



STATE OF NEW MEXICO  
OFFICE OF THE STATE ENGINEER  
SANTA FE

Tom Blaine, P.E.  
New Mexico State Engineer

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February 9, 2017

Kathryn Roberts  
Resource Protection Division Director  
New Mexico Environmental Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303

Re: Request for Well Drilling Moratorium associated with corrective actions at the Kirtland Air Force Base Bulk Fuels Facility spill groundwater plume (EPA ID#NM9570024423)

Dear Ms. Roberts:

Your letter, dated December 13, 2016, requests the Office of the State Engineer restrict permitting of new wells within the boundaries of the contaminated ground water plume associated with corrective actions at the Kirtland Air Force Base Bulk Fuels Facility spill groundwater plume (EPA ID#NM9570024423). The restriction would be imposed to protect human health, and to prevent interference with the ongoing remediation.

Attached is the Order restricting the drilling of wells for new appropriations, including Section 72-12-1.1, 72-12-1.2, 72-12.1.3, and 72-12-3 NMSA and also restricts the transfer of water to existing wells within the boundaries as defined. This moratorium will exclude permit applications that are submitted on behalf of the State of New Mexico Environmental Department or the EPA that may be required for remedial action.

This Order will be distributed to the Office of the State Engineer staff and specifically to District I staff who administer that area. This delineated area will be made publically available in our online maps.

Please call Jerri Pohl @ 505-827-7848 if further discussion would be helpful.

Sincerely,

John T. Romero, P.E.  
Director, Water Rights

Enclosure

Electronic Cc: OSE District I  
D. Agnew, NMED-HWB





**STATE OF NEW MEXICO  
OFFICE OF THE STATE ENGINEER**

**BEFORE THE NEW MEXICO STATE ENGINEER**

IN THE MATTER OF NEW GROUND WATER )  
APPROPRIATIONS AND APPLICATIONS TO )  
TRANSFER WATER RIGHTS TO EXISTING )  
GROUND WATER WELLS IN A CERTAIN AREA )  
OF BERNALILLO COUNTY WITHIN THE )  
RIO GRANDE UNDERGROUND WATER BASIN )

**STATE ENGINEER ORDER**

WHEREAS, the New Mexico Environmental Department (NMED), with support from the United States Environmental Protection Agency (EPA), is overseeing corrective measures at the Kirtland Air Force Base (KAFB) Bulk Fuels Facility Spill Site (Site) under Resource Conservation and Recovery act (RCRA) Permit No. NM9570024423.

WHEREAS, the NMED has been granted primacy by the EPA to administer the Safe Drinking Water Act and RCRA with regards to the Site;

WHEREAS, on the 15th day of December, 2016, the Office of the State Engineer (OSE) received a request from NMED to issue a temporary order restricting the permitting and drilling of new wells within the Site identified in a map provided as an attachment titled "Figure 1". The Site comprises the area outlined in green on Figure 1 and described in the legend as "500' Buffer from Q2 2016 Plume Footprint." The Site is within Sections 25 and 26 of Township 10 North and Range 3 East. This map shows the estimated extent of where the groundwater is primarily contaminated with dissolved-phase benzene and ethylene dibromide (EDB). Vertically, the plume extends up to 80 feet below the water table;

WHEREAS, this request is made not only to protect human health, but also to prevent interference with groundwater flow associated with ongoing remediation;

WHEREAS, this temporary order applies to any proposed water well within the specified area, and shall be in effect until the Site has met remedial action goals with regards to EDB extent and concentration, which are estimated to take as long as 10 years; and

WHEREAS, the moratorium set out in this order shall exclude permit applications submitted by or on behalf of the State of New Mexico or the EPA for the installation of wells associated with the remedial action.

NOW THEREFORE, IN THE INTEREST OF PUBLIC SAFETY AND PROTECTION OF HUMAN HEALTH, IT IS HEREBY ORDERED that no new appropriations of groundwater, including new NMSA 1978, Sections 72-12-1.1, 72-12-1.2, 72-12-1.3, and 72-12-3 wells, and no transfers of water rights to existing wells, shall be allowed within the area described above except for those submitted by or on behalf of NMED or the EPA for this EPA-mandated groundwater remedial action. Any land owner wishing to plug an existing well within this area must coordinate with both the NMED and the OSE.

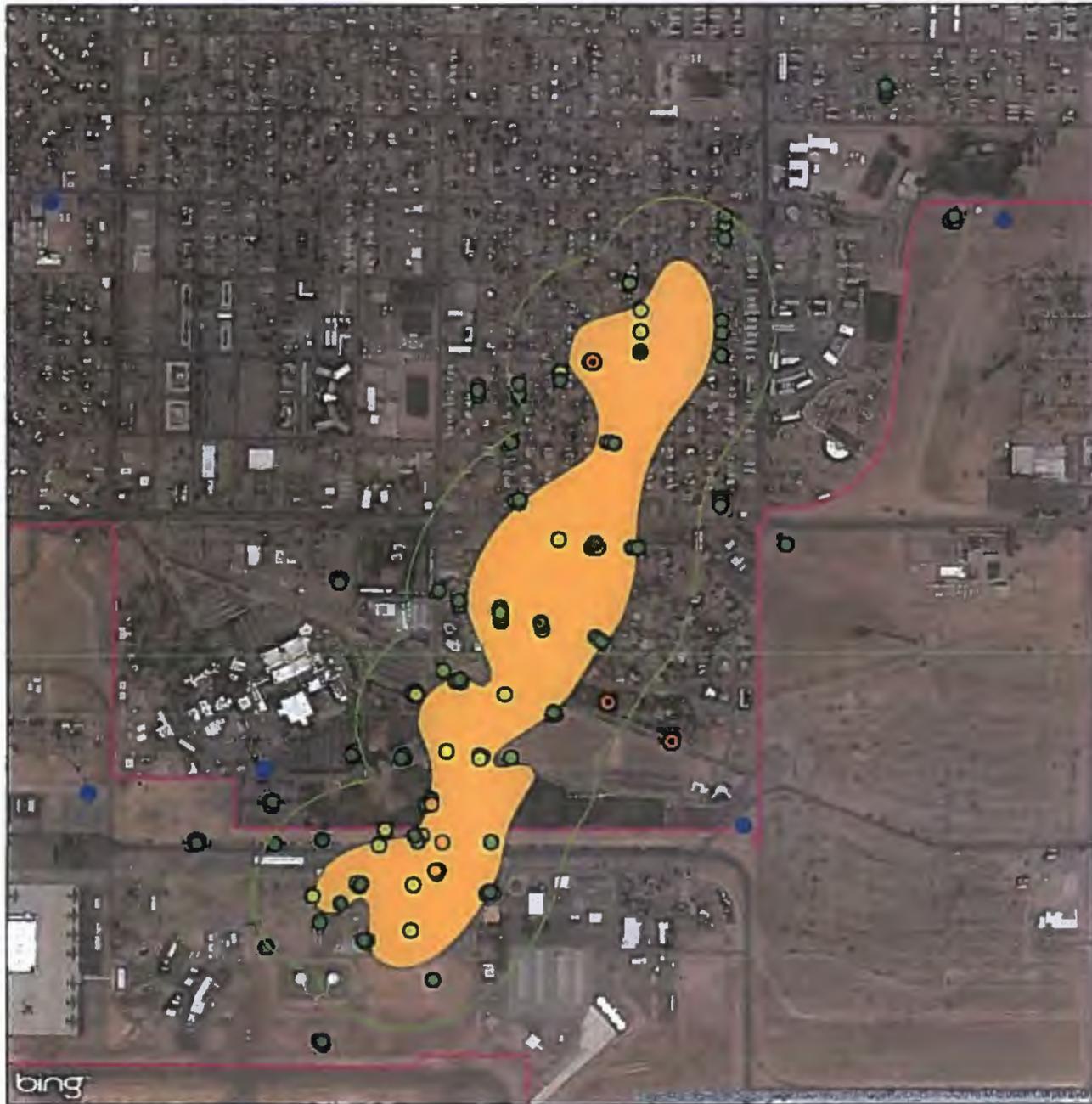
WITNESS my hand and official seal this 7<sup>TH</sup> day of FEBRUARY, 2017.

  
Tom Blaine, PE  
New Mexico State Engineer

Reviewed By:

  
Gregory C. Ridgley  
General Counsel





**Legend**

- Private Wells
- Water Supply Well
- Q2 2016 Shallow EDB Plume Footprint
- 500' Buffer from Q2 2016 Plume Footprint

**1,2-EDB in Groundwater (ug/L) - Q2 2016**

**Result**

- 0.00 ND
- 0.01 - 0.05 Regulatory Std
- 0.06 - 1.00
- 1.01 - 10.00
- 10.01 - 100.00
- 100.01 - 500.00
- 500.01 - 2570.00 Historic Max Detection

**FIGURE 1**  
**Q2 2016 Ethylene Dibromide Concentrations**  
**with Area of Restriction**  
**Bulk Fuels Facility**  
**Kirtland Air Force Base, New Mexico**

0 500 1,000 2,000 Feet

