



State of New Mexico
ENVIRONMENT DEPARTMENT

ENTERED



Hazardous Waste Bureau

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 13, 2018

Adam Kusmak
Chief, Installation Management Flight
49th CES/CEI
550 Tabosa Avenue
Holloman AFB, NM 88330

**RE: APPROVAL WITH MODIFICATION
FINAL DATA GAP INVESTIGATION REPORT, OD20K 20,000-POUND OPEN
DETONATION UNIT, NOVEMBER 2017
HOLLOMAN AIR FORCE BASE, EPA ID # NM6572124422
HWB-HAFB-17-022**

Dear Mr. Kusmak:

The New Mexico Environment Department (NMED) has reviewed the above referenced Data Gap Investigation Report (Report) received from Holloman Air Force Base (Permittee or HAFB) on November 16, 2017. NMED hereby approves the Report with the following modification.

Section 4.0 of the Report, Conclusions and Recommendations, states that "clean closure of OD20K is not possible and corrective action is required to cleanup soil and groundwater impacts". NMED agrees with this conclusion. Perchlorate has negatively impacted soil and groundwater in the vicinity of the detonation pit. Corrective action at the 20,000-pound Open Detonation Treatment Unit (OD20K) is currently subject to the closure plan and contingent post-closure care plan (CP/PCCP) requirements of the Hazardous Waste Facility Operational Permit (Permit) issued for the Unit on February 3, 1997. On March 2, 2015, the Permittee applied for renewal of this Permit, which is currently under review. In addition to revised CP/PCCP requirements, the renewed Permit will include the corrective action requirements for the Solid Waste Management Units/Areas of Concern (SWMUs/AOCs) as required by 40 C.F.R. §264.101 that were subject to the requirements of the now closed Hazardous Waste Container Storage Unit Permit. The OD20K

Permit will be HAFB's only active Permit upon reissuance.

The Report recommended that further corrective action at OD20K be subject to these corrective action requirements, as opposed to the Permit's CP/PCCP requirements. NMED disagrees with this recommendation. The Report states that "[T]his recommendation is in accordance with USEPA's Final Rule from 1998, which allows authorized States to address regulated units through the corrective action program using corrective action requirements rather than closure requirements". This Final Rule, dated October 22, 1998, amended the Resource Conservation and Recovery Act (RCRA) regulations (40 C.F.R., Part 264) governing closure of land-based regulated units that have released hazardous constituents, to allow *certain* units to be addressed through the corrective action program. 40 C.F.R. §264.90(f)(1) allows authorized States the discretion of applying alternative requirements for corrective action for releases to groundwater where it is determined that the regulated unit is situated among SWMUs/AOCs, a release has occurred, and both the regulated unit and one or more SWMUs/AOCs are likely to have contributed to the release. This is not the case at OD20K, which is a regulated unit in an isolated location with no other SWMUs or AOCs located in the vicinity of the hazardous waste management unit. Therefore, the Permittee shall continue investigation and cleanup activities at OD20K in accordance with an amended CP/PCCP, as discussed below, keeping in mind that the final CP/PCCP must be approved by NMED prior to the start of final closure activities.

The Permittee has two options to obtain approval of an amended CP/PCCP, based on the future proposed closure activities.

1. If closure activities, including contaminated soil removal and monitoring well installation, will not commence before the end of the current calendar year (2018), the Permittee shall amend the CP/PCCP that was submitted with the March 2015 Permit renewal application to include the proposed closure activities. This time frame takes into account the anticipated length of time it will take to obtain final approval of the Permit renewal application, including public participation requirements.
2. If closure activities will commence before the end of the year, the Permittee shall submit a request to amend the existing CP/PCCP included in the 1997 Permit. This will be in the form of a Class 2 Permit Modification Request (PMR) prepared in accordance with 40 C.F.R. §270.42(b). This must include the Permittee's public notice requirements.

Utilizing the results of the subject Report, the Permittee must amend the closure plan, standards for closure, and the contingent post-closure care plan in accordance with 40 C.F.R. §§264.110 through 264.120 and 40 C.F.R. §264.603. Based on the results of the investigation presented in the Report, NMED has determined that the extent of the perchlorate contamination in groundwater has not been fully characterized. Therefore, three additional monitoring wells (MWs) must be installed to the west-southwest of the western boundary of the unit and one additional MW must be installed approximately midway between existing MWs OD20K-MW05 and OD20K-MW10. NMED assumes that soil removal activities will involve the removal of MWs OD20K-MW02 and OD20K-MW10. Therefore, the proposed closure plan must include appropriate replacements for these wells.

Mr. Adam Kusmak

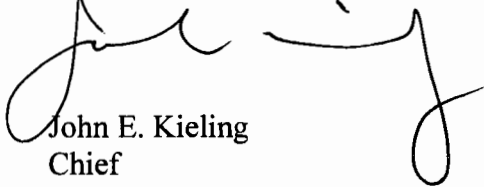
June 13, 2018

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The Permittee shall submit either a revised CP/PCCP to amend the March 2015 Permit renewal application or a Class 2 PMR for the 1997 Permit by no later than **August 3, 2018**.

Please call David Strasser of my staff at (505) 222-9526 if you have any questions regarding this letter.

Sincerely,



John E. Kieling

Chief

Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
C. Amindyas, NMED HWB
D. Strasser, NMED HWB
C. Schick, HAFB
S. Dorton, HAFB
C. Hendrickson, EPA, Region 6 (6MM-RC)
L. King, EPA, Region 6 (6MM-RC)

*File: HAFB 2018 and Reading
HAFB-17-022*