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Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

November 23, 2010

Mark Patterson
Ravenna Army Ammunition Plant
Building 1037
8451 State Route 5
Ravenna, OH 44266

Steve Smith
CESWF-PER-DD
819 Taylor Street, Room 3A12
PO Box 17300
Fort Worth, TX 76102-0300

**RE: APPROVAL
SOIL BACKGROUND STUDY AND
DATA EVALUATION REPORT (VERSION 2)
FORT WINGATE DEPOT ACTIVITY, NEW MEXICO
EPA ID# NM6213820974
FWDA-10-004**

Dear Messrs. Patterson and Smith:

The New Mexico Environment Department (NMED) received the Department of the Army's (the Permittee) *Soil Background Study and Data Evaluation Report (Version 2)* (Report), dated October 2010 submitted pursuant to Section VII.L of the Fort Wingate Hazardous Waste Facility Permit. Based on the information presented in the Report, NMED hereby approves the Report with the following clarifications.

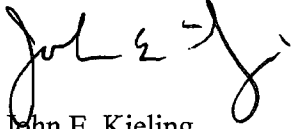
In Appendix A (Annotation of Written Comments), Comment 3, the Permittee indicated that pooling of the background data was acceptable and that no changes to the Report were made. The data for the Ponderosa Woodland ecological (eco) zone appeared slightly elevated for some metals compared to the other eco zones. The intent of NMED's comment was to allow the Facility the option to conduct a refined comparison (e.g., tiered approach) of site data to background for this specific zone if, upon first evaluation, the site data were found to exceed background levels. The Permittee did not use a tiered approach and intends to apply the single

pooled background dataset. NMED concurs with the approach used for this study; however, the Permittee must understand that if there are exceedances in this eco zone, the Permittee will be required to retain the metals as potential contaminants.

Additionally, in Appendix A (Annotation of Written Comments), Comment 6, based on the Permittee's comment resolution, it appears a more rigorous test for outliers was conducted as requested by NMED. Based on the results, the test confirmed that there is a potential outlier for arsenic. In the comment resolution, the Permittee states that an outlier may be representative of natural background, but may be unusually high. While it is preferred that this particular datum is removed as an outlier and the background statistics for arsenic be recalculated, given that the datum did not significantly change the background reference value, no changes at this time are necessary. However, for future studies, the Permittee must ensure that outliers are removed from the data set prior to calculating statistics.

If you have any questions regarding this letter, please contact Tammy Diaz-Martinez of at (505) 476-6056.

Sincerely,



John E. Kieling
Manager
Permits Management Program

cc: Tammy Diaz-Martinez, NMED HWB
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