

Melrose 03

James Bearzi
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State of New Mexico
ENVIRONMENT DEPARTMENT

Office of the Secretary
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502-6110
Telephone (505) 827-2855



BILL RICHARDSON
GOVERNOR

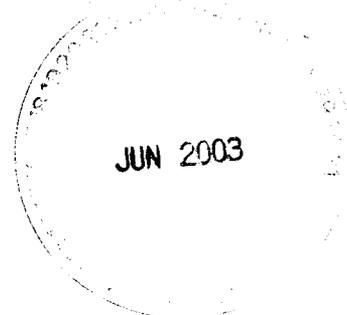


RON CURRY
SECRETARY

DERRITH WATCHMAN-MOORE
DEPUTY SECRETARY

June 23, 2003

Brenda W. Cook
Headquarters Air Combat Command/CEVP
129 Andrews Street, Suite 102
Langley AFB VA 23665-2769



Dear Ms. Cook:

RE: DRAFT ENVIRONMENTAL ASSESSMENT (EA) FOR USE OF WHITE PHOSPHOROUS ROCKETS AT MELROSE AIR FORCE RANGE, CANNON AFB (CAFB), NM

This transmits New Mexico Environment Department (NMED) staff comments concerning the above-referenced Draft Environmental Assessment (DEA).

Surface Water Quality

The U.S. Environmental Protection Agency (USEPA) may require National Pollutant Discharge Elimination System (NPDES) Storm Water Multi-sector General Permit (see **Federal Register/Vol. 65, No. 210/Monday, October 30, 2000**) coverage for this type of facility. Waste deposition areas, soil remediation activities, etc. likely qualify as potential sources of pollution which may affect the quality of storm water discharges, from activities that meet the USEPA definition of "industrial activities" under Sector K and/or L.

Among other things, this permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared for the site and that appropriate Best Management Practices (BMPs) be installed and maintained to prevent, to the extent practicable, pollutants in storm water runoff from entering waters of the U.S.

Although there appears to be little potential to discharge pollutants to "waters of the United States" from the proposed activities, it is likely that Cannon Air Force Base (CAFB) already has NPDES Storm Water Multi-sector General Permit coverage for, at least, the Melrose

Range. The permittee should amend the existing Storm Water Pollution Prevention Plan to incorporate any additional activities and pollutant controls dictated by this proposed action.

Air Quality

The proposed project is in an area that is currently in attainment for all National Ambient Air Quality Standards (NAAQS). Although potential exists in the project for increase of air emissions, the project should not result in non-attainment or violation of air quality standards.

The United States Environmental Protection Agency (EPA) considers white phosphorus a Hazardous Air Pollutant (HAP), although white phosphorus munitions are not included in the published list of source categories that must meet control technology standards for HAPs. When white phosphorus rockets are used, dense white smoke is created; however, no toxic compounds are expected to form in the environment and projected HAP emissions are not significant compared to major source thresholds.

Particulate matter less than 10 micrometers in diameter (PM₁₀) associated with use of white phosphorus rockets has potential to cause short-term, limited effects on visibility. It is likely that frequent high winds would result in insignificant changes in the ambient air quality. An increase in PM₁₀ emissions is not expected to adversely affect any Class I areas in the region or result in exceeding the PM₁₀ NAAQS.

The Air Quality Bureau does not anticipate any air quality related problems as a result of the proposed project.

Hazardous Wastes

The DEA fails to discuss the applicability of RCRA, the HWA, and their Operating Permit at Melrose Air Force Range to their proposed actions. Appendix B lists several Federal statutes and regulations, but does not list any New Mexico statutes and/or regulations, nor does the DEA address CAFB's hazardous waste permit for the Melrose Air Force Range. NMED regulations that CAFB is potentially subject to include, but are not limited to: the Hazardous Waste Act, the Hazardous Waste Management Regulations, the Solid Waste Management Regulations, and the Water Quality Control Commission Regulations.

White phosphorus rockets are "military munitions", as defined in 20.4.1.100 NMAC, incorporating 40 CFR 260.10 (Definitions). According to 20.4.1.700 NMAC, incorporating 40 CFR 266.202(d), military munitions are at least solid waste and "...therefore, is potentially subject to RCRA corrective action authorities under sections 3004(u) and (v), and 3008(h), or imminent and substantial endangerment authorities under section 7003, if the munition lands off-range and is not promptly rendered safe and/or retrieved. Any imminent and

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substantial threats associated with any remaining material must be addressed. If remedial action is infeasible, the operator of the range must maintain a record of the event for as long as any threat remains. The record must include the type of munition and its location (to the extent the location is known)."

CAFB should address their regulatory obligations under the above noted regulations and should specifically discuss the regulatory status of discarded military munition components that land off-range from Melrose Air Force Range.

Please, let us know if you have any questions. We appreciate the opportunity to comment on this document.

Sincerely,



Gedi Cibas, Ph.D.
Environmental Impact Review Coordinator

NMED File No. 1730ER