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NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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RYAN FLYNN
Cabinet Secretary - Designate

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Deputy Secretary

THOMAS SKIBITSKI
Acting Director
Resource Protection Division

May 22, 2013

Richard Cruz
BRAC Site Manager
Fort Wingate Depot
Box 268
Fort Wingate, NM 87316

**RE: COMPLIANCE EVALUATION INSPECTION
FORT WINGATE DEPOT
EPA ID# NM6213820974**

Dear Mr. Cruz:

On April 4, 2012 the New Mexico Environment Department (NMED) conducted a hazardous waste Compliance Evaluation Inspection at Fort Wingate Depot, located approximately 8 miles east of Gallup. Based on that inspection and review of the information obtained, the NMED determined that your facility was a Conditionally Exempt Small Quantity Generator (CESQG) of hazardous waste at the time of the inspection, as defined in the Notification of Regulated Waste Activity Instructions (EPA Form 8700-12).

The latest information received by NMED regarding Fort Wingate Depot's generator status was a Hazardous Waste Report, *i.e.*, Biennial Report (BR), received on February 6, 2008 and identifying the facility as a Large Quantity Generator (LQG) of hazardous waste. Our records show that your facility has not submitted a BR the last 2 cycles, *i.e.*, 2010 and 2012. Please understand that NMED allows facilities to protectively file at a higher generator status due to episodic generation of wastes, but note that doing so causes considerable confusion during our inspections and record reviews, and may result in a requirement that you provide records that would otherwise be unwarranted. If you anticipate that your facility will continue to generate

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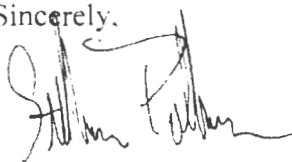
CESQG amounts of hazardous wastes for the foreseeable future, NMED requires that you revise your generator status by submitting an updated EPA form 8700-12 to my office.

Ft. Wingate Depot is an Army Depot which was decommissioned in 1993. It has been permitted by the Hazardous Waste Bureau for the Closure of the Open Burn/Open Detonation Unit and the operation of a Corrective Action Management Unit. In general the facility generates waste military munitions and remediation wastes.

The NMED observed no violations of the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC) during the inspection and no further action is required of the facility at this time except as noted above. This letter does not relieve Fort Wingate Depot of its obligation to comply with any other applicable laws and regulations.

If you have any questions regarding this letter, please contact either myself at (505) 476-6044 or Michael Duran of my staff at (505) 660-1886 or michael.duran@state.nm.us. Please address any written response to my attention at the address on the letterhead.

Sincerely,



Steve Pullen
Manager
Compliance & Technical Assistance Program

SP: msd

cc: Steve Pullen, Manager C&TA Program
Michael Duran, NMED HWB
Shannon Duran, NMED HWB
William Chavez, NMED District I Manager

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