



MICHELLE LUJAN GRISHAM  
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**ENTERED**  
JAMES C. KELLY  
CABINET SECRETARY

**Certified Mail - Return Receipt Requested**

June 28, 2022

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

**RE: DISAPPROVAL  
ACCELERATED CORRECTIVE ACTION WORK PLAN  
SWMU 216, UNDERGROUND STORAGE TANK AT TIMING STATION  
BUILDING 20710, LAUNCH COMPLEX-32  
WHITE SANDS MISSILE RANGE, NEW MEXICO  
DONA ANA COUNTY, WHITE SANDS MISSILE RANGE, NEW MEXICO  
EPA ID #NM 2750211235  
HWB-WSMR-21-014**

Dear Mr. Knight,

The New Mexico Environment Department (NMED) has received the U.S. Army White Sands Missile Range (the Permittee, WSMR) *Accelerated Corrective Action Work Plan, SWMU 216, Underground Storage Tank at Timing Station Building 20710, Launch Complex-32 (Work Plan)*, dated September 2021 and received October 18, 2021. NMED has reviewed the Work Plan and hereby issues this Disapproval with the following comments.

1. The Work Plan is not in compliance with the requirements of NMED's July 30, 2019 *Approval with Modifications, Revised RCRA Facility Investigation Report SWMU 216, Underground Storage Tank at Timing Station, Building 20710, LC-32 (Uncle Site) and SWMU 218, LC-38, Building 23626 (2019 Approval with Modifications)* which states "[t]he Permittee states that the groundwater pathway is incomplete because of the vertical distance between the TPH-DRO concentrations and the depth to groundwater. The depth to groundwater alone is not a sufficient line of evidence to justify that the migration to groundwater pathway is not complete. Additionally, the Permittee based their assumption on the groundwater level measured in a well a mile away. There are no groundwater monitoring wells located at SWMU 216; therefore, the depth to groundwater at the site is unknown." And "[s]ince the potential for impacts to groundwater are unresolved, the Permittee must drill to clean soil to demonstrate that TPH-DRO did not migrate deeper than 25 feet bgs. The Permittee must submit a work

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plan to advance additional borings to sample clean soil from depths below 25 ft bgs. Additionally, the Permittee must propose to install a groundwater monitoring well in order to investigate groundwater conditions beneath SWMU 216.”

Section I.L (Approval of Work Plans and Other Documents) of the 2009 WSMR Resource Conservation and Recovery Act (RCRA) Permit (NM2750211235) (Permit) states “[u]pon NMED approval, all monitoring plans, work plans, and Corrective Measures Evaluation Reports, and associated schedules are incorporated herein by reference, including any approved extensions and required modifications, and become an enforceable part of this Permit.” Therefore, the Permittee must comply with the requirements of NMED’s 2019 Approval with Modifications.

The Work Plan does not include a proposal to install a groundwater monitoring well to investigate groundwater conditions beneath SWMU 216. The Permittee must revise the Work Plan to propose to install a groundwater monitoring well. Groundwater must be monitored for a minimum of 8 quarters to determine if groundwater beneath SWMU 216 has been affected by the release of diesel fuel.

2. SWMU 216 does not meet the Permit requirements for an accelerated cleanup process. Section VI.L (Accelerated Cleanup Process) of the Permit states “[t]he accelerated cleanup process shall be used at sites to implement presumptive remedies at small-scale and relatively simple sites where groundwater contamination is not a component of the accelerated cleanup, where the remedy is considered to be the final remedy for the site, and where the field work will be accomplished within 180 days of the commencement of field activities.”

The Permittee has not determined if groundwater beneath SWMU 216 has been affected by the release of diesel fuel from the underground storage tank and therefore the site does not meet the Permit requirements for the accelerated cleanup process. Additional investigation and cleanup must be conducted as a RCRA Facility Investigation (RFI). Revise the Work Plan to be consistent with the Permit requirements for RFI work plans.

3. **Executive Summary, page ES-1:**

**Permittee Statement:** “Building 20710-A will be moved temporarily in order to excavate the impacted soil directly beneath the building.”

**NMED Comment:** The Permittee’s statement regarding temporarily moving building 20710-A is not further addressed in the Work Plan. Revise the Work Plan to provide a description of the building’s historical use, occupancy, construction, and current status.

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Describe the activities related to moving building 20710-A and propose soil sampling locations from beneath the footprint of the building.

The Permittee must address all comments in this Disapproval and submit a revised Work Plan in the form of two bound hard copies and two electronic copies. A red-line strikeout version of the Work Plan in electronic format must be included showing where all revisions to the Work Plan have been made. The revised Work Plan must be accompanied with a response letter that details where revisions have been made, cross-referencing NMED's numbered comments. The revised Work Plan must be submitted to NMED no later than **August 31, 2022**.

Should you have any questions, please contact Robert Murphy of my staff at (505) 690-5660.

Sincerely,

Digitally signed by  
**Rick Shean**  
Rick Shean  
Date: 2022.06.28  
15:25:56 -06'00'

Rick Shean  
Bureau 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)

File: WSMR 2022 and Reading