



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT
600 ARMY PENTAGON
WASHINGTON, DC 20310-0600

FEB 15 2019

Base Realignment and Closure Division

Mr. John E. Kieling
Chief, Hazardous Waste Bureau
New Mexico Environmental Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313

Re: New Mexico Environmental Department (NMED) January 24, 2019 Denial of Extension Request for Fort Wingate Depot Area (FWDA) Parcel 11, RCRA Facility Investigation Phase 2 Work Plan

Dear Mr. Kieling:

The FWDA BRAC Environmental Coordinator, Mr. Mark Patterson recently requested an extension of Parcel 11 RFI Phase 2 Work Plan to 31 December 2019, and I would like to reiterate that request. NMED'S 31 day extension to 25 Feb 2019 is not sufficient for the Army to accomplish the required revisions because there is no longer a contract in place to complete the work.

This requirement to revise the Parcel 11 work plan is unfunded and un-resourced due to the expiration of the contract mechanism. Army Headquarters is currently evaluating my request for additional funding for the BRAC environmental program requirements for Fiscal Years 20-25. My staff is in the process of evaluating resource requirements for more than fifty installations closed or realigned under the BRAC authority and we must compete with the entire Army and within the Department of Defense for environmental remediation funding. An important objective of the Army continues to be fulfillment of its remedial action obligation under RCRA at FWDA and all installations, active or closed. It is an operational imperative that NMED reconsider and grant the extension as initially requested.

We are evaluating whether the lack of funding supports a permit modification request under Section I.F.2 of the current permit for anticipated noncompliance, in accordance with 40 CFR 270.42 and New Mexico regulations. At the time the current permit was signed, the Army and NMED were working cooperatively under an aggressive remediation timeline but it is becoming clear that these timelines were too aggressive and will not be met, even at sites with sufficient funding. While the BRAC Division analyzes options to modify compliance schedules, and

submits individual schedule extensions, we will continue to execute over \$110 million dollars in funding available on current contracts on remediation at multiple locations at FWDA, notably the Hazardous Waste Management Unit (HWMU)/Inner Fence and the TNT Beds projects. Although only a small percentage of the funds currently on contract are for other projects, the Army will continue to move them forward when additional funding, staff, and contracting resources become available.

Should you or your staff have questions concerning this request, please do not hesitate to contact me or my point of contact, Mr. Ian Thomas, FWDA Program Manager at (703) 545-2536 or email: ian.m.thomas2.civ@mail.mil.

Sincerely,



Thomas E. Lederle
Chief, BRAC Division
Office of the Assistant Chief of Staff
for Installation Management

CF:

Dave Cobrain, NMED HWB
Ben Wear, NMED HWB
Chuck Hendrickson, USEPA Region 6
Steve Smith, USACE, Fort Worth
Heather Theel, USACE, ERDC
Clayton Seoutewa, BIA
George Padilla, BIA/NRO/DECSM
Sharlene Begay-Platero, Navajo Nation IDR
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FWDA Admin Record, Ohio
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Christy Esler

From: Christy Esler <cesler@sundance-inc.net>
Sent: Tuesday, February 19, 2019 3:32 PM
To: john.kieling@state.nm.us
Cc: (dave.cobrain@state.nm.us); Ben Wear (benjamin.wear@state.nm.us); hendrickson.charles@epa.gov; Steven Smith (steve.w.smith@usace.army.mil); Theel, Heather J ERDC-EL-MS; Clayton Seoutewa; george.padilla@bia.gov; Sharlene Begay-Platero; B.J Howerton; Mark Harrington; Eugenia Quintana (eugeniaquintana@navajonnsn.gov); Jennifer Turner
Subject: Denial of Extension Request, 24 Jan 2019, Parcel 11 RFI Phase 2 WP- Fort Wingate Depot Activity
Attachments: NMED Jan 24_2019_Denial of Ext Request_FWDA_Parcel 11 RFI Phase 2 WP_15Feb2019.pdf

Mr. Kieling,

Please see the attached letter regarding the January 24, 2019 Denial of Extension Request for Fort Wingate Depot Activity, Parcel 11 RCRA Facility Investigation Phase 2 Work Plan.

Should you or your staff have questions concerning the attached, please contact Mark Patterson at 505-721-9770 or Ian Thomas, FWDA Program Manager at 703-545-2536.

Respectfully submitted,

Christy Esler | Program Manager

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