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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733**

Transmitted via e-mail

February 18, 2016

FEB 22 2016

Ms. DeAnna Rothhaupt
Holloman AFB Environmental
49 CES/CEIE
550 Tabosa Avenue
Holloman AFB, NM 88330
DeAnna.Rothhaupt@us.af.mil

RE: Remedial Investigation Report, Able 51 Area Munitions Response Site (XU854), Poorman Range MRS (SR864), Ballistics Rain Field MRS (ML865), Debris Field MRS (RR869a), Holloman Air Force Base, New Mexico, EPA I.D. # NM6572124422

Dear Ms. Rothhaupt:

I have reviewed this report, dated October 2015. EPA has the following comments on the report to offer:

- 1.) EPA concurs with the report recommendations, which are, in summary, for further munitions clearance work at sites ML865 & RR869a, and NFA at sites XU854 and SR864. In addition, EPA recommends that the facility consider imposing institutional controls on these sites to prevent potential future unplanned recontamination of the sites.
- 2.) EPA remains concerned over the issues of regulatory oversight and stakeholder involvement. EPA addressed these issues in comment letters dated 8 September, 2014, 19 November, 2014, and 26 November, 2014, emailed to Mr. David Rizutto. Not until November, 2015, was it ascertained that at least one of those letters (11/26/14) was apparently not opened due to personnel changes. That letter has subsequently been sent to you. The other two comment letters are attached for your records.

Section 2.0: "United States Environmental Protection Agency (USEPA) Region 6 approved the Final RI WPs for all four MRSs." EPA does not have approval authority at these sites; rather, EPA has a regulatory oversight role in which it may provide input and concur or non-concur.

State participation/involvement in MMRP program activities is provided for in CERCLA §§120 & 121. So active State participation in MMRP site activities should have been offered

from the beginning of the process. Further, since Holloman AFB has a RCRA permit issued by NMED, the NMED may have regulatory corrective action authority over some or all of the MRS (Munitions Response Sites) at the facility, as determined by NMED.

Should you have any questions about this letter, please contact me at (214) 665-2196 or hendrickson.charles@epa.gov. Please note the recent change in my mail code to 6MM-RC.

Sincerely Yours,

Chuck Hendrickson, Project Manager
RCRA Corrective Action Section (6MM-RC)
U.S. Environmental Protection Agency
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Cc: David Strasser, NMED HWB, david.strasser@state.nm.us
Adam Kusmak, adam.kusmak@us.af.mil
Charles Schick, charles.schick.ctr@us.af.mil
Scott Clark, scott.clark@us.af.mil

Attch: 2



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

November 19, 2014

Mr. David Rizzuto
Holloman AFB Environmental
49 CES/CEIE
550 Tabosa Avenue
Holloman AFB, NM 88330

RE: Comment Responses on Remedial Investigation Work Plans for ML865, SR864, XU853/XU854, and RR869a, and EE/CA for FI857a, Holloman Air Force Base, New Mexico, EPA I.D. # NM6572124422

Dear Mr. Rizutto:

I have reviewed the Air Force's Responses to Comments (RTC) on these five Munitions Response Sites (MRS), dated October 2014, received in two submittals. I offer the following comments for the facility's consideration.

ML865, Ballistics Rain Field MRS and SR864, Poorman Range MRS

Item 1: As noted, there were no EPA comments to address for the ML865 MRS work plan.

Item 2: My comment had been that site SR864 is subject to NMED's permit authority. The response (RTC) quoted the DoD/EPA's Unexploded Ordnance Management Principles, dated March 7, 2000, to support use of CERCLA-consistent process, noting that NMED is provided courtesy copies of deliverables. However, for completeness, the last of the six EPA-DoD general principles is this: "These principles do not affect federal, state, and tribal regulatory or enforcement powers or authority concerning hazardous waste, hazardous substances, pollutants or contaminants, including imminent and substantial endangerment authorities; nor do they expand or constrict the waiver of sovereign immunity by the United States contained in any environmental law." As this last principle states, NMED's permit authority at this site is not affected by the EPA-DoD principles agreement. So my original comment stands. NMED's corrective action authority through the RCRA permit extends directly to this site if it is indeed an AOC or SWMU. The facility should confer with NMED on how NMED wishes to handle MMRP sites such as this, which may be newly-identified AOCs or SWMUs. Further elaboration on this regulatory topic can be found in *EPA Guidelines for Munitions Response Actions*, dated 13 April 2004, and in EPA's *Handbook on the Management of Munitions Response Actions*, dated May 2005.

Items 3 & 4: Responses accepted.

XU853/XU854, FI857a, and RR869a MRS

XU853/XU854 Item 9 and RR869a Item 5: The adjustments made in Table 3-3 to the USEPA RSLs seem to be based on the RSL table for HQ=0.1. Using HQ=0.1 for default screening levels is conservatively protective, but is likely overly-protective and is not intended to be a default usage. Please note that the calculations for NMED's SSL values do not assume multiple non-carcinogenic compounds in samples; that is, they are calculated for HQ=1. Rather, NMED's *Risk Assessment Guidance for Site Investigations and Remediation*, dated February 2012, describes a protocol for calculating cumulative Hazard Indexes (HI, equivalent to HQ) for sites with multiple non-carcinogenic compound detections. This process can also be used for evaluating sampling results versus screening levels based on EPA RSLs, but those RSLs should be from the EPA table using HQ=1.

All other Items (17): Responses accepted.

Should you have any questions about this letter, please contact me at (214) 665-2196 or hendrickson.charles@epa.gov.

Sincerely Yours,

Chuck Hendrickson, Project Manager
Federal Facilities Section (6PD-F)
U.S. Environmental Protection Agency
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Cc: David Strasser, NMED HWB



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

September 8, 2014

Mr. David Rizzuto
Holloman AFB Environmental
49 CES/CEIE
550 Tabosa Avenue
Holloman AFB, NM 88330

RE: Comments on Remedial Investigation Work Plan, ML865 Ballistics Rain Field MRS and SR864 Poorman Range MRS, Holloman Air Force Base, New Mexico, EPA I.D. # NM6572124422

Dear Mr. Rizzuto:

I have reviewed this Remedial Investigation (RI) work plan, dated June 2014. I offer the following comments for the facility's consideration. Please note that this review also included materials in the September 2013 Comprehensive Site Evaluation Phase II Report.

ML865, Ballistics Rain Field MRS

I have no comment to offer on amending this work plan.

SR864, Poorman Range MRS

1. The CSE Phase II investigation found grenade-type ordnance items, spent and intact, scattered across all of the expanded MRS. The RI work plan indicates that the Jeep Target Area may be the source of these items. The intact items are apparently RCRA hazardous wastes. The presence of these wastes, regardless of their source, subjects this non-operational site to the corrective action authorities of Holloman AFB's RCRA permit. The New Mexico Environment Department should be notified of this newly-identified SWMU/AOC, with further work here carried out under the permit's authority.
2. Section 3.1.2.6, Tolerance Limits on Decision Errors: This text devotes 24 lines to false positives and their minimization, but fewer than two lines to false negatives. False positives lead to increased costs, but false negatives lead to undiscovered hazards that are left on the site. This section needs to also address tolerance limits and protocols towards minimization of false negatives.
3. Table 3-3, SSLs: EPA issued new Regional Screening Levels (RSLs) in May 2014. These RSLs are generally updated twice a year and should be incorporated into the facility's environmental program as they change. Significantly, the May 2014 update increased soil screening levels for most of the COCs in this table, with many RSLs 10 times higher than those previously listed.

Should you have any questions about this letter, please contact me at (214) 665-2196 or hendrickson.charles@epa.gov.

Sincerely Yours,

Chuck Hendrickson, Project Manager
Federal Facilities Section (6PD-F)
U.S. Environmental Protection Agency
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Cc: David Strasser, NMED HWB