



Certified Mail - Return Receipt Requested

April 3, 2023

George H. Cushman
Headquarters, Department of the Army
Office of the DCS, G-9
Army Environmental Office, Room 5C140
600 Army Pentagon
Washington, DC 20310-0600

**RE: RESPONSE TO APPROVAL WITH MODIFICATIONS
FINAL REVISION 2 INTERIM MEASURES COMPLETION REPORT
PARCEL 21, SOLID WASTE MANAGEMENT UNIT 1 - TNT LEACHING BEDS
FORT WINGATE DEPOT ACTIVITY
MCKINLEY COUNTY, NEW MEXICO
EPA ID# NM6213820974
HWB-FWDA-19-006**

Dear Mr. Cushman,

The New Mexico Environment Department (NMED) is in receipt of the Fort Wingate Depot Activity (FWDA or Permittee) *Response to Approval with Modifications, Final Revision 2 Interim Measures Completion Report Parcel 21, Solid Waste Management Unit 1 – TNT Leaching Beds* (Response), dated September 30, 2022. NMED has reviewed the Response, and hereby issues this reply with the following comments.

COMMENTS

1. Permittee's Response to NMED Letter Comment 1a, dated June 6, 2022

Permittee Statement: "[T]he Army proposes to include consideration of this remaining contamination in the resumption of work on the Parcel 21 RCRA Facility Investigation (RFI), which is scheduled to begin in 2023. If the RFI identifies the need for additional remedial action at the stockpile areas, the Army will address the need at that time."

NMED Comment: Note that the RDX concentrations in all soil samples collected from Soil Stockpile Areas 1 and 2 remain significantly above the NMED SL-SSL of 0.06 mg/kg; therefore, the Permittee is required to investigate the stockpile areas and remediate the residual contamination. In a response letter, provide a proposed date for submittal of the referenced work plan for NMED review.

2. Permittee's Response to NMED Letter Comment 1a, dated June 6, 2022

Permittee Statements: "The IMWP only references SL-SSLs for contaminants of concern (i.e., TNT, RDX, nitrate)."

and,

"Text has been added to Section 5.8 noting that analytes were not detected in pre- or post-use sample results."

NMED Comment: Section 5.8 (Closure Soil Staging Area), page 5-15, states, "HMX, RDX, and TNT were detected at low levels (less than direct contact SSLs and ESLs) with maximum concentrations of 1.12, 6.05, and 1.08 mg/kg, respectively." The SL-SSLs for RDX and TNT are 0.06 and 0.86 mg/kg, respectively; therefore, these contaminant concentrations in soil exceed their respective SL-SSLs. Stating that the soil concentrations did not exceed direct contact SSLs, while failing to state that residual contamination remains that exceed their respective SL-SSLs in the soil samples is misleading. State that residual contamination in excess of NMED's SL-SSLs remains in the soil staging areas in the revised Report. Provide replacement pages or reference the sections of the Report where this information is provided in the response letter.

Permittee's Response to NMED Letter Comment 1a, dated June 6, 2022

Permittee Statement: "Figure 5-18 has been added, which identifies Areas 1 and 2 decision units with post-use analyte concentrations that exceed SL-SSLs."

NMED Comment: Figure 5-18 (Post-Use Stockpile Results) does not identify the sampling locations where analyte concentrations exceed respective SL-SSLs. Correct the figure to identify the locations of the exceedances identified in Tables 5-24 and 5-25 and provide a replacement figure.

The Permittee must address all comments in this letter and submit an electronic version of the revised Report, a response letter, and replacement pages no later than **June 30, 2023**. The response letter must identify where each comment was addressed in the revised Report.

Should you have any questions, please contact Michiya Suzuki of my staff at (505) 690-6930.

Sincerely,



Dave Cobrain
Program Manager
Hazardous Waste Bureau

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cc: B. Wear, NMED HWB
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