



ENTERED

NEW MEXICO ENVIRONMENT DEPARTMENT

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Jennifer J. Pruett
Deputy Secretary

January 25, 2021

Brian D. Knight
Environmental Division (Building 163)
U.S. Army White Sands Missile Range
White Sands Missile Range, NM 88002-5000

RE: APPROVAL WITH MODIFICATIONS
REVISION 3 ACCELERATED CORRECTIVE ACTION (ACA) COMPLETION REPORT,
REMEDICATION OF DIESEL CONTAMINATED SOIL AT MULTIPLE SITES:
SWMUS 166 AND 199-214
WHITE SANDS MISSILE RANGE, NEW MEXICO
EPA ID #NM 2750211235
HWB-WSMR-08-004

Dear Mr. Knight:

The New Mexico Environment Department (NMED) has received the White Sands Missile Range (Permittee) Revision 3 Accelerated Corrective Action (ACA) Completion Report, Remediation of Diesel Contaminated Soil at Multiple Sites: SWMUs 166 and 199-214 (Report), dated August 22, 2020 and received August 24, 2020. NMED has reviewed the Report and hereby issues this approval with modifications.

NMED's approval with modifications is based on the information provided by the Permittee in their February 6, 2020 response to NMED's November 14, 2018 fourth disapproval letter and the Permittee's October 20, 2020 response to NMED's September 11, 2020 disapproval letter. The Permittee's October 20, 2020 response presented the 2007 excavation field notes as an additional line of evidence to demonstrate that confirmation sample locations were appropriately selected based on visual and olfactory observations made by field staff during the excavation of contaminated soil. NMED's acceptance of the Permittee's responses to NMED comments does not constitute agreement with all information or every statement presented in the Permittee's responses.

1. Section 3.1.1.1, Groundwater at the Denver Site, page 3-3:

Permittee Statement: “The TPH isoconcentration lines shown on Figure 3 represent the estimated extent of contamination extending below the final depth of the excavation.”

NMED Comment: Figure 3, Approximate Extent of Excavation at the Denver Site does not depict the isoconcentration lines as described in the text. Revise the text in Section 3 to accurately reflect the information depicted in Figure 3.

2. Section 5, Conclusion, page 5-1:

Permittee Statement: “Based on the results of the ACA, WSMR is requesting concurrence from the NMED that SWMU 166 and SWMUs 199-214 meet the requirements for Corrective Action Complete without Controls.”

NMED Comment: WSMR Resource Conservation and Recovery Act Permit (Permit) Appendix 7, Section 7.3.11 states “A section shall discuss the need for further investigation, corrective measures, risk assessment and monitoring, or recommendations for corrective action completed, based on the conclusions provided in the Conclusions section.” The Permittee has appropriately stated their recommendation for Corrective Action Complete (CAC); however, NMED will not make a determination about whether the sites meet the requirements for CAC without Controls until the Permittee has submitted a Class 3 Permit Modification Request to change the status of the sites. Furthermore, SWMU 209 (EC-50 site) requires additional investigation to determine vertical extent of contamination and may require additional corrective action. Revise Section 5 to indicate that not all of the sites currently meet the requirements for CAC without Controls and remove the request for NMED concurrence.

The Permittee must submit replacement pages for NMED’s modifications no later than **May 1, 2021**. The replacement pages must be submitted to NMED in the form of two hard copies and one electronic copy.

Mr. Knight
ACA Diesel Sites SWMUs 166 and 199-214
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Should you have any questions or wish to meet with us to discuss these comments, please contact Rob Murphy at (505) 795-1403.

Sincerely,

Kevin
Pierard

Digitally signed
by Kevin Pierard
Date: 2021.01.25
09:00:00 -07'00'

Kevin M. Pierard, Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
R. Murphy, NMED HWB
B. Avalos, WSMR
J. Smith, WSMR
L. King EPA Region 6 (6LCRRC)

File: WSMR 2020 ACA Diesel contaminated soil SWMUs 166 and 199-214