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TOM BLAINE, P.E.  
Director  
Environmental Health Division

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

August 28, 2013

Mr. Gerry Veara, Director  
Public Works (Building 102)  
US Army Garrison White Sands  
U.S. Army White Sands Missile Range  
White Sands Missile Range,  
New Mexico 88002-5000

**RE: DISAPPROVAL  
RELEASE ASSESSMENT REPORT  
SWMUs 107, 116, 117, 118, 121, 122, 123, 125, 126, 137, 153, and 163  
EPA ID# NM2750211235  
WSMR-13-003**

Dear Mr. Veara:

The New Mexico Environment Department (NMED) has completed its review of White Sands Missile Range's (Permittee) *Release Assessment Report SWMUs 107, 116, 117, 118, 121, 122, 123, 125, 126, 137, 153 and 163* (Report), dated January 2013. NMED hereby issues this Disapproval with the following comments.

**Comment 1**

The SWMUs included in the Report are listed in the 2009 RCRA Permit Table 8-2 (SWMUs and AOCs Requiring Corrective Action) as requiring release assessments. The Permittee was required to submit release assessments for these SMWUs because NMED did not have a record of corrective action having been conducted at the sites at the time the Permit was issued. The purpose of submitting a release assessment was to provide NMED with documentation showing whether or not the sites have been investigated. A release assessment is defined as an "assessment of a SWMU or AOC performed after the RCRA facility assessment, but before full site characterization to obtain information for use in focusing subsequent investigations or

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eliminating certain units or areas from further consideration” (20.4.2.7.II NMAC). The Permittee has submitted documentation of investigations conducted at the Rhodes Canyon Subgrade Asphalt Tanks (SWMUs 116, 117, and 118), the Veterinary Clinic and McAfee Clinic Incinerators (SWMUs 125 and 126), the Paint Shop Sump (SWMU 137), and the Vandal Burial Site (SWMU 153). These submittals both meet and replace the requirement for a release assessment report. There is no need to include these sites in the revised Report.

### **Comment 2**

Comment 3 of NMED’s October 26, 2012 *Administratively Incomplete Corrective Action Complete Proposals* stated that the Permittee must, “[r]evise the PMR to submit and/or cite documents showing that SWMUs 107, 121, 122, 123, and 163 have undergone release assessments or equivalent investigations. If release assessments have not been performed, the Permittee may submit plans to conduct the release assessments and then submit permit modification requests once all of the required work is completed and approved by NMED.” The documentation included in the Report is not sufficient to show that release assessments or equivalent (Phase I Environmental Site Assessment) has been performed at SWMU 107 (TTF Evaporation Tank), SWMUs 121, 122, and 123 (Asphalt Tanks at Stallion Range), and SWMU 163 (Abandoned Disposal Trench at New Commissary). Revise the Report to provide an overview of any investigations and cleanup activities performed at these sites and reference the appropriate documents. Demonstrate that the documents have been previously submitted to and reviewed by NMED.

### **Comment 3**

In Section 2.2 (Conclusion) the Permittee states, “SWMU 107 was constructed of steel and installed as an interim storage tank prior to the construction of a new stainless steel tank (SWMU 105). It is unknown whether this unit actually received waste. The potential waste stream is primarily wastewater/condensate with the expected low concentrations of hazardous constituents (methylene chloride); however, there is low potential for release to all media. The suggested action of the RFA was to recommend SWMU 107 for no further action (Kearney, 1988).” A letter dated May 18, 1989 regarding the Proposed Closure Plan Approval included documentation that described the tank’s use at the TTF: “Previously, the liquids [NB: process wastewater] were drained to a polyvinyl chloride (PVC)-lined evaporation pond, which was used until about January, 1985. Leakage from this pond became apparent during 1984. A partially buried 25,000 gallon tank was used for storage on a temporary basis from late 1985 until the stainless steel evaporation tank became available.” Then, in another section (Section 5.1.2) of the documentation included with the May 18, 1989 letter, the *Temporary Evaporation Pond Tank* is described as “presently located in the old evaporation pond ... The tank has a total storage capacity of 25,000 gallons and presently contains 5” to 6” of sludge” indicating that the tank was utilized during its operation. The text goes on to state, “[t]he sludge is a hazardous waste and will be removed and drummed for shipment to the permitted hazardous waste disposal facility. Samples of the sludge will be taken from each of the sample points identified in Figure 5-5 prior to removal and tested to determine if the sludge is restricted from land disposal.

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Samples will not be composited. WSMR may choose not to sample the sludge and will then notify the disposal facility that the sludge is restricted from land disposal. After the sludge is removed, the tank will be removed from the site and cleaned according to the procedures in Attachment A 'Decontamination Procedures for Tanks and Ancillary Equipment.'" In the revised Report, discuss whether or not any of the proposed actions were conducted and the disposition of the tank. Discuss the results of all sampling and analysis was conducted. Reference the documentation that discusses activities relevant to the SWMU.

**Comment 4**

In Section 4.2 (Conclusion), the Permittee states, "[t]he potential for release is moderate to high based on the lack of release controls, the apparent age and condition of the tanks, and unknown nature of the materials managed, and the observed ground stain. No information is available to indicate the contents of these tanks. Based on the VSI, the tanks appear to be abandoned asphalt emulsion tanks. Identification of the contents and confirmation of the integrity of the tanks is warranted. The suggested action of the RFA is to conduct an RCRA Facility Investigation (RFI) at these units (Kearney, 1988)." The RFA conducted by Kearney in 1988 is not a release assessment. The RFA identified potential environmental impacts throughout the facility. See Comment 1 for the definition of a release assessment. Discuss whether or not an RFI was conducted at this site and reference the documentation. Note that if the documentation is dated prior to 1996 NMED may not have access to the documents and it is appropriate to provide copies with the revised Report.

**Comment 5**

In Section 8.2 (Conclusion), the Permittee states, "[b]ased on the site operational history, the potential exists for the release of hazardous constituents to the soil and/or groundwater." In the revised Report, discuss whether or not the site was investigated and reference the documents that discuss any work conducted at the SWMU. See also Comment 4.

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The Permittee must address all comments in this Disapproval and submit a revised Report. The revised Report must be accompanied with a response letter that details where all revisions have been made, cross-referencing NMED's numbered comments and a red-line strikeout version of the Report that shows where all changes have been made. The revised Report must be submitted to NMED no later than **November 4, 2013**.

If you have any questions regarding this letter, please contact Kristen Van Horn at (505) 476-6046.

Sincerely,



John E. Kieling  
Chief  
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB  
N. Dhawan, NMED HWB  
K. Van Horn, NMED HWB  
J. Gallegos, WSMR  
B. Avalos, WSMR

File: WSMR 2013 and Reading  
WSMR-13-003