are maintained below the level of the damaged liner. If water levels were to rise above the intact liner, it is possible for contamination of surface soil, subsurface soil, and potentially groundwater to occur. In addition, contamination of soil outside of the permitted unit could be possible, potentially triggering corrective action. It is suggested that site controls be implemented to ensure that water levels within the lagoon are maintained well below the elevation of the damaged liner system.

There were several comments concerning the human health risk assessment. Based upon agreements made between TechLaw personnel, NMED, and the facility on a conference call dated August 8, 2007, the inclusion of a human health risk assessment was not deemed warranted. The rationale was that the oxidation lagoon is an active site, and site controls are in place preventing exposure to non-industrial workers (residents or trespasser) and limiting industrial exposure. However, upon closure of the oxidation lagoon, additional investigations will be needed to characterize the entire nature and extent of contamination and that both human health and ecological risk assessments will need to be conducted. It is anticipated that pesticides, polycyclic aromatic hydrocarbons (PAHs), and metals will be the primary constituents of potential concern (COPC) driving risk.

In response to Comment No. 11, background data were included in Table 4-3. While a rigorous comparison of background to site concentrations was not conducted, it appears that most of the site data were elevated when compared to the background data set. More appropriate background and/or a statistical comparison of site data to background may have resulted in some of the metals not being retained as COPCs. However, retention of all metals regardless of background is a conservative approach, and is therefore acceptable. In addition, the conclusions of the ecological risk assessment resulted in acceptable hazard level with the inclusion of metals above background.

If you or any of your staff have questions, please contact me at (801) 451-2864 or via email at paigewalton@msn.com.

Thank you,



Paige Walton
AQS Senior Scientist and Project Lead

cc: Patricia Stewart, NMED (electronic)
Joel Workman, AQS (electronic)