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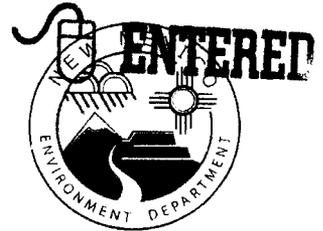
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Secretary

JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 14, 2009

Mr. David Scruggs, Chief
Environmental Restoration Program
49 CES/CEVR
550 Tabosa Ave.
Holloman AFB, NM 88330-8458

SUBJECT: NOTICE OF DISAPPROVAL: RESPONSE TO NOTICE OF DEFICIENCY ON WEST POL YARD (AOC-4) ACCELERATED CORRECTIVE MEASURES COMPLETION REPORT, MARCH 2009 HOLLOWAN AIR FORCE BASE, NM6572124422 HWB-HAFB-08-008

Dear Mr. Scruggs:

The New Mexico Environment Department (NMED) has reviewed the Holloman Air Force Base's (the Permittee's) March 2009 Response from to the March 13, 2009 Notice of Deficiency (NOD) for the Accelerated Corrective Measures Completion (ACM) Report for the West Petroleum, Oil, and Lubricants (POL) Yard, Area of Concern (AOC)-4. The NMED acknowledges the Permittee's request for guidance regarding the proposed revisions to the ACM Report. NMED has determined that the proposed NOD response requires additional modifications. The Permittee must address the following comments and revise and submit the ACM Report before the NMED can make a decision about approval of the ACM Report for the West POL Yard. The comment numbers addressed herein reflect the comment numbers from the March 13, 2009 NOD.

1. General Comment

With the exception of the last two paragraphs of the response, the NMED finds the proposed revisions acceptable.

The exceptions concern the last two paragraphs of the response, which state the following:

“Appendix A-1, Table C-3 (West POL Yard Stockpile Samples) and Table C-4 (West POL Yard Confirmation Samples) were prepared by a previous HAFB subcontractor (Foster Wheeler Environmental Corporation). Therefore, revisions will not be made to Tables C-3 or C-4 as these tables were not created by Bhate and are in a .pdf file that cannot be revised.”

“Furthermore, Tables C-3 and C-4 do not list sample dates. As a result, the Report text will be revised to clarify excavation sampling dates which began in 2002 and ended in January 2003 that were conducted by Foster Wheeler.”

The Permittee must comply with the original comment #1 in its entirety, including providing all requested revisions to Appendix A-1, Table C-3 (West POL Yard Stockpile Samples) and Table C-4 (West POL Yard Confirmation Samples). While NMED recognizes that these tables are only available as pdf files, the Permittee must comply, even if it must enter data manually or create new tables that are updated, printed, and available electronically.

2. **Specific Comment #2**

The NMED accepts the response and revisions.

3. **Specific Comment #3**

The NMED accepts the response and revisions.

4. **Specific Comment #4**

The NMED accepts the response and revisions.

5. **Specific Comments #5**

With the exception of the use of an averaged TPH value of all the petroleum products for Residential Direction Exposure in the NMED TPH Screening Guidelines (NMED, 2006), the response and proposed revisions are acceptable.

Because the NMED TPH screening guideline is a total TPH value, the Permittee must compare the TPH results to the total TPH screening guideline for residential direct exposure (e.g. kerosene and jet fuel = 940 mg/kg).

6. **Specific Comment #6**

The NMED accepts the response and revisions.

7. **Specific Comment #7**

The NMED accepts the response and revisions.

8. **Specific Comment #8**

The NMED accepts the following response: “Monitoring wells WPOL-MW01 through WPOL-MW04 are currently active and useable at the West POL Yard.” The Permittee must also revise Section 1.3, page 1-3, first paragraph, first bullet point to include the

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status of the wells (e.g., currently active and usable).

9. Specific Comment #9

The NMED accepts the response, revisions, number of samples, and sampling locations.

Please respond to this Notice of Disapproval within sixty (60) calendar days of receipt of this notice by the submission of a revised ACM Report that fully addresses all comments listed in the March 13, 2009 NOD and employs the guidance provided in this letter. Submittal of the revised ACM Report for final review includes the following: two hard copies indicating added information in highlights, and deleted information in strikeouts, and two compact disks compatible with Microsoft Word. Additionally, the submittal must include the final matrix of the NOD comments and the Permittee responses.

If you have any questions regarding this matter or if you would like to discuss the comments prior to your response, please contact Dezbah Tso of my staff at (505) 222-9528, or at the above letterhead address.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: J. Kieling, NMED HWB
W. Moats, NMED HWB
C. Amindyas, NMED HWB
D. Strasser, NMED HWB
Dezbah Tso, NMED-HWB
L. King, EPA, Region 6 (6PD-F)
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HWB-HAFB-08-008