



ENTERED

EA Engineering, Science, and Technology, Inc., PBC

To
Dave Cobrain, Acting Bureau Chief
NMED/Hazardous Waste Bureau

March 1, 2023

Extension Request

Submission of Soil Vapor Monitoring Work Plan
Revised Groundwater Monitoring Work Plan
Active Sampling System Work Plan

Received by

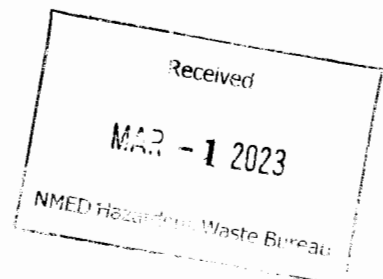
Signature

Printed Name

3-1-23

Date

12:30 pm



KAFB5276



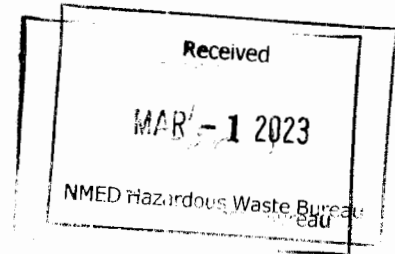


DEPARTMENT OF THE AIR FORCE
377TH AIR BASE WING (AFGSC)

28 February 2023

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

Mr. Dave Cobrain
Hazardous Waste Bureau Acting Chief
New Mexico Environment Department
2905 Rodeo Park Drive East Building 1
Santa Fe NM 87505-6303



Dear Mr. Cobrain

The Air Force is respectfully requesting time extensions for the submission of the Soil Vapor Monitoring Work Plan (current deadline March 1, 2023), the Revised Groundwater Monitoring Work Plan (current deadline March 6, 2023), and the Active Sampling System Work Plan (current deadline April 17, 2023). These work plans are associated with monitoring activities at the Bulk Fuels Facility, Solid Waste Management Units ST-106/SS-111 (BFF site). Additionally, the Air Force requests a meeting with the New Mexico Environment Department (NMED) to discuss the requirements for these work plans in detail and establish an updated submission schedule.

The Air Force requested clarification or reconsideration of multiple statements NMED made in recent correspondence regarding the Air Force's soil vapor and ground water monitoring work plans. NMED provided responses to the Air Force on November 30, 2022, for the Soil Vapor Work Plan, and on January 19, 2023, for the Revised Groundwater Monitoring Work Plan. The January 19, 2023, NMED letter also required the Air Force to submit an Active Sampling System Work Plan. While these response letters provided some additional information regarding what modifications NMED wants in the work plans, the Air Force still has many questions regarding NMED's requests that the Air Force change its sampling methods for both the current sampling activities and the upcoming revised work plans. For example, the Air Force would like to discuss two statements NMED made regarding the internal NMED coordination process on work plans and the Air Force's representation of information. First, the NMED November 30, 2022, letter regarding the soil vapor work plan stated:

"The 2015 NMED-approved Work Plan was not reviewed by the NMED Hazardous Waste Bureau (HWB) technical staff, who would not have approved the changes in methodology that have produced nonrepresentative samples for the past eight years. The new information acquired by the HWB indicates that the Permittee misrepresented as EPA guidance the methods they proposed changing, and nontechnical NMED staff relied on the statements provided by the Permittee to approve work plans without technical review. The work plans should not have been approved as submitted."

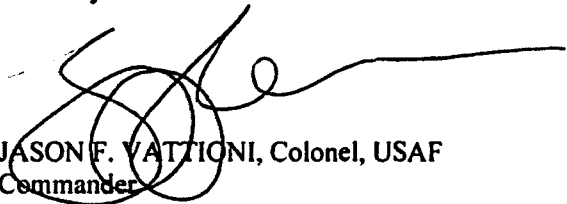
Second, the NMED January 19, 2023, letter regarding the groundwater monitoring work plan stated:

"The plan referenced by the Permittee was approved outside of the Hazardous Waste Bureau without appropriate technical review and relied on the assumption that a valid unbiased evaluation had been performed by the Permittee."

The Air Force does not agree that the NMED approvals, which were reached through good-faith collaboration among many highly qualified Air Force and NMED staff, were approved by "nontechnical NMED staff" or without appropriate technical review. The Air Force also takes very seriously any allegation that it misrepresented any category of information in its submissions to NMED and hopes that these weighty accusations the Hazardous Waste Bureau has made against the Air Force and NMED's own decisions can be addressed when we meet.

In consideration of the above, the Air Force would like to discuss how the Air Force should operate under the current work plans while the Air Force and NMED continue to develop the revised work plans. Until these matters are addressed, the Air Force is unable to submit the revised work plans discussed in this letter. Therefore, the Air Force is requesting an extension of time for all three required work plans until the Air Force and NMED can meet to discuss how the required work plans can be developed in a manner to maintain their past and future integrity as we progress through the corrective action process for the BFF site. Please contact Mr. Ryan Wortman at the commercial line (505) 853-3484 or email ryan.wortman.3@us.af.mil to schedule a meeting between AF and NMED technical staff and counsel.

Sincerely



JASON F. VATTIONI, Colonel, USAF
Commander

cc:

NMED Secretary (Kenney), Hard Copy
NMED Resource Protection Division (Shean), Hard Copy
NMED HWB (Cobrain, Andress), 2 Hard Copies and CD
NMED-HWB (Wear), Hard Copy
NMED Legal (Knight), Electronic Only
NMED GWQB (Romero), Electronic Only
EPA Region 6 (King, McKinney), Electronic Only
AFCEC/CZ (Clark, Kottkamp, Segura), Electronic Only
Public Info Repository, Admin. Record/Info. Repository (AFB/Miranda), Electronic Only
USACE-ABQ District Office (Watts-Gravette, Moayyad, Hernandez), Electronic Only