



Michelle Lujan Grisham
Governor

Howie C. Morales
Lt. Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov



James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 29, 2021

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: APPROVAL WITH MODIFICATIONS
FINAL HAZARDOUS WASTE MANAGEMENT UNIT PROGRESS STATUS REPORT, 2012 –
2018, ARMY'S RESPONSE TO NEW MEXICO ENVIRONMENT DEPARTMENT LETTER OF
DISAPPROVAL DATED NOVEMBER 20, 2020
FORT WINGATE DEPOT ACTIVITY
MCKINLEY COUNTY, NEW MEXICO
EPA ID# NM6213820974
HWB-FWDA-20-005**

Dear Mr. Cushman:

The New Mexico Environment Department (NMED) is in receipt of the Fort Wingate Depot Activity (Permittee) *Final Hazardous Waste Management Unit Progress Status Report, 2012 – 2018, Army's Response to the New Mexico Environment Department Letter of Disapproval dated November 20, 2020* (Response), dated March 12, 2021. NMED has reviewed the Response and hereby issues this Approval with Modifications with the attached comments. The Permittee must address the comments in the attachment to this letter in the upcoming 2020 Hazardous Waste Management Unit Progress Report due to NMED on June 30, 2021.

Mr. Cushman
March 29, 2021
Page 2

This approval is based on the information presented in the document as it relates to the objectives of the work identified by NMED at the time of review. Approval of this document does not constitute agreement with all information or every statement presented in the document.

Should you have any questions, please contact Michiya Suzuki of my staff at 505-476-6046.

Sincerely,

**Kevin
Pierard**

Digitally signed by Kevin Pierard
Date: 2021.03.29 09:26:34 -06'00'

Kevin M. Pierard, Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
B. Wear, NMED HWB
M. Suzuki, NMED HWB
L. McKinney, EPA Region 6 (GLCRRRC)
L. Rodgers, Navajo Nation
S. Begay-Platero, Navajo Nation
M. Harrington, Pueblo of Zuni
A. Whitehair, Southwest Region BIA
G. Padilla, Navajo BIA
J. Wilson, BIA
B. Howerton, BIA
R. White, BIA
C. Esler, Sundance Consulting, Inc.
M. Falcone, USACE

File: FWDA 2021 and Reading

Attachment

1. Discrepancy in the Numbers for the NMED's Comment and the Permittee's Corresponding Response

NMED Comment: Comment 1 in the NMED's November 20, 2020 *Disapproval* was not numbered in the Response. Consequently, the numbers for the NMED's comment do not match with the numbers for the Permittee's corresponding reply in the Response. NMED's comment numbers and the Permittee's corresponding response must be consistent in future correspondences. No revision required.

2. Permittee's Response to NMED's Disapproval Comment 10, dated November 20, 2020

Permittee Statement: "Until recently, laboratory instrumentation did not allow for the N-Nitrosodimethylamine detection limit to meet the screening level. The Army is aware of this issue and recognizes the NMED considers this a data quality exception. The Army is currently working with the NMED on resolution of this issue."

NMED Comment: The February 1, 2021 email from Mr. Wear of NMED to Mr. Cushman of FWDA provides a clarification and direction regarding the analytes where LOQ exceeds the applicable screening levels. The email requests specific information be provided for NMED's evaluation of this recurring issue. The NMED's *Approval with Modifications Revised Final 2022 Interim Northern Area Groundwater Monitoring Plan*, dated March 8, 2021, directed the Permittee to provide an anticipated date when the requested information will be submitted to NMED in the response letter. This comment serves as a reminder; no revision is required.

3. Permittee's Response to NMED's Disapproval Comment 15, dated November 20, 2020

Permittee Statement: "The item [(2,000-pound general purpose bomb)] was recovered at approximately 18 feet below ground surface during excavation sloping activities at along the southwestern HWMU boundary."

NMED Comment: Materials potentially presenting an explosive hazard (MPPEH) are potentially present at a depth approximately 18 feet below ground surface (bgs) in the HWMU. If final excavation depths in an excavation grid are shallow, post-excavation digital geophysical mapping (DGM) may not be able to detect potential presence of MPPEH at greater depths below the ground surface. Provide details of the depth detection capabilities of the DGM in the 2020 Hazardous Waste Management Unit Progress Report.