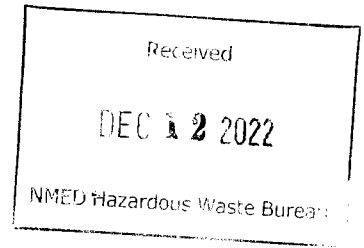




**DEPARTMENT OF THE AIR FORCE
27TH SPECIAL OPERATIONS WING (AFSOC)
CANNON AIR FORCE BASE NEW MEXICO**

ENTERED



Colonel Terence G. Taylor
Commander
27th Special Operations Wing
1 Air Commando Way
Cannon Air Force Base, NM 88103

Mr. Rick Sheen
Chief, Hazardous Waste Bureau
2905 Rodeo Park Drive East Building 1
Santa Fe, NM 87505-6313

RE: Notice of Violation Groundwater Monitoring Field Sampling Plan-Revision 2 Melrose Air Force Range EPA ID # NM5572124456 HWB-MELR-19-002

Dear Mr. Sheen

This responds to your letter, dated October 31, 2022, which said the US Air Force (Air Force) violated the hazardous waste permit for Melrose Air Force Range (MAFR) by not making Field Sampling Plan changes as directed by the Hazardous Waste Bureau in December 2021.

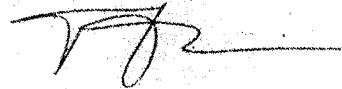
The Air Force cannot make all the changes the Hazardous Waste Bureau directed because doing so would conflict with the Air Force's position in its on-going litigation with NMED over the hazardous waste permit issued to Cannon Air Force Base (AFB) in December 2018. As the Hazardous Waste Bureau knows from several earlier interactions with the Air Force, the Air Force cannot sample for PFAS or other contaminants that are not deemed hazardous under the Resource Conservation and Recovery Act (RCRA, 42 U.S.C. §§ 6901-6992k). The Hazardous Waste Bureau disagreed with this but acknowledged the Air Force's position recently regarding a Facility-Wide Long-Term Groundwater Monitoring Plan for Cannon AFB. Then, on November 1, 2022, the Hazardous Waste Bureau allowed the Air Force to proceed with the scope of work proposed in the monitoring plan because of "consideration for the current regulatory situation for PFAS and the need to collect data for evaluation of other potential groundwater contaminants of concern issues."

The Air Force requests the Hazardous Waste Bureau take a similar approach to the Field Sampling Plan for MAFR: allow the Air Force to revise the Field Sampling Plan for MAFR to incorporate as many of the Hazardous Waste Bureau comments as it can, given the current regulatory situation for PFAS and the need to collect data for evaluation of other potential groundwater contaminants of concern issues. With NMED's concurrence, Cannon AFB will submit the updated FSP by January 20, 2023. This will allow for sufficient time for review, finalizing, and staffing for signature (plus taking the holidays into consideration).

AIR COMMANDOS

Cannon AFB appreciates the valued working relationship established between the Hazardous Waste Bureau and the Air Force. If you have any questions or concerns, please feel free to contact the AFCEC Remedial Project Manager, Mr. Christopher Gierke at (575) 904-6744 or at christopher.gierke@us.af.mil.

Sincerely

A handwritten signature in black ink, appearing to read 'TGT', with a horizontal line extending to the right.

TERENCE G. TAYLOR, Colonel, USAF
Commander

Attachments:

Hazardous Waste Bureau memo, *Approval With Modifications Facility-Wide Long-Term Groundwater Monitoring Plan-Revision 1 Cannon Air Force Base, New Mexico*, November 1, 2022

cc:

NMED HWB (Mr. Gabriel Acevedo)
AFCEC/CZOW (Mr. Chris Gierke)