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Certified Mail - Return Receipt Requested

January 25, 2022

Joseph A. Ranson
US Army Fort Bliss Garrison
DPW-Environmental Division
Building 624, Pleasonton Road
Fort Bliss, TX 79916

**RE: [RESPONSE TO THE SEPTEMBER 14, 2021 NEW MEXICO ENVIRONMENT DEPARTMENT (NMED) DIRECTION LETTER]
FORT BLISS, NEW MEXICO
EPA ID #NM4213720101
HWB-FB-19-004**

Dear Mr. Ranson:

The New Mexico Environment Department (NMED) received the Fort Bliss (Permittee) *[Response to the September 14, 2021 New Mexico Environment Department (NMED) Direction Letter]* (Response), dated October 27, 2021. NMED has reviewed the Response, and hereby issues the following comments.

Comment 1

The cover letter states, “[i]n response to the September 14, 2021 New Mexico Environment Department (NMED) Direction Letter, Fort Bliss is submitting the following:

- a. RLSO version of the revised CMCR.”

The electronic report included in the submittal does not identify revisions. Since an electronic red-line strikeout (RLSO) version of the report was not submitted, as directed, NMED was unable to review the revised report. Regardless, unless the supplemental data (e.g., results of dioxin analysis) required by NMED are included in the revised report, it is unnecessary for NMED to review and reapprove the report, since the original report was already approved with modifications on December 27, 2019. No response required.

Comment 2

In the response to the March 19, 2021 Letter, Part A, page 1 of 5, the Permittee states, “[a]

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Technical Memo was submitted and was included in the Corrective Measures Completion Report." The referenced Technical Memo was not included in the electronic report included in the submittal. Please provide the referenced Technical Memo with a response letter, as appropriate.

Comment 3

In the response to the March 19, 2021 Letter, Part A - 1, page 1 of 5, the Permittee states, "[t]he upper 6-8 inches of loose soil was scraped from the Borrow Pit #2 surface and pushed to the side. This included the area where the munitions debris was initially observed. Observed munitions debris were removed with the surface soil." The Permittee's response does not include a discussion regarding the fate of the surface soil that contained the munitions debris. Discuss the fate of the surface soil in the response letter. If the soil containing the munitions debris remains at the site of the borrow pit, propose to remove the soil from the site.

Comment 4

In the response to the March 19, 2021 Letter, Part A, page 4 of 5, the Permittee states, "[p]ost-construction backfill samples were collected from the former Oro Grande Landfill, following approval of the letter Backfill Sampling Work Plan." Comment 2 of the NMED's December 27, 2019 Letter directed the Permittee to collect soil samples at the interface between backfill and native soils for the required laboratory analyses. The discussion regarding the results of post-construction backfill samples appears to be irrelevant, and it is unclear why the results of post-construction backfill samples are discussed as part of a response to Comment 2 of the December 27, 2019 Letter. Provide an explanation in the response letter.

Comment 5

In the response to the March 19, 2021 Letter, Part E, page 5 of 5, the Permittee states, "NMED agrees that access restrictions aren't necessary, but without the dioxin data from the sidewalls of the excavation, there is no way to verify that the site meets the requirements for unrestricted land use. NMED will not require further work or implementation of access restrictions based on the Army's response to NMED's March 2021 letter." NMED reviewed, evaluated the Permittee's response to the March 19, 2021 Letter, and has determined that the Permittee must either demonstrate that dioxin is absent at the sidewalls of the excavation or implement institutional controls at the site. In the response letter, please state whether the Permittee elects to evaluate the presence of dioxin at the sidewalls of the excavation or implement institutional controls at the site.

The Permittee must address all comments in this letter and submit a response letter no later than **April 17, 2022**. If the Permittee elects to demonstrate that dioxin is absent at the sidewalls of the excavation, submit a letter work plan to investigate presence / absence of dioxin at the sidewalls of the excavation no later than **April 29, 2022**. If the Permittee elects to implement institutional controls at the site, submit the first biennial inspection report no later than **December 31, 2022**, as directed by NMED's March 19, 2021 Letter.

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Should you have any questions, please contact Michiya Suzuki of my staff at (505) 476-6046.

Sincerely,

Rick Shean

Digitally signed by Rick
Shean
Date: 2022.01.25
06:24:09 -07'00'

Rick Shean
Chief
Hazardous Waste Bureau

cc: Dave Cobrain, NMED HWB
M. Suzuki, NMED HWB
L. King, EPA Region 6 (6LCRRC)
R. Crites, Fort Bliss
Y. Waychus, Fort Bliss

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