



Michelle Lujan Grisham
Governor

Howie C. Morales
Lt. Governor

NEW MEXICO  **ENTERED**
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov

CERTIFIED MAIL - RETURN RECEIPT REQUESTED



James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

March 22, 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
PHASE 4 INVESTIGATION WORK PLAN
SWMU 17 WASTE UNDERGROUND INJECTION PIPE
SWMU 22 MAIN POST FORMER FFTA WASTE PILE
SWMU 80 MAIN POST STP SLUDGE WASTE PILE
WHITE SANDS MISSILE RANGE, NEW MEXICO
EPA ID #NM 2750211235
HWB-WSMR-20-007**

Dear Mr. Knight:

The New Mexico Environment Department (NMED) has received the White Sands Missile Range (Permittee) *Phase 4 Investigation Work Plan, SWMU 17 Waste Underground Injection Pipe, SWMU 22 Main Post Former FFTA Waste Pile, and SWMU 80 Main Post STP Sludge Waste Pile (Work Plan)*, dated August 2020 and received by electronic mail on August 10, 2020. The Work Plan was submitted in response to NMED's June 5, 2015 disapproval of the Permittee's *Petition to Perform Class III Modifications to Change the Status of Solid Waste Management Units 12, 14, 16, 17, 22, and 80 from Corrective Action Required to Corrective Action Complete with Controls (Permit Modification Request (PMR))*, dated June 2013. NMED's hereby provides this Approval with Modifications with the following comments.

Modifications:

1. Section 5.1.3, SWMU 17 Soil Samples, page 5-2:

Permittee Statement: "If concentrations are below the 2019 NMED-established residential direct exposure level for waste oil or the 2019 NMED residential [soil screening levels (SSLs)], it will confirm no residual contamination is present at the SWMU and NFA will be recommended in the Investigation Report. If concentrations exceed the 2019 NMED-established residential direct exposure level Risk Assessment Guidance for Site Investigations and Remediation for waste oil or the 2019 NMED residential SSLs, it will confirm that residual contamination is present and human health and ecological risk assessments will be conducted using the investigation results."

NMED Comment: Site-specific soil background study field activities were conducted by the Permittee in 2012 and approved by NMED in 2014. Independent background data sets were developed and evaluated for 23 target analyte list (TAL) metals at SWMUs 17 and 22 (located in the Main Post) and SWMU 80, which are geographically separate areas within WSMR; therefore, it is appropriate for the Permittee to conduct a site attribution analysis and potentially eliminate some constituents through comparison of site concentrations to background levels. Site-specific soil background data associated with SWMU 80 may be used for samples collected from native soil but not for samples collected from backfill material because the source of the backfill material is unknown.

NMED recommends using the process for identifying constituents of potential concern (COPCs) described in NMED's *Risk Assessment Guidance for Site Investigations and Remediation (RAGS) Volume I, February 2019, Rev. 2* (June 2019 or as updated). For organics and inorganics where background data are available, a comparison of site concentrations to appropriate background concentrations may be conducted prior to evaluation of SSLs. Those organics and inorganics that are present at levels indicative of natural background may be eliminated as COPCs and not carried forward to the screening assessment.

2. Section 6.2.1, EM61-MK2 Survey, page 6-2:

Permittee Statement: "This method will provide adequate data resolution and position correlated data (within 1 meter) to meet the survey objectives of determining the presence or absence of a tank signature."

NMED Comment: The purpose of the geophysical survey is to confirm the presence or absence of a vertical discharge pipe rather than a tank. No revision necessary.

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The Permittee must address these comments from this Approval with Modifications and submit an Investigation Report and risk assessment to NMED no later than **March 1, 2022**. The Investigation Report must be submitted to NMED in the form of two hard copies and one electronic copy.

This approval is based on the information presented in the document as it relates to the objectives of the work identified by NMED at the time of review. Approval of this document does not constitute agreement with all information or every statement presented in the document.

If you have any questions regarding this letter, please contact Rob Murphy of my staff at (505) 690-5660.

Sincerely,

**Kevin
Pierard**

Digitally signed by
Kevin Pierard
Date: 2021.03.22
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Kevin M. Pierard, Chief
Hazardous Waste Bureau

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

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