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Governor

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Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT



ENTERED



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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

May 24, 2017

Colonel Eric. H. Froehlich
Base Commander
377 ABW/CC
2000 Wyoming Blvd SE
Kirtland AFB, NM 87117-5606

Lieutenant Colonel Wayne J. Acosta
Civil Engineer Office
377 Civil Engineering Division
2050 Wyoming Blvd SE, Suite 116
Kirtland AFB, NM 87117-5270

**RE: NOTICE OF DEFICIENCY, RISK ASSESSMENT REPORT, RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) FACILITY INVESTIGATION REPORT, BULK FUELS FACILITY RELEASE
SOLID WASTE MANAGEMENT UNIT ST-106/SS-111
KIRTLAND AIR FORCE BASE
EPA ID# NM9570024423, HWB-KAFB-13-MISC**

Dear Colonel Froehlich and Lt. Colonel Acosta:

On January 31, 2017, Kirtland Air Force Base (“KAFB” or “Permittee”) submitted the Resource Conservation and Recovery Act (“RCRA”) Facility Investigation (“RFI”) Report to the New Mexico Environment Department (“NMED”). In the transmittal letter for the RFI Report, KAFB acknowledged the requirement to also submit a Risk Assessment Report (“RAR”) and stated that the RAR would be “submitted under separate cover in March 2017.”

NMED understands and acknowledges that data quality concerns with the CARB 422 soil vapor analytical method were identified during the risk assessment process. These concerns were brought to the attention of the NMED at the February 22, 2017 technical working group meeting and were formally submitted in a letter submitted to NMED dated April 3, 2017. In February, NMED gave KAFB verbal approval to proceed with the risk assessment using the TO-15 soil vapor data so that progress could continue to be made on the RAR.

KAFB4553



Col. Froehlich and Lt. Col. Acosta

May 24, 2017

Page 2

As KAFB is aware, risk assessment is a critical component of the RCRA process. Additionally, both NMED and KAFB have been assuring the public that a RAR would be submitted in the near future, initially committing that it would be submitted with the RFI Report in January 2017, and then in March 2017 as stated in the RFI transmittal letter. By the March 2017 public meeting, KAFB had shifted the projected delivery date of the RAR to April 2017. To date, NMED has not received the RAR, nor a communication of schedule for delivery of this required document. Therefore, NMED finds KAFB to be deficient in its submittal of the RAR.

KAFB must submit the RAR no later than June 30, 2017 or provide a written request with justification for an alternative submittal date within two weeks of receipt of this letter. If an alternative submittal date is requested, it must be attainable and not an arbitrary deadline, as NMED is unwilling to further prolong its submittal.

If you have any questions regarding this letter, please contact John Kieling at (505) 476-6035 or Diane Agnew at (505) 222-9555.

Sincerely,



Juan Carlos Borrego
Deputy Secretary
Environment Department

cc: Col. M. Harner, KAFB
K. Lynnes, KAFB
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File: KAFB 2017 Bulk Fuels Facility Spill