



New Mexico Health and Environment Department

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November 1, 1990

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

RE: NOTICE OF VIOLATION
NM 6572124422

Col. Ira L. Hester
Commander, 833rd Combat Support Group
Holloman Air Force Base, NM 88330

Dear Col. Hester:

The Environmental Improvement Division (EID) has reviewed Part B of Holloman Air Force Base's application for the operating permit required under the Resource Conservation and Recovery Act for the Defense Reutilization and Marketing Organization hazardous waste storage facility. The application is for one container storage unit. The documents on which the review is based are Volume One of the application, revised on June 20, 1990; Volume Two of the application, submitted on November 28, 1989; and a current version of the base Spill Response Plan, received on October 18, 1990.

Based on this review, EID has found the application to be deficient and therefore in violation of the New Mexico Hazardous Waste Management Regulations (HWMR-5, as amended 1989), Part IX, 40 CFR section 270.10. The remainder of this letter is a list of the relevant regulatory citations, deficiencies noted, and actions required of Holloman Air Force Base to correct them.

Pt. IX, § 270.14: Contents of Part B

1. Pt. IX, §270.14(b)(19)(ii) requires a topographic map showing, among other things, the location of 100-year flood plains as defined by the Federal Insurance Administration.
 - a. Figure B-4 is a map that indicates the 100-year flood plain area, but it does not seem to be an official Federal Insurance Administration (FIA) map. If a copy of the relevant FIA map is available, please submit it; if not, please explain the source of the information presented in Figure B-4.

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Pt. V, § 264.13 General Waste Analysis

1. Pt. V, § 264.13(a)(3) requires that waste analyses be done as frequently as necessary to ensure that they are accurate and up-to-date.
 - a. The analytical and testing regimen proposed in the application satisfies the waste analysis requirements themselves quite adequately. However, on p. C-20, the application mentions that a container of waste will not be accepted for storage by the DRMO facility unless its contents appear to match its documentation, and if they did not, it would be subject to further analysis. Please clarify what would happen to such a container while it was awaiting analysis.

Pt. V, § 264.14: Security

1. Pt. V, § 264.14(c) requires "Danger" signs to be posted so that they are visible from any approach to the active portion of the facility.
 - a. Please clarify exactly where these signs are posted.

Pt. V, § 264.15: Inspection requirements

1. Pt. V, § 264.15(b) requires a written inspection schedule satisfying a number of criteria.
 - a. It is not clear which inspection schedule is actually followed. For instance, the inspection log forms in Exhibit F-1 are not as inclusive as the schedule in Table F-1. Please clarify exactly what inspection procedure is used.

Pt. V, § 264.16: Personnel Training

1. Pt. V, § 264.16(a)(2) requires that the training program be directed by someone trained in hazardous waste management.
 - a. What are the qualifications of DRMS hazardous waste training personnel mentioned in section H-1c (p. H-4)?
2. Pt. V, § 264.16(d)(3) requires a description of both introductory and continuing training required for each position involving hazardous waste management.
 - a. The nature and content of continuing training is not clear from the descriptions in Section H. Please clarify what continuing training is provided.

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Pt. V, Subpart D: Contingency Plan and Emergency Procedures

We would prefer to incorporate the entire Spill Response Plan (such as that received on October 18, 1990) into the permit as the Contingency Plan section. Accordingly, if you feel that any changes are needed in the plan please make them as part of the response to this letter. A few items of additional information or explanation are needed, as outlined below.

1. Pt. V, § 264.52(c) requires a description of arrangements agreed to by local emergency response organizations.

a. Please clarify the assistance agreements mentioned in section G-6 of Part B of the permit application. Under what circumstances would the various organizations mentioned be called upon for assistance and what would they do? What is the nature of the mutual aid agreement with the Alamogordo fire department? Is there a similar agreement with any local hospital, or with other off-site medical facilities?

b. Please note that the correct hazardous materials emergency notification phone number for the State of New Mexico is 505-827-9329 (it is listed incorrectly on pp. G-7 and G-8 of the permit application). Please note also a new address for EPA in Dallas:

1445 Ross Ave.
Dallas, TX 75202

2. Pt. V, § 264.52(e) requires a list of all emergency equipment kept at the facility, including information on its description, capabilities, and location. (Note that § 264.32(c) contains a very similar requirement and § 270.14(b)(8)(v) requires similar information on equipment for personnel protection.)

a. The application contains lists or text references to emergency equipment (for instance, Table F-1 or section G-5), but there does not appear to be a comprehensive single list providing all the information required by the paragraphs cited above. Please provide such a list. Please also ensure that all the equipment kept at the DRMO facility is specifically mentioned on the inspection schedule.

We recognize that some relevant equipment, for instance firefighting and large-scale spill response equipment, is maintained elsewhere on the base by other organizations. We require only a comprehensive listing of the equipment located on the DRMO facility.

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3. Pt. V, § 264.52(f) requires an evacuation plan for facility personnel.

a. Please clarify exactly how the DRMO facility would be evacuated if this should ever be necessary. In particular, please explain what evacuation signal would be used and exactly what personnel would be involved.

4. Pt. II, § 261.33(d) defines as hazardous waste "Any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill..." of any of the chemical products listed in the P or U lists of hazardous waste. Similarly, Pt. II, §261.3(a)(2) defines as hazardous waste any mixture of solid waste (e.g. cleanup residue) and characteristic hazardous waste. In other words, a spill of any of such chemicals results in the generation of hazardous waste even if the chemical was a product and not a waste until it was spilled.

a. Please adjust the language in the Spill Prevention and Response plan, for instance in Phase II (Response Actions), section j, page 13 and section q, page 15 to reflect unequivocally that spills of these products, as well as spills of wastes derived from use of these products, must be handled in accord with the hazardous waste regulations. While we are sure it is intended, we would appreciate language referring specifically to compliance with Part III of HWMR-5 (the generator requirements) in relation to any hazardous wastes generated as a result of contingency plan implementation.

5. Part V, § 264.52(d) requires as part of the contingency plan a list of the names, addresses, and telephone numbers of everyone qualified to act as emergency coordinator.

a. Please include such a list.

Pt. V, Subpart G: Closure

1. Pt. V, § 264.112(b)(3) requires, among other things, an estimate of the maximum inventory of hazardous waste ever on site.

a. On page I-2 the maximum waste inventory is given as 17,100 gallons; in Part A the maximum "process capacity" (Page 1 of Form 3) is listed as 12,760 gallons. Please explain the difference in these figures.

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2. Pt. V, § 264.112(b)(4) requires, among other things, a description of the criteria for determining the decontamination necessary to satisfy the closure performance standards.

a. The decontamination criteria listed on page I-2 are not adequate either to establish compliance with the land disposal restrictions or to guarantee removal of all waste residues. One principal problem is that analyses for total organic carbon and total organic halogens are not specific enough to identify potential waste constituents with confidence. Another problem is that the levels of contaminants proposed are high enough that they would seem to indicate unacceptably high levels of the measured constituents remaining in or on the material that was rinsed. Please propose revised closure performance standards and analyses to address these concerns.

3. Pt. V, § 264.114 requires, among other things, that all hazardous waste generated from closure activities be handled in accordance with the applicable provisions of Pt. III, the regulations for generators of hazardous waste.

a. While we are sure in this case also that compliance is intended, we would appreciate a specific reference to satisfying this requirement in the closure plan as well as in contingency plan activities.

Pt. V, Subpart I: Use and Management of Containers

Pt. V, § 264.175(b)(1) requires a base beneath a container storage area that is "free of cracks" and "sufficiently impervious to contain leaks".

a. Please add specific language that the cracks in the storage building floor will be kept sealed at all times with an appropriate sealer.

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In accordance with Section 74-4-10 of New Mexico Statutes, Annotated (NMSA), you have thirty calendar days from receipt of this Notice to provide the information requested. Within this 30-day period, you may request a meeting to discuss this Notice and the required information. Such a meeting must be held within the 30-day period and will not suspend the deadline for compliance with this Notice.

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If you fail to respond to this Notice within the required 30-day period, you may be subject to permit denial pursuant to Section 74-4-4.2 NMSA 1978 (as amended, 1988).

Compliance with the requirements of this Notice does not relieve Holloman Air Force Base of its obligation to comply with the New Mexico Hazardous Waste Management Regulations in other activities, nor does it relieve Holloman Air Force Base of its obligation to comply with any other applicable laws and regulations.

If you have any questions regarding this Notice please contact David Morgan at 505-827-0582 or at the address given above. Please address to his attention the information you provide in response to this Notice.

Sincerely,



Kathleen M. Sisneros
Bureau Chief
Hazardous and Radioactive Waste Bureau

c: Sharon Moore, 833 CSG/DEV
Mickey Flowers, US EPA Region VI
Richard Mayer, US EPA Region VI