

HAFB

ENTERED



NEW MEXICO
ENVIRONMENT DEPARTMENT



Ground Water Quality Bureau

BILL RICHARDSON
Governor
DIANE DENISH
Lieutenant Governor

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RON CURRY
Secretary
JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

FEB 15 2008

February 8, 2008

Brigadier General David Goldfein, Commander
49 FW/CC
490 First St., Suite 1700
Holloman AFB, NM 88330-8277

RE: Termination of Discharge Permit, DP-499, Holloman Air Force Base National Radar Test Facility (NRTF; formerly RATSCAT Facility)

Dear Brigadier General Goldfein:

On April 23, 1997, the New Mexico Environment Department (NMED) issued a Discharge Permit, DP-499, for the discharge of a maximum of 28,000 gallons per day of treated domestic wastewater from an activated sludge package treatment plant serving the Holloman Air Force Base National Radar Test Facility (NRTF). DP-499 was renewed on August 6, 2002 and expired on August 6, 2007. The facility is located on White Sands Missile Range, approximately 12 miles west of Holloman Air Force Base (HAFB) in Section 32, T16S, R6E, Otero County, New Mexico.

On February 6, 2007, George Schuman and Robert George of the New Mexico Environment Department Ground Water Quality Bureau (NMED-GWQB) met with Mr. Griffin and other representatives of Holloman Air Force Base (HAFB) to discuss the permitting status of various HAFB facilities. At that meeting, data was presented to NMED by HAFB in an effort to demonstrate that a number of the HAFB facilities that are currently permitted pursuant to the Water Quality Control Commission (WQCC) Regulations (20.6.2 NMAC) are actually discharging to ground water that has an existing concentration of 10,000 mg/L total dissolved solids (TDS) or greater. Facilities discharging to such ground water are not subject to NMED's permitting authority pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Regulations, 20.6.2 NMAC.

Information submitted by HAFB establishes that the shallow ground water in the vicinity of the discharge contains in excess of 60,000 mg/L of TDS. The evidence submitted supports the

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argument that the discharge is made exclusively to ground water containing TDS in excess of 10,000 mg/L, and that there is no opportunity for the discharged effluent to move directly or indirectly to ground water which has a TDS concentration of 10,000 mg/L or less. NMED has therefore determined that the discharge from the NRTF is not subject to Discharge Permit requirements set forth in 20.6.2 NMAC as documented in a letter sent to Holloman AFB on October 31, 2007.

The NMED Ground Water Quality Bureau received written notice on December 3, 2007, from HAFB, requesting termination of DP-499. NMED has determined a Ground Water Discharge Permit is no longer required. **DP-499 is hereby terminated.** If at some time in the future you intend to increase or alter the discharges at this facility, you must submit a Notice of Intent to NMED's Ground Water Quality Bureau.

If you have any questions regarding this letter, please contact Jennifer Fullam at 505-827-2909.

Sincerely,



for Jon Goldstein
Director, Water and Waste Management Division
New Mexico Environment Department

JG:jf

cc: James Bearzi, Chief, NMED Hazardous Waste Bureau
Ken Smith, Manager, NMED District III Office
NMED Alamogordo Field Office
Mr. David G. Griffin, Environmental Water Resources, Holloman Air Force Base, 49
CES/CEV, 550 Tabosa Avenue, Holloman Air Force Base, NM 88330