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Governor

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BUTCH TONGATE  
Acting Cabinet Secretary

J.C. BORREGO  
Acting Deputy Secretary

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

August 17, 2016

Mark Patterson  
FWDA, BRAC Coordinator  
P.O. Box 93  
Ravenna, OH 44266

Steve Smith  
USACE FWDA Program Manager  
CESWF-PEC-EF  
819 Taylor Street, Room 3A12  
Fort Worth, TX 76102

**RE: APPROVAL  
REQUEST FOR APPROVAL OF AREAS OF CONTAMINATION FOR THE  
INTERIM MEASURES AT PARCEL 21 – SWMU 1  
FORT WINGATE DEPOT ACTIVITY  
MCKINLEY COUNTY, NEW MEXICO  
EPA ID# NM6213820974  
HWB-FWDA-16-007**

Dear Messrs. Patterson and Smith:

The New Mexico Environment Department (NMED) has received Fort Wingate Depot Activity's (Permittee) *Request for Approval of Areas of Contamination for the Interim Measures at Parcel 21 – SWMU 1, Fort Wingate Depot Activity, New Mexico* (Request) dated June 14, 2016 and received June 21, 2016. NMED hereby approves the request to establish two Areas of Contamination (AOC) designations with the following conditions.

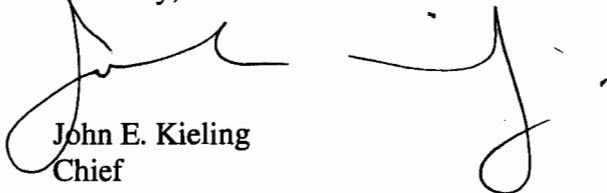
The Permittee may not utilize the AOC concept for returning contaminated media to its point of origin or circumvention of the 90-day hazardous waste storage limitation (20.4.1.300 NMAC incorporating 40 CFR §262.34(a)). The AOCs may be used solely for facilitating the staging and segregation of remediation wastes on-site. The Permittee must document all areas within the AOCs that are actually used for management of waste for the duration of their use. Upon completion of remedial activities, all waste must be managed in accordance with the applicable requirements of 20.4.1.100 and 20.4.1.200 NMAC (incorporating 40 CFR 260 and 261).

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While the sampling approach proposed in the request is acceptable, NMED considers baseline sampling in the AOCs to be unnecessary. In addition, the closure sampling should be modified as the AOCs, or areas of the AOCs, are closed based on documented use. For instance, if the Permittee can demonstrate that areas within the AOCs were not utilized, additional sampling may not be required in those areas. The Permittee is required to submit a letter detailing the proposed sampling plan at such time that the AOC, or areas within the AOC, are scheduled for closure. NMED reminds the Permittee that it is within NMED's discretion to require supplemental sampling.

If you have any questions regarding this letter, please contact Ben Wear at (505) 476-6041.

Sincerely,



John E. Kieling  
Chief  
Hazardous Waste Bureau

cc: Dave Cobrain, NMED, HWB  
Neelam Dhawan, NMED, HWB  
Ben Wear, NMED, HWB  
Chuck Hendrickson, EPA-6PD-N  
Tony Perry, Navajo Nation  
Val Panteah, Governor, Pueblo of Zuni  
Clayton Seoutewa, Southwest Region BIA  
Rose Duwyenie, Navajo BIA  
Judith Wilson, BIA  
Eldine Stevens, BIA  
Robin White, BIA  
Christy Esler, Sundance Consulting, Inc.

File: FWDA 2016 and Reading, TNT Leaching Beds, FWDA-16-007