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Governor

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DAVE MARTIN
Secretary

RAJ SOLOMON, P.E.
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 27, 2011

Mark Patterson
BRAC Coordinator
Ravenna Army Ammunition Plan
Building 1037
8451 State Route 5
Ravenna, OH 44266

Steve Smith
USACE FWDA Program Manager
CESWF-PER-DD
819 Taylor Street, Room 3B06
PO Box 17300
Fort Worth, TX 76102-0300

**RE: FINAL DECISION
CORRECTIVE ACTION MANAGEMENT UNIT PERMIT MODIFICATION
FORT WINGATE DEPOT ACTIVITY, EPA ID # NM6213820974
HWB-FWDA-07-006**

Dear Messrs. Patterson and Smith:

On June 27, 2011, New Mexico Environment Department (Department) Secretary Dave Martin signed a Final Order for a permit modification to the Fort Wingate Depot Activity Hazardous Waste Facility Permit (Permit) for the construction and operation of a Corrective Action Management Unit.

A public comment period was held from March 10, 2011 to May 9, 2011 on the draft Permit. Comments were received from the U.S. Environmental Protection Agency. The draft Permit was revised by the Department in response to the comments received.

The Permit becomes effective thirty days after the date of the Secretary's Final Order and may be appealed under the provisions of 20.4.1.901(H) NMAC and § 74-4-14 of the Hazardous Waste Act.

Enclosed are the Final Order, the modified Permit and response to comments. The response to comments include explanations for changes made to the draft permit in preparing the final Permit pursuant to 20.4.1.901.A(9) NMAC. These documents can also be viewed on the Department's website at <http://www.nmenv.state.nm.us/hwb/fwdaperm.html> under Corrective Action

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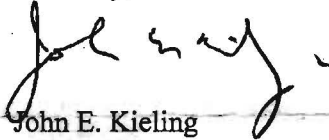
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Messrs. Patterson and Smith
June 27, 2011
Page 2

Management Unit Permit Modification.

Please contact Shannon Duran of my staff at 505-476-6058 if you have questions regarding this letter.

Sincerely,



John E. Kieling
Acting Chief
Hazardous Waste Bureau

cc: Shannon Duran, NMED HWB
Dave Cobrain, NMED HWB
Laurie King, U.S EPA Region 6
Chuck Hendrickson, U.S. EPA Region 6
Darrell Tsabetsaye, Pueblo of Zuni
Steve Beran, Pueblo of Zuni
Tony Perry, Navajo Nation
Jason John, Navajo Nation
Eugenia Quintana, Navajo Nation
Clayton Seoutewa, Southwest Region BIA
Rose Duwyenie, Navajo BIA
Judith Wilson, BIA
Eldine Stevens, BIA
Ben Burshia, BIA

File: Reading and FWDA 2011 file
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**FORT WINGATE DEPOT ACTIVITY
CORRECTIVE ACTION MANAGEMENT UNIT
CLASS 3 PERMIT MODIFICATION
RESPONSE TO COMMENTS**

	TOPIC AREA OR PERMIT LOCATION	COMMENT SUMMARY	NMED RESPONSE TO COMMENT	CHANGE MADE TO PERMIT Yes/No
1	Section IX.B.2	"Soil excavated for the demolition pits shall be staged in the CAMU and then replaced at the conclusion of each day's activities." Application of this requirement is unclear to me. Does it refer to soil excavated for construction of the pits, to soil excavated for the day's treatment operation, or both? I suggest some minor edit be done to clarify the intent.	The sentence refers to the construction of the pit or pits excavated for each treatment event. The pit or pits will be constructed at the same location(s) for each treatment event and backfilled daily after each treatment is complete.	No
2	Attachment 1, 9th para., 6th line; Attch. 9, Sec. 2, 1st para., 7th line; Attch. 9, Sec. 2.2, 1st line	To be consistent with Permit requirement IX.B.2, add "up to", resulting in "contains up to five demolition pits."	The Permit has been modified to add the modifier "up to" at the locations specified in the comment.	Yes
3	Attachment 9, Section 6.2	"no less than 50 subsamples must be collected from each decision unit." If the facility applies this requirement as they did in their Parcel 21 field work, they will divide that number by the number of sampling depths they have, resulting in 25, 17, or 13 subsamples per sample. [The methodology recommends at least 30 subsamples per MI sample (Method 8330b, Appendix A, page A-13).] I suggest changing "from each decision unit" to "for each MI sample." I also recommend that NMED consider requiring fewer subsamples for subsurface samples than for surface samples, considering the added time, effort and potential safety hazards involved in subsurface sampling.	MI sampling is required for surface sample collection to evaluate for the presence of kickout or emissions resulting from treatment operations. The results of MI sampling will be used to determine the locations for collection of subsurface soil samples as necessary. Therefore, the collection of 50 subsamples is appropriate.	No

FORT WINGATE DEPOT ACTIVITY CORRECTIVE ACTION MANAGEMENT UNIT CLASS 3 PERMIT MODIFICATION RESPONSE TO COMMENTS				
	TOPIC AREA OR PERMIT LOCATION	COMMENT SUMMARY	NMED RESPONSE TO COMMENT	CHANGE MADE TO PERMIT Yes/No
4	Attachment 9, Table 1 and Attachment 14, Table 2	Add Method 1311 (TCLP) for the explosive 2,4-DNT since 2,4-DNT is also a TCLP COC.	Permit Attachments 9 Table 1 and 14 Table 2 have been modified to reference EPA Method 1311 in the rows listing 2,4-DNT. A footnote also has been added to clarify the purpose of the toxicity characteristic leaching procedure.	Yes
5	Attachment 14, Section 14.3.1, 2nd para., 5th line	Add "and 2,4-DNT" after "metals" since 2,4-DNT is also a TCLP COC.	A reference to 2,4-DNT has been added to the referenced paragraph. A footnote also has been added to clarify the purpose of the toxicity characteristic leaching procedure.	Yes
6	Attachment 15, Section 15.2.3	The contingency plan's emergency coordinator, titled Installation On Scene Coordinator (IOSC) in this plan, is assumed in the plan to actually be on site, and several IOSC duties require the IOSC to be on site to perform them adequately. However, this plan designates the facility BEC as the IOSC; since the Ft. Wingate Depot Activity BEC is typically physically in Ohio, this arrangement is unworkable. The contingency plan should be revised to correct this problem.	Permit Attachment 15, Section 15.2.3 has been modified to reference a designated alternate when the BEC is not on site.	Yes
7	Section 9, Attachment 1, Attachment 9 and Attachment 14	General proofing edits	Several typographical errors were identified and corrected as necessary.	Yes