



**Certified Mail - Return Receipt Requested**

January 9, 2023

Colonel Jason F. Vattioni  
Commander  
377th Air Base Wing  
2000 Wyoming Blvd SE  
Kirtland AFB, NM 87117

Melissa Clark  
377 MSG/CEIE  
2050 Wyoming Blvd SE  
Kirtland AFB, NM 87117

**RE: SECOND DISAPPROVAL  
TIER 1 SCREENING LEVEL ECOLOGICAL RISK ASSESSMENT (SLERA) OPEN DETONATION  
TREATMENT UNIT, DECEMBER 2021  
KIRTLAND AIR FORCE BASE, NEW MEXICO  
EPA ID# NM9570024423  
HWB-KAFB-19-004**

Dear Colonel Vattioni and Ms. Clark,

The New Mexico Environment Department (NMED) received the U.S. Air Force (Permittee) Kirtland Air Force Base (Facility) *Tier 1 Screening Level Ecological Risk Assessment (SLERA) Open Detonation Treatment Unit, December 2021* (Report) dated December 14, 2021. NMED has reviewed the Report and hereby issues this Disapproval, the Permittee must address the following comments:

**1. Section 3.2, Constituents for Potential Ecological Concern, Tables 3-1A and 3-1B, and Table 5-1A and 5-1B**

**NMED Comment:** The Report still includes a COPEC reduction process wherein if the maximum concentration is less than the minimum ecological screening level (ESL), the analyte was eliminated from the assessment. Analytes may NOT be eliminated based on a simple comparison to the ESLs. Even if the maximum detected concentration is less than the minimum ESL, the analyte must still be retained as a COPEC and carried forward in the calculation of hazard indices for all appropriate receptors. The only circumstance for not retaining an analyte with at least one detection as a COPEC is if the concentrations are within background levels. While it is noted that comparison to ESLs or other screening levels may be allowed in some states as part of COPEC reduction, this process is NOT allowed in the State of New Mexico. The COPEC selection process was discussed at the October 2022 State-EPA risk assessors quarterly meeting. The Environmental Protection

SCIENCE | INNOVATION | COLLABORATION | COMPLIANCE



Col. Vattioni and Ms. Clark

January 9, 2023

Page 2

Agency (EPA) concurred that screening of analytes and conducting a COPEC reduction was up to individual states and not an EPA-wide accepted policy. Revise the Report to include all analytes with at least one detection as COPECs, unless the analyte was determined to be within background levels. Revise all calculations and text in the Report.

The Permittee must submit a revised Report (two hard copies and two electronic copies) that corrects all the deficiencies identified in this Disapproval. The revised Report must be accompanied by a response letter (also included as an appendix) that details where NMED's comments were addressed and cross-references NMED's numbered comments. In addition, the Permittee must submit an electronic redline-strikeout version of the revised Report that shows where all changes were made to the Report. The revised Report must be submitted no later than **April 3, 2023**.

If the Permittee is unable to revise the Report as directed, and therefore cannot demonstrate the contaminants do not pose an unacceptable risk to human health or the environment, the Permittee shall recommend post-closure care of the Open Detonation Treatment Unit, as specified in Part 4.2 (Clean Closure) of the Permit

If you have any questions regarding this letter, please contact Cristina Eads at (505) 490-5808.

Sincerely,

**Rick Shean**

Digitally signed by  
Rick Shean  
Date: 2023.01.09  
07:38:06 -07'00'

Rick Shean

Chief

Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB  
C. Eads, NMED HWB  
L. King, EPA Region 6 (6LCRRC)  
S. Clark, KAFB

File: KAFB 2022 and Reading