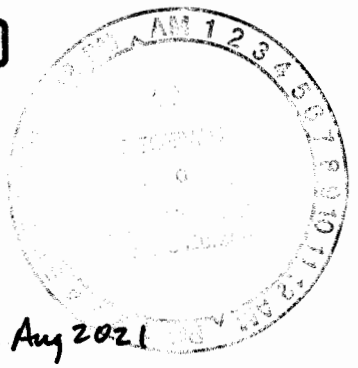
ENTERED

DEPARTMENT OF THE AIR FORCE
377TH AIR BASE WING (AFGSC)



2 Aug 2021

Colonel Ryan S. Nye, USAF
Vice Commander
377th Air Base Wing
2000 Wyoming Blvd SE
Kirtland AFB NM 87117

Mr. Ricardo Maestas
Acting Hazardous Waste Bureau Chief
New Mexico Environment Department
2905 Rodeo Park Drive East Building 1
Santa Fe NM 87505

Dear Mr. Maestas

The U.S. Air Force (Air Force) requests a Class 1* Permit Modification to the Kirtland Air Force Base "Hazardous Waste Treatment Facility Operating Permit, EPA ID No NM9570024423" (herein referred to as the "Kirtland Permit"). Specifically, the Air Force is requesting prior approval from the New Mexico Environment Department (NMED) Secretary to modify the language in Part 6.5.18, "Laboratory Analyses Requirements for all Environmental Media," to replace the existing language with the following:

> "The Permittee shall submit all samples for laboratory analysis to accredited contract laboratories. The laboratories shall use the most recent standard EPA and industry-accepted analytical methods for target analytes as the testing methods for each medium sampled. Chemical analyses shall be performed in accordance with the most recent EPA standard analytical methodologies and extraction methods.
>
> The Permittee shall submit a list of analytes and analytical methods to the NMED for approval as part of each site-specific investigation, corrective measures, or monitoring work plan. The detection and reporting limits for each method shall be less than applicable background, screening, and regulatory cleanup levels. The preferred method reporting (practical quantitation) limits are a maximum of 20 percent of the cleanup, screening, or background levels. Analyses conducted with detection limits that are greater than applicable background, screening, and regulatory cleanup levels shall be considered data quality exceptions and the reasons for the elevated detection limits shall be reported to the NMED."

This modification request was prepared in accordance with Part 1.12.1(3) of the Kirtland Permit, which states:

> "The Permittee may request a permit modification in accordance with 40 Code of Federal Regulations (CFR) § 270.42. All applicable requirements specified in 40 CFR § 270.42 and 20.4.1.900 New Mexico Administrative Code (NMAC) shall be followed."

The Air Force believes that this modification request is explicitly listed in 40 CFR § 270.42, Appendix I, "Classification of Permit Modification," as a Class 1* permit modification. Appendix I C(2) identifies "Changes in ground-water sampling or analysis procedures or monitoring schedule, with prior

approval of the Director" as a Class 1* modification. The attached document summarizes the regulatory basis for this modification request, the technical basis for the proposed language change, a draft public notice, and references.

We would appreciate the opportunity to meet with NMED in the near future to discuss any questions the NMED may have regarding this Class 1* Permit Modification request.

If you have any questions or concerns, please contact Mr. Ryan Wortman at commercial line (505) 853-3484 or email ryan.wortman.3@us.af.mil.

Sincerely

RYAN S. NYE, Colonel, USAF
Vice Commander

Attachments:
RCRA Permit Class 1* Modification Request
Sample Public Notice for RCRA Permit Class 1* Modification

cc:
NMED HWB (Maestas, Andress), two letters and two CDs
NMED HWB (Wear, Cobrain), electronic only
NMED RPD (Catechis), electronic only
EPA Region 6 (King, Ellinger), electronic only
SAF/IEE (Lynnes), electronic only
AFCEC/CZ (Banks, Kottkamp, Clark, Segura), electronic only
USACE-ABQ District Office (Moayyad, Phaneuf, Dreeland, Cordova, Kunkel), electronic only
Public Info Repository, Administrative Record/Information Repository (AR/IR) and File

Attachment 1

Class 1* Permit Modification Justification for Kirtland Air Force Base Hazardous Waste Treatment Facility Operating Permit (EPA ID NM9570024423)

1.0 INTRODUCTION

The New Mexico Environment Department (NMED) issued Kirtland Air Force Base (AFB) the *Hazardous Waste Treatment Facility Operating Permit EPA ID No NM9570024423* (herein referred to as the "Kirtland Permit") in July 2010. Part 6 of the Kirtland Permit details corrective action requirements, including technical requirements related to laboratory analyses. The Kirtland Permit is enforced by NMED's Hazardous Waste Bureau (HWB), which is authorized to administer the Resource Conservation and Recovery Act (RCRA) under the oversight of the Environmental Protection Agency (EPA).

The Air Force is requesting prior approval from the NMED Secretary for a Class 1* permit modification to Kirtland Permit Part 6.5.18, "Laboratory Analyses Requirements for all Environmental Media." The current Kirtland Permit language is provided below:

> "The Permittee shall submit all samples for laboratory analysis to laboratories within the EPA Contract Laboratory Program. The laboratories shall use the most recent EPA and industry accepted extraction and analytical methods as the testing methods for each medium sampled.
>
> The Permittee shall submit a list of analytes and analytical methods to the Department for review and written approval as part of each site-specific investigation, corrective action, or monitoring work plan. The analyte detection limit for each analytical method shall be less than applicable background or regulatory cleanup level as applicable. Analyses conducted with detection limits that are greater than applicable background or regulatory cleanup levels as applicable shall be considered data quality exceptions, and the reasons for use of the elevated detection limits shall be reported to the Department; results based on these data quality exceptions may not be accepted by the Department. All analytical data (including non-detects, estimated values, and detects) shall be included in the electronic copy of the Investigation Report or other report in Microsoft™ Excel format with any qualifiers as attached from the analytical laboratory. The Permittee shall not censor data based on detection limits, quantitation limits, or measurement uncertainty. The Permittee shall also report whether any dilution of the sample was needed prior to laboratory analysis, and the amount of dilution, if any. *The Department will not accept J-coded (estimated) results for samples requiring dilution prior to laboratory analysis* [emphasis added]."

The Air Force proposes to replace the language in Kirtland Permit Part 6.5.18 with the following:

> "The Permittee shall submit all samples for laboratory analysis to accredited contract laboratories. The laboratories shall use the most recent standard EPA and industry-accepted analytical methods for target analytes as the testing methods for each medium sampled. Chemical analyses shall be performed in accordance with the most recent EPA standard analytical methodologies and extraction methods.
>
> The Permittee shall submit a list of analytes and analytical methods to the NMED for approval as part of each site-specific investigation, corrective measures, or monitoring work plan. The detection and reporting limits for each method shall be less than applicable background, screening, and regulatory cleanup levels. The preferred method reporting (practical quantitation) limits are a maximum of 20 percent of the cleanup, screening, or background levels. *Analyses conducted with detection limits that are greater than applicable background, screening, and regulatory cleanup levels shall be considered data quality exceptions and the reasons for the elevated detection limits shall be reported to the NMED* [emphasis added]."

This language was taken from Part 4.5 of the *Cannon Air Force Base Resource Conservation and Recovery Act Permit EPA ID # NM7572124454 New Mexico Environment Department – Hazardous Waste Bureau December 2018* (herein referred to as the "Cannon Permit"). As shown in Table A-1 at the end of this document, the Air Force has reviewed a representative sample of New Mexico RCRA permits containing corrective action provisions issued by NMED, and the Kirtland Permit is the only one that rejects all J-coded results from diluted samples.

Of particular note is the highlighted language regarding sample dilution in the current Kirtland Permit. This language is inconsistent with EPA approved analytical methods in EPA Publication, *Test Methods for Evaluating Solid Waste (SW-846): Physical and Chemical Methods* (EPA, 1986), EPA guidance on the use of J-flagged (J-coded) data, and standard practices in EPA and Department of Defense (DoD) certified laboratories. In addition, it is inconsistent with all other RCRA permits containing corrective action provisions issued by NMED. The highlighted language in the proposed substitute language addresses these deficiencies.

The following sections summarize the regulatory foundation for this modification request, the technical basis for the proposed language change, a draft public notice, and references.

2.0 REGULATORY BASIS

RCRA permit modifications are often necessary to enable a facility to operate effectively and adjust to meet changing conditions and demands. Class 1 modifications apply to minor changes that keep the permit current with routine changes to the facility or its operations. These changes do not substantially alter the conditions in the initial permit or reduce the facility's ability to protect human health and the environment. Class 1 modifications include administrative and informational changes; correction of typographical errors; changes in names, addresses, and phone numbers of emergency coordinators; and changes to comply with new regulations for analytical quality control plans, or waste sampling and analysis methods (EPA, 2016).

To be eligible for a Class 1 or Class 1* modification, the permit modification must be explicitly listed in 40 CFR § 270.42, Appendix I. Class 1 modifications are self-implementing, and Class 1* modifications require the approval of the NMED Secretary before the modification can be implemented.

Part 1.12.1(3) of the Kirtland AFB RCRA Permit states,

> "The Permittee may request a permit modification in accordance with 40 Code of Federal Regulations (CFR) § 270.42. All applicable requirements specified in 40 CFR § 270.42 and 20.4.1.900 New Mexico Administrative Code (NMAC) shall be followed."

The Air Force believes this modification request is listed in 40 CFR § 270.42, Appendix I, "Classification of Permit Modification," as a Class 1* permit modification. Appendix I C(2) identifies "Changes in ground-water sampling or analysis procedures or monitoring schedule, with prior approval of the Director" as a Class 1* modification. The procedures for a Class 1* modification are detailed below.

2.1 Procedures for Class 1 and Class 1* Permit Modification

The process for a Class 1 permit modification illustrated in Figure A-1 (EPA, 2016) and codified at 40 Code of Federal Regulations (CFR) 270.42:

> "40 CFR § 270.42 - Permit modification at the request of the permittee
>
> **(a)** ***Class 1 modifications.***
>
> **(1)** Except as provided in paragraph (a)(2) of this section, the permittee may put into effect Class 1 modifications listed in appendix I of this section under the following conditions:
>
> **(i)** The permittee must notify the Director concerning the modification by certified mail or other means that establish proof of delivery within 7 calendar days after the change is put into effect. This notice must specify the changes being made to permit conditions or supporting documents referenced by the permit and must explain why they are necessary. Along with the notice, the permittee must provide the applicable information required by §§ 270.13 through 270.21, 270.62, and 270.63.
>
> **(ii)** The permittee must send a notice of the modification to all persons on the facility mailing list, maintained by the Director in accordance with 40 CFR 124.10(c)(viii), and the appropriate units of State and local government, as specified in 40 CFR 124.10(c)(ix). This notification must be made within 90 calendar days after the change is put into effect. For the Class I modifications that require prior Director approval, the notification must be made within 90 calendar days after the Director approves the request.
>
> **(iii)** Any person may request the Director to review, and the Director may for cause reject, any Class 1 modification. The Director must inform the permittee by certified mail that a Class 1 modification has been rejected, explaining the reasons for the rejection. If a Class 1 modification has been rejected, the permittee must comply with the original permit conditions.

(2) Class 1 permit modifications identified in appendix I by an asterisk may be made only with the prior written approval of the Director.

(3) For a Class 1 permit modification, the permittee may elect to follow the procedures in § 270.42(b) for Class 2 modifications instead of the Class 1 procedures. The permittee must inform the Director of this decision in the notice required in § 270.42(b)(1)."

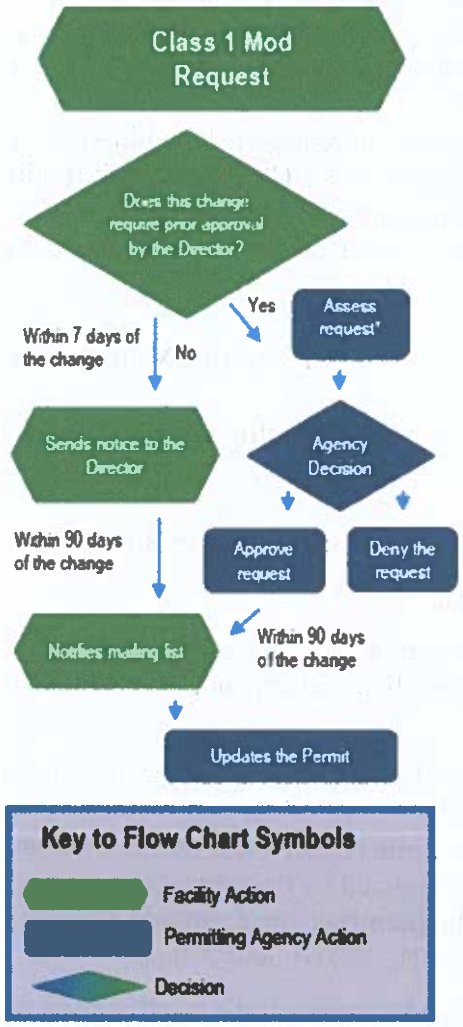


Figure A-1 RCRA Class 1 Permit Modification Request (EPA, 2016).

A sample public notice for this Kirtland Class 1* permit modification is attached as Exhibit 1. The actual public notice will be prepared and distributed upon NMED approval of this permit modification request.

3.0 TECHNICAL BASIS

The Air Force is requesting a modification to the current language in Kirtland Permit Part 6.5.18 to be consistent with other New Mexico RCRA permits because the current language unilaterally

discards data from J-coded diluted samples and therefore hinders the Air Force's ability to investigate corrective action sites under the Kirtland Permit.

The last sentence of Kirtland Permit Part 6.5.18 effectively eliminates all J-coded results that the laboratory must dilute prior to (and in preparation for) analysis. These results should be retained for decision-making purposes because dilution is a routine and necessary laboratory procedure that must be performed under certain circumstances, as discussed in the next section. Furthermore, laboratory analyses that result in J-coded detections are critical for performing qualitative assessments for the presence or absence of chemical compounds.

The following subsections detail how the proposed Class 1* permit modification language is compliant with EPA-approved test methods, EPA analytical guidance, and standard practices in EPA and DoD certified laboratories.

3.1 Sample Dilution

Sample dilution is a common laboratory procedure performed on high concentration samples that have the potential to saturate the instrument's detector, thereby contaminating it and necessitating extensive cleaning and conditioning. This not only requires downtime for the laboratory but also has the potential to destroy the laboratory instrument. No commercial laboratory will perform undiluted analysis on high concentration samples.

Analytical laboratory samples that require dilution are always analyzed in compliance with EPA Publication, *Test Methods for Evaluating Solid Waste (SW-846): Physical and Chemical Methods* (EPA, 1986), which is EPA's official collection of methods for use in complying with the RCRA regulations, 40 CFR Parts 122 through 270. In addition, all analytical testing for the Air Force is in compliance with the more stringent requirements set forth in the *Consolidated Quality Systems Manual for Environmental Laboratories* (DoD and Department of Energy [DOE] 2019). The Air Force expects every sample to be analyzed with adequate sensitivity for major constituents in the event of high concentration samples.

SW-846 *Method 8000D: Determinative Chromatographic Separations* (EPA, 2018) is not a determinative analytical method but instead provides guidance on analytical chromatography and describes calibration and quality control requirements common to all SW-846 chromatographic methods. Section 4.0, "Interferences/ Chromatographic Performance" of that document includes the following guidance on analyzing samples:

> Subsection 4.2: "…Where practical, samples with unusually high concentrations of analytes should be followed by method blanks, instrument blanks, or by analysis of organic-free reagent water to check for carryover contamination. If target compounds present in an unusually highly concentrated sample are also found to be present in subsequent samples, the analyst must demonstrate that the compounds are not affected by carryover contamination. Conversely, if those target compounds are not present in the subsequent sample(s), then they do not need to be reanalyzed…" (EPA, 2018, pages 8000D-7)
>
> Subsection 4.3: "In addition to carryover of compounds from one sample to the next, the analysis of high-concentration samples can lead to contamination of the analytical instrument

itself. Eliminating this contamination can cost significant time and effort that cannot be spent analyzing samples. The most reliable procedure for ensuring minimum down time is to screen samples by a higher level technique...*The analyst should use screening results to choose an appropriate dilution factor for the analysis* [emphasis added] that will prevent system contamination yet still provide adequate sensitivity for the major constituents of the sample." (EPA, 2018, pages 8000D-7 through 8000D-8)

Sample dilution is also required for EPA SW-846 *Method TO-15A: Determination of Volatile Organic Compounds (VOCs) in Air Collected in Specially Prepared Canisters and Analyzed by Gas Chromatography–Mass Spectrometry (GC-MS)* (EPA, 2019) because air samples are collected in sub-pressurized air canisters that must be pressurized with an inert gas prior to analysis, resulting in sample dilution as an essential step in the procedure. If the Permit requires undiluted analysis of sub-pressurized air canisters, the Air Force would be unable to secure those analyses because no commercial laboratory can perform TO-15A analysis on sub-pressurized sample canisters without pressurizing the canister with inert gases, which dilutes the sample.

According to SW-846 Method TO-15A (EPA, 2019) Section 12.2, "Dilution of Canister Samples":

> "Canister samples collected at sub-atmospheric pressures *may require pressurization with HCF zero air or ultrapure nitrogen to provide sufficient pressure for analysis* [emphasis added]. .....Canisters with target VOC concentrations exceeding the calibration curve range may also require dilution." (EPA, 2019, page 52)

3.2 J-Coded Sample Results

J-coded data represent an estimated value but confirm the presence of the analyte (EPA, 1996). The J-coded result indicates:

> "The analyte was positively identified—the associated numerical value is the approximate concentration of the analyte in the sample... the instrumentation was functioning properly during the analysis... "J" data are considered biased but provide definitive analyte identification." (EPA, 1996, page 6)

Sample laboratory results below the limit of quantitation and above the analyte detection limit are reported as J-coded data. Thus, J-coded data from samples that have been diluted could still possibly achieve the Kirtland Permit Part 6.5.18 requirement that "The analyte detection limit for each analytical method shall be less than applicable background or regulatory cleanup level *as applicable* [emphasis added]." However, without modification to the last sentence of Permit Part 6.5.18, the Air Force cannot use J-coded data that have been diluted.

EPA's guidance is to use J-coded data in the same manner you would use un-flagged data. The *Risk Assessment Guidance for Superfund Volume 1 Human Health Evaluation Manual* (EPA, 1989) states:

> "Basically, the guidance here is to use J-qualified concentrations the same way as positive data that do not have this qualifier. If possible, note potential uncertainties associated with the qualifier, so that if data qualified with a J contribute significantly to the risk, then appropriate caveats can be attached." (EPA, 1989, page 5-15)

Thus, the technical justification for accepting J-coded results from diluted samples exists, and the basis for modifying the Permit is technically sound and is contained in all other RCRA corrective action permits issued by NMED. Furthermore, this Class 1* permit modification is crucial to enabling the Air Force to investigate environmental corrective action sites under Kirtland AFB's permit.

3.3 Site Specific Example

At the Kirtland AFB Bulk Fuels Facility (BFF) environmental restoration site, J-coded results from diluted samples for both high concentration samples and TO-15A-method soil vapor (air) samples are critical to the project decision-making process. As an example, the following paragraphs discuss the results presented in the BFF fourth quarter (Q4) 2020 Periodic Monitoring Report (Kirtland AFB, 2021).

Groundwater samples from the BFF source area contain high concentrations of volatile organic compounds (VOCs) and require laboratory dilution for analysis. In the Q4 2020 sampling event, 19 samples were diluted. Of those 19 diluted samples, two included results for benzene concentration and were also J-coded results. The J-coded results were reported as 5,100 J micrograms per liter (µg/l) at well KAFB-106028 and 770 J µg/l at well KAFB-106S8-451. The Air Force would like to retain these results to characterize the nature and extent of the source area contamination. In addition, this information will be crucial during the Corrective Measures Evaluation when identifying the best possible remedial options.

During the BFF Q4 2020 monitoring, 271 soil vapor samples were collected in the BFF source area where we would expect concentrations to be elevated. All of these samples were diluted due to both high concentrations of VOCs and analytical procedures required for TO-15A analysis, as discussed above. Of those 271 diluted soil vapor samples, 124 benzene results were J-coded. The J-coded results for benzene ranged from 200,000 microgram per meter cubed (µg/m^3) within the source area to 0.36 µg/m^3 located on Kirtland AFB but outside of the source area. The proposed language change would allow us to consider those 124 diluted J-coded sample results in our project decision-making process. That proposed language includes the following:

> "Analyses conducted with detection limits that are greater than applicable background, screening, and regulatory cleanup levels shall be considered data quality exceptions and the reasons for the elevated detection limits shall be reported to the NMED."

These analyses were performed by Eurofins Laboratories, which has the following sample dilution policy (Eurofins, 2017):

> "When possible, based on in-house screening results and physical characteristics of the sample/sample extract, samples are analyzed without dilution to achieve the lowest

reporting limits feasible for the method requested. Data from in-house screening is not performed with all method required QA/QC and therefore is not reported. *If screen data and/or physical characteristics note significant concentrations of target compounds may be present the original analytical run is performed at a dilution* [emphasis added].

Additional runs are performed if over or under dilutions are initially performed on a client sample. *The analytical run with the lowest reporting limit is included in the final report and multiple runs may be reported if target compounds exceed the instrument calibration range in the original run* [emphasis added].

Samples containing target compounds that exceed the instrument calibration range generally cannot be analyzed with a lower dilution factor [emphasis added], however depending on the sample matrix, target compound and final concentration, and method requested additional runs can sometimes be attempted." (Eurofins, 2017, page 46)

4.0 MODIFICATION REQUEST

The Air Force has conducted an in-depth review and comparison of RCRA permits across New Mexico Air Force Bases regulated under NMED and identified inconsistencies in NMED's requirements for laboratory sample analysis. As discussed previously, the Kirtland Permit is the only one that arbitrarily rejects all J-coded results from diluted samples. The Air Force is requesting that the Kirtland Permit Part 6.5.18 be replaced with equivalent language from the Cannon Permit, Part 4.5, "Chemical Analyses," which states:

> "The Permittee shall submit all samples for laboratory analysis to accredited contract laboratories. The laboratories shall use the most recent standard EPA and industry-accepted analytical methods for target analytes as the testing methods for each medium sampled. Chemical analyses shall be performed in accordance with the most recent EPA standard analytical methodologies and extraction methods.
>
> The Permittee shall submit a list of analytes and analytical methods to the NMED for approval as part of each site-specific investigation, corrective measures, or monitoring work plan. The detection and reporting limits for each method shall be less than applicable background, screening, and regulatory cleanup levels. The preferred method reporting (practical quantitation) limits are a maximum of 20 percent of the cleanup, screening, or background levels. Analyses conducted with detection limits that are greater than applicable background, screening, and regulatory cleanup levels shall be considered data quality exceptions and the reasons for the elevated detection limits shall be reported to the NMED."

This Class 1* modification is crucial to enabling the Air Force to investigate environmental corrective action sites under the Kirtland Permit, and it is consistent with the language contained in other RCRA permits recently issued by the NMED.

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Kirtland AFB. 2021. Quarterly Monitoring Report October-December 2020 and Annual Report, Bulk Fuels Facility, SWMU ST-106/SS-111. Prepared by EA Engineering, Science, and Technology, Inc., PBC for Kirtland AFB under U.S. Army Corp of Engineers Albuquerque District. March 2021.

Table A-1. Comparison of RCRA Permit Language across New Mexico Air Force Bases regulated under NMED

Facility	EPA ID	Permit Type	Year	RCRA Permit Part	RCRA Permit Language
Kirtland AFB	NM9570024423	Open Detonation Permit	2010	6.5.18 "Laboratory Analyses Requirements for all Environmental Media"	The Permittee shall also report whether any dilution of the sample was needed prior to laboratory analysis, and the amount of dilution, if any. The Department will not accept J-coded (estimated) results for samples requiring dilution prior to laboratory analysis.
Ft Wingate	NM6213820974	Open Detonation / Closure / Corrective Action	2015	Attachment I 3.1.10; 3.1.12.a; 4.1.1.d; 4.4.2.c	The [work plan and data record] shall include the following at a minimum: The work plan shall specify the following information, at a minimum: Analytical test methods, method detection limits (MDLs), practical quantitation limits (PQLs), equivalent quantitation limits (EQLs), dilution factors, etc., achieved for each sample (i.e., fixed laboratory and field sample)
				Attachment 9 "Closure Report"; 6.2.2 "Sample Analysis Requirements"	Samples shall be analyzed for all constituents listed in Table 1. Samples shall be analyzed by an independent laboratory using the methods included in Table 1 or other NMED approved methods. To the extent possible all method detection limits and reporting limits shall be less than the applicable cleanup levels included in Permit Attachment 7.
Ft Bliss	NM4213720101	Open Detonation Permit	1995	Attachment J "Data Reporting"	Reporting will contain final results (uncorrected for blanks and recoveries), methods of analysis, levels of detection, surrogate recovery data, and method blanks data. In addition, special analytical problems, and/or any modifications to referenced methods will be noted. The number of significant figures reported will be consistent with the limits of uncertainty inherent in the analytical method. Consequently, most analytical results will be reported to no more than two (2) significant figures. Data will be reported in units commonly used for the analyses performed. Concentrations in liquids are expressed in terms of weight per unit volume (e.g., milligrams per liter). Concentrations in solid or semi-solid matrices are expressed in terms of weight per unit weight of sample (e.g., micrograms per kilogram). Reported detection limits will be the concentration in the original matrix corresponding to the low level instrument calibration standard after concentration, dilution, and/or extraction factors are accounted for.

Facility	EPA ID	Permit Type	Year	RCRA Permit Part	RCRA Permit Language
				Attachment K "Statistical Comparison"	For naturally occurring constituents, the background levels may range from below detection limit to several orders of magnitude higher than the detection limit. Naturally occurring constituents will be evaluated on an individual basis either in comparison with published background ranges, by comparison with risk-based levels, or statistically as the data permit.
Holloman AFB	NM6572124422	Open Detonation	1997	Attachment J "Chemical Analysis"	An important consideration for the site-specific background study is the specification of uncensored data for all sampling results. As specified below, the contracted laboratory will be required to report uncensored data. Often, numerical measurement results below a specified concentration are reported with a qualitative descriptor such as "not detected" or "less than" rather than as a numerical value. This practice, called censoring, complicates statistical analyses and data interpretation because an important part of the information about measurement variability is unavailable for consideration. This introduces another source of uncertainty in estimates derived from censored data sets. Uncensored data will be used for this study to preserve all available information in the data about the natural variability of measurements of background concentrations.
Cannon AFB	NM7572124454	Corrective Action	2018	4.5 "Chemical Analyses"	The detection and reporting limits for each method shall be less than applicable background, screening, and regulatory cleanup levels. The preferred method reporting (practical quantitation) limits are a maximum of 20 percent of the cleanup, screening, or background levels. Analyses conducted with detection limits that are greater than applicable background, screening, and regulatory cleanup levels shall be considered data quality exceptions and the reasons for the elevated detection limits shall be reported to the NMED.
				4.5.7.3 "Method Reporting Limits"	Method reporting limits for sample analyses for each medium shall be established at the lowest level practicable for the method and analyte concentrations and shall not exceed soil, groundwater, surface water, or vapor emissions background levels, cleanup standards, or screening levels. The preferred method detection limits are a maximum of 20 percent of the background, screening, or cleanup levels. Detection limits that exceed established soil, groundwater, surface water, or air emissions cleanup standards, screening levels, or background

Facility	EPA ID	Permit Type	Year	RCRA Permit Part	RCRA Permit Language
					levels and are reported as "not detected" shall be considered data quality exceptions and an explanation for the exceedance and its acceptability for use shall be provided.
				Part 4.5 "Chemical Analyses"	The Permittee shall submit all samples for laboratory analysis to accredited contract laboratories. The laboratories shall use the most recent standard EPA and industry-accepted analytical methods for target analytes as the testing methods for each medium sampled. Chemical analyses shall be performed in accordance with the most recent EPA standard analytical methodologies and extraction methods. The Permittee shall submit a list of analytes and analytical methods to the NMED for approval as part of each site-specific investigation, corrective measures, or monitoring work plan. The detection and reporting limits for each method shall be less than applicable background, screening, and regulatory cleanup levels. The preferred method reporting (practical quantitation) limits are a maximum of 20 percent of the cleanup, screening, or background levels. Analyses conducted with detection limits that are greater than applicable background, screening, and regulatory cleanup levels shall be considered data quality exceptions and the reasons for the elevated detection limits shall be reported to the NMED.

Exhibit 1

Sample Public Notice for RCRA Class 1* Permit Modification

Class 1* Permit Modification
United States Air Force
Kirtland Air Force Base
Albuquerque, New Mexico
EPA ID # NM9570024423

The United States Air Force (Air Force) submitted to the New Mexico Environment Department (NMED) Hazardous Waste Bureau (HWB) a Class 1* permit modification to the Kirtland Air Force Base Resource Conservation and Recovery Act (RCRA) Permit (Kirtland Permit). Class 1* permit modifications require approval by the NMED Secretary. To be eligible for a Class 1* modification, the permit modification must be explicitly listed in 40 CFR § 270.42, Appendix I. The modification requested by the Air Force is consistent with Appendix I C(2): "Changes in ground-water sampling or analysis procedures or monitoring schedule, with prior approval of the Director [Secretary]". The permittee must also send a notice of the modification to all persons on the facility mailing list and appropriate units of State and local government within 90 calendar days after the change is put into effect.

The Air Force has requested prior approval from the NMED Secretary for a Class 1* permit modification to Kirtland Permit. The current Kirtland Permit language in Part 6.5.18, "Laboratory Analyses Requirements for all Environmental Media" is provided below:

> "The Permittee shall submit all samples for laboratory analysis to laboratories within the EPA Contract Laboratory Program. The laboratories shall use the most recent EPA and industry accepted extraction and analytical methods as the testing methods for each medium sampled.
>
> The Permittee shall submit a list of analytes and analytical methods to the Department for review and written approval as part of each site-specific investigation, corrective action, or monitoring work plan. The analyte detection limit for each analytical method shall be less than applicable background or regulatory cleanup level as applicable. Analyses conducted with detection limits that are greater than applicable background or regulatory cleanup levels as applicable shall be considered data quality exceptions, and the reasons for use of the elevated detection limits shall be reported to the Department; results based on these data quality exceptions may not be accepted by the Department. All analytical data (including non-detects, estimated values, and detects) shall be included in the electronic copy of the Investigation Report or other report in Microsoft™ Excel format with any qualifiers as attached from the analytical laboratory. The Permittee shall not censor data based on detection limits, quantitation limits, or measurement uncertainty. The Permittee shall also report whether any dilution of the sample was needed prior to laboratory analysis, and the amount of dilution, if any. The Department will not accept J-coded (estimated) results for samples requiring dilution prior to laboratory analysis."

The Air Force is requesting the language be modified because the use of J-coded samples requiring dilution is necessary to investigate environmental restoration sites at Kirtland Air Force Base. In addition, the analysis and evaluation of J-coded diluted samples is consistent with Environmental Protection Agency (EPA) test methods and procedures, as well as language in other New Mexico RCRA permits.

The Air Force is requesting that the current language in Part 6.5.18 of the Kirtland Permit language be replaced with the following:

> "The Permittee shall submit all samples for laboratory analysis to accredited contract laboratories. The laboratories shall use the most recent standard EPA and industry-accepted analytical methods for target analytes as the testing methods for each medium sampled. Chemical analyses shall be performed in accordance with the most recent EPA standard analytical methodologies and extraction methods.

The Permittee shall submit a list of analytes and analytical methods to the NMED for approval as part of each site-specific investigation, corrective measures, or monitoring work plan. The detection and reporting limits for each method shall be less than applicable background, screening, and regulatory cleanup levels. The preferred method reporting (practical quantitation) limits are a maximum of 20 percent of the cleanup, screening, or background levels. Analyses conducted with detection limits that are greater than applicable background, screening, and regulatory cleanup levels shall be considered data quality exceptions and the reasons for the elevated detection limits shall be reported to the NMED."

This change necessitated a Class 1* Permit Modification. This Public Notice is being provided to all persons on the facility mailing list and appropriate units of state and local governments under the New Mexico Hazardous Waste Act, New Mexico Statutes Annotated (NMSA) 1978, §§ 74-4-1 to 74-4-14.

Copies of the Class 1* permit modification can be viewed at the NMED HWB, 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico, 87505-6303. HWB Contact: Mr. Ricardo Maestas, Acting Chief (505) 428-2500.

For any inquiries related to this permit modification request contact Mr. Ryan Wortman at commercial line (505) 853-3484 or email ryan.wortman.3@us.af.mil.

Copies will also be posted on the Kirtland AFB Website: https://www.kirtland.af.mil/Home/BFF/.