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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 26, 2011

Thomas A. Ladd, Director
Environment and Safety Directorate
U.S. Army White Sands Missile Range
White Sands Missile Range, New Mexico 88002-5000

**RE: APPROVAL WITH MODIFICATIONS
SUBSURFACE SOIL INVESTIGATION WORK PLAN
SWMU 137, PAINT SHOP SUMP (WSMR-56)
WHITE SANDS MISSILE RANGE
EPA ID # NM 2750211235
HWB-WSMR-11-002**

Dear Mr. Ladd:

The New Mexico Environment Department (NMED) has received the U.S. Army White Sands Missile Range (Permittee) *Revised Subsurface Soil Investigation Work Plan SWMU 137, Paint Shop Sump (WSMR-56)* (Work Plan) dated June 2011. NMED has reviewed the Work Plan and hereby issues this Approval with the following modifications.

Comment 1

Section 1.3.1 (Site Description and History), page 1-3, paragraph 2, states, "C. Martin Company, Inc. currently occupies Building 1742 as the Base janitorial services administrative office space (Shaw, 2011). No cleaning agents are stored in the building and the current owner does use the sump." The Permittee's Notice of Disapproval (NOD) Response 2.a. states that "the current owner does not use the sump." Revise the above statement to clarify if the current owner uses the sump in the Work Plan. Submit replacement pages, as appropriate.

Comment 2

Section 1.3.2.1 (Regional Geology), page 1-4, paragraph 1 references Kelly, 1973 regarding the regional geology. The article references the United States Geological Survey (USGS) Open File Report 72-308 in Section 5.0 (References) on page 5-1. According to the USGS publications website, USGS Open File Report 72-308 is titled the "Annual compilation and analysis of hydrologic data for Escondido Creek, San Antonio River basin, Texas." The Kelly, 1973 report was not listed on the USGS publications website. Provide the correct Open File Report number for the Kelly, 1973 reference in the Work Plan and submit a replacement page for Section 5.0 (References).

Comment 3

Section 3.1 (Problem Definition), page 3-1, states, "[b]ecause SWMU 137 (WSMR-56) is located on the Main Post, background values for arsenic and metals developed for the Main Post as part of the WSMR Soil Background Study (Shaw, 2010) may be used to achieve a [corrective action completed (CAC)] determination for the site." The background study cited by the Permittee has not been approved. The *Final Background Soils RFI Report for the Main Post* (Approval with Reservation, November 7, 2008) must be used to establish if the site qualifies for a CAC determination. The Permittee must submit replacement pages for all sections of the Work Plan to replace all references to the WSMR Soil Background Study with the reference to the Final Background Soils RFI Report for the Main Post.

Comment 4

Section 3.3 (Summary of Intended Use of Previous Investigation Data), page 3-2, paragraph 2, states, "[b]ecause the Phase I RFI reported the periodic removal of the sump sludge and a 2010 site visit reported no material in the sump, this comparison will be used as justification for not collecting additional soil samples associated with the sump, which has not been used since the previous investigation in 1991." Section 1.4.2 (Phase I RCRA Facility Investigation), page 1-9, paragraph 2, states, "[s]ince the sump may have still been in use after the 1991 investigation, additional investigation(s) is warranted at this time." The two statements contradict one another. NMED's June 2, 2011 NOD required the Permittee to collect additional samples associated with the sump. Submit a replacement page that removes the above statement from Section 3.3 from the Work Plan.

Comment 5

Section 4.1.2 (Sump Characterization), page 4-3, paragraph 2, states, "[a] borehole will be advanced through the sump and a soil sample collected directly beneath the sump floor. A second soil sample will be advanced from 9-10 feet bgs." The Permittee's NOD Response 12.e. states, "[t]he soil samples will be collected from a direct push borehole angled so the surface

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projection is directly beneath the sump.” Directional drilling is not appropriate to collect the samples beneath the sump floor. The Permittee must collect the sample directly beneath the sump floor by coring through the concrete and collecting a sample directly beneath the sump floor. Remove all references of directional drilling from the Work Plan and submit replacement pages, as appropriate.

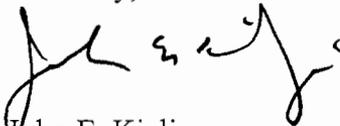
Comment 6

Section 4.1.3 (Sump and Drain Line Abandonment), page 4-4, describes the abandonment activities after completion of the investigation. The Permittee must not abandon the sump or drain line until the investigation report has been approved.

The Permittee must address all comments contained in this Approval with Modifications and submit a response letter with the required replacement pages to NMED by **November 21, 2011**. The Permittee must complete the investigation and submit the investigation report by **April 30, 2012**.

If you have questions regarding this letter please contact Leona Tsinnajinnie of my staff at 505-476-6057.

Sincerely,



John E. Kieling
Acting Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
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File: Reading and WSMR 2011 and HWB-WSMR-11-002