



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

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DALLAS, TEXAS 75202-2733

MAY 28 1991



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Lt. Col Earnest O. Robbins II  
Director, Environmental Programs  
Department of the Air Force  
Headquarters Tactical Air Command  
Langley Air Force Base, VA 23665

Dear Lt. Col Robbins:

Thank you for your candid and cordial letter of May 7, 1991. As you know, the relationship between Holloman Air Force Base and the U.S. Environmental Protection Agency (EPA) has been strained in the past. However, it now appears that Holloman and EPA are working in tandem to promote cooperation, trust, and compliance with the regulations.

I was encouraged by Mr. Vest's comments regarding a "model program" for Holloman, Cannon, and Kirtland Air Force Bases. We share your desire to make Federal Facilities models of compliance for the regulated community. You are aware that there are many outstanding issues at Holloman, Cannon, and Kirtland. Among these are: (1) closure of the lagoons and construction of a new sewage treatment plant at Holloman; (2) closure certification of the land disposal facility at Cannon; and (3) waste minimization, additional ground water wells, and development of a citizens working group at Kirtland. These areas would be good places to begin your initiative, and we would be happy to review and discuss any plans in the context of our oversight role with NMED.

In your letter, you requested specific information concerning certain issues raised during the January 31 meeting in New Mexico. The following is intended to clarify any unresolved issues.

- (a) A telephone conversation between members of my staff (Mark Potts, Courtland Fesmire, and Ellen Graber) and yours (Craig Anderson and Brent Johnson) was held the week of March 11 concerning the draft sample and analysis plan. At that time, EPA explained that the draft plan did not meet the standards for clean closure. On the basis of that conference call, EPA understood that a revised plan would be submitted.

To reiterate EPA's comments and concerns, Holloman's draft sample and analysis plan is based on SW 846 (Test Methods For Evaluating Solid Waste). The SW 846 plan is designed to determine whether wastes exhibit any characteristics above regulatory thresholds. In the pursuit of clean closure,

Holloman's sampling and analysis goals are three-fold: (1) to determine which listed wastes are present; (2) to delineate the distribution of wastes in each lagoon; and (3) to identify sludge removal needs. The proposed method from SW 846 will not meet Holloman's goals for a number of reasons: (1) the regulatory threshold concept does not apply, as the wastes of concern are listed or derived-from-listed wastes; (2) if the statistical procedures from SW 846 are followed substituting a cleanup level for the regulatory threshold, a significant under-sampling of the sludge for known contaminants would result; (3) for unknown contaminants, the SW 846 method does not offer any guidance on numbers of samples needed; and (4) the SW-846 method does not provide for complete waste characterization or for delineating waste distribution. Thus none of Holloman's goals would be met.

During the January 31 meeting, EPA gave Holloman guidance on sampling and analysis requirements for the clean closure process. We suggest Holloman use this guidance in the future to draft sampling and analysis protocols for clean closure.

- (b) A letter discussing the statistically significant increase in total organic carbon (TOC) in Holloman's ground water was mailed May 3, 1991. On May 13, during a telephone conversation between Sharon Moore of your staff and Ellen Graber of my staff, Holloman AFB verbally requested an extension of the deadline in the Federal Facilities Compliance Agreement (FFCA) for submitting a ground water quality assessment plan. Holloman was informed it must request an extension in writing before the deadline passes. On May 15, an extension request was received in our office. An extension of the due date for the ground water quality assessment plan until June 26, 1991, is hereby granted.

In a telephone call to Ellen Graber on May 14, Brent Johnson requested clarification of the requirements for a ground water quality assessment plan. He was informed that Holloman must submit and implement a plan to sample all the monitoring wells around the lagoons and test for all 40 CFR §264 Appendix IX constituents. Additional guidance can be found in 40 CFR §265.93(d)(3), as referenced in the FFCA.

- (c) EPA staff at Region 6 sought guidance from Headquarters and other Regions nationwide concerning Agency-recommended cleanup levels for clean closure. According to the experts consulted, the use of cleanup levels determined by a use-based risk assessment is unacceptable for a RCRA clean closure. Therefore, as stated in the guidance provided January 31, cleanup levels for clean closure are defined as the strictest standard established by maximum contaminant levels (MCLs),

health-based criteria for carcinogens, health-based criteria for systemic toxins, practical quantification limits, or background.

Copies of the guidance provided to Holloman January 31 were also sent to other regions to be reviewed for consistency and comments. Only one reviewer disagreed with any portion of the guidance; the reviewer believed the "Lagoon Requirements" section was not stringent enough.

- (d) A corrected, unsigned copy of the Memorandum of Record concerning the January 31 meeting is enclosed.

The results of our investigations and conversations with your staff, both at the January 31 meeting and afterwards, led EPA to conclude that Holloman believed sampling, analysis, and removal requirements for clean closure were too extensive and cost-prohibitive. In addition, there is the outstanding question of possible ground water contamination which has not yet been addressed by Holloman. Therefore, EPA pursued other possible avenues for solving this problem.

On April 18, EPA mailed a letter to the New Mexico Environment Division (NMED) concerning a "Delay of Closure" option for the Holloman sewage treatment lagoons. Copies were also sent to Col. Hester and Col. Anderson. In the letter, it was pointed out that New Mexico adopted the Delay of Closure Rule on March 13, 1991. Under the rule, facilities which lost interim status are eligible to submit a closure/post-closure permit application and, if approved, to extend the final date of closure to accept non-hazardous wastes. According to the rule, facilities like Holloman which last accepted hazardous wastes before the date of promulgation have only 90 days from the date of promulgation to submit the permit application. Thus, the deadline for Holloman's permit application submittal is June 11, 1991.

It appears that both Holloman AFB and NMED favor this approach. EPA, NMED, and Holloman are in constant contact concerning requirements for the permit application. A list of necessary components for the application was given to Sharon Moore on May 3 by EPA. Several discussions have subsequently been held to clarify issues, and several more are planned.

There are two key issues that Holloman AFB and TAC must understand concerning Delay of Closure. First, "Delay" is associated with a finite time component. EPA and NMED will only approve a closure plan that specifies a time when the lagoons will be decommissioned and closed. Holloman must proceed to construct an alternate sewage treatment system. There are still two options for closure of the lagoons: any one or several of the lagoons may be clean closed; the rest must be closed in place. Any that are clean closed may subsequently be used for any purpose. Lagoons closed in place have

very limited future use (e.g., parking lots). The second key issue is the meaning of "remove to the extent practicable." The Delay of Closure regulation specifies that any surface impoundments which do not meet minimum technological requirements (MTRs) must be cleaned to the extent practicable. This standard will be defined by NMED and EPA after reviewing all the available data. The standards for "to the extent practicable" are less stringent than those for clean closure, and will not prove overly burdensome. NMED will provide in writing to Holloman the sampling and analysis requirements.

I hope this letter clarifies outstanding and new issues concerning the sewage lagoons at Holloman AFB. We will be pleased to meet with you any time to discuss these or other issues. If you have any further questions, please contact me or have your staff contact Dr. Ellen Graber of my staff at (214) 655-6790.

Sincerely,

*Allyn M Davis*

Allyn M. Davis  
Director  
Hazardous Waste Management Division

Enclosure

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