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Certified Mail - Return Receipt Requested

October 7, 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 WORK PLAN INNER FENCE, PARCEL 3 REVISION 4.0
FORT WINGATE DEPOT ACTIVITY
MCKINLEY COUNTY, NEW MEXICO
EPA ID# NM6213820974
HWB-FWDA-17-001**

Dear Mr. Cushman,

The New Mexico Environment Department (NMED) is in receipt of the Fort Wingate Depot Activity (Permittee) *Final Work Plan Inner Fence, Parcel 3 Revision 4.0* (Work Plan), dated August 13, 2021. NMED has reviewed the Work Plan, and hereby issues this Approval with Modifications with the following comments.

- 1. Permittee's Response to NMED's Disapproval Comment 1, Item b and Comment 6, dated July 1, 2020, and Section 3.7.10.2, Incremental Soil Sampling Procedures, Soil Sample Analyses, lines 5-9, page 3-21**

Permittee Statements: "Buffer area sampling using ISM will be conducted as described in Section 3.7.10.2." and, "The buffer area grid samples will be sampled for VOCs (Method 8260B), target analyte list metals (Method 6010B/6020A/7471B), SVOCs (Method 8720D), explosives (Method 8330B), PCBs (Method 8082A), nitrate (Method 9056A), cyanide (Method 9014), dioxins/furans (Method 8290), and perchlorate (Method 6850)."

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Hazardous Waste Bureau - 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico 87505-6313
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NMED Comment: It is not clear whether the Permittee proposes to use the incremental sampling methodology (ISM) for all analytes listed in the latter statement. Note that ISM cannot be used for Volatile Organic Compound (VOC) and Semi-volatile Organic Compound (SVOC) analyses. Discrete soil samples must be collected for VOC and SVOC analyses. Although ISM may be used for explosives and metals analyses, the applicability of ISM for PCBs, nitrate, cyanide, dioxins/furans, and perchlorate analyses is questionable. Provide a table presenting the proposed sampling methodologies (e.g., incremental or discrete), and the associated analytes (e.g., VOCs, SVOCs, metals, explosives, PCBs, nitrate, cyanide, dioxins/furans, and perchlorate), and explain the applicability of the selected sampling methodology for each analyte group. Provide replacement pages, as appropriate.

2. Permittee's Response to NMED's Disapproval Comment 3, dated July 1, 2020

Permittee Statement: "This WP does not contain the annual inspection and removal details as these will be provided by the Army at a later date. However, in accordance with the RCRA Permit (Section IV.E), the Army will conduct annual inspections of the Kickout Area (which includes the Inner Fence Area) and remove all observed military munitions after the initial removal of military munitions is complete. Currently the military munitions removal actions of the Inner Fence are not complete. Once the removal actions are complete, the inspections and removals will be conducted in accordance with an NMED-approved WP."

NMED Comment: The Permittee must submit a separate Post-Closure Care Plan as a permit modification that includes a provision for long term inspections and clearance activities in the Kickout Area within 90 calendar days after completion of the removal action activities at the Inner Fence Area. The Permittee is also reminded that the remedy completion report summarizing the removal action activities must be submitted within 180 calendar days after completion of work in accordance with Permit Section III.B.4.

3. Permittee's Response to NMED's Disapproval Comment 5, dated July 1, 2020

Permittee Statement: "The third paragraph of Section 3.7.9 states that control lanes will be approximately 5 feet in width."

NMED Comment: NMED's Disapproval Comment 5 states, "[t]ypically, the transects within each grid are three to four feet apart. This allows for a swing range of 1.5 to two feet," and "[i]f a larger transect width was employed, it is likely MEC below the top 12 inches would not be detected using the hand-held magnetometers." The proposed transect width is wider than the typical transect widths and may not allow enough sensitivity to detect Munitions and Explosives of Concern (MEC) deeper than 12 inches below ground surface (bgs). Although Table 3-1, *Type and Depth of MEC Removed*, page 84 of 138, indicates that the MEC recovery depths were recorded as less than 12 inches bgs, MEC may potentially be present below 12 inches bgs. Propose a narrower transect width (e.g., typical transect widths) to allow detection of MEC below 12 inches bgs or provide a justification for why the

proposed transect width of 5 feet is acceptable in the response letter. Provide replacement pages for the revised Work Plan.

4. Permittee's Response to NMED's Disapproval Comment 7, dated July 1, 2020

Permittee Statement: "However, the Army and NMED have previously agreed that the FWDA site-specific background data study is acceptable for both discrete and ISM samples due the background study population size (i.e., >100 samples). Therefore, ISM sample results from the Inner Fence may be compared to the site-specific background concentrations (specifically the Upper Confidence Limits)."

NMED Comment: The Permittee's statement is misleading and inaccurate. Comment 7 of the NMED's July 1, 2020 Disapproval clearly states that the use of discrete data to evaluate incremental sampling (IS) data is not appropriate and background IS must be conducted for quantitative comparison to site IS data. The position of NMED remains unchanged. NMED previously agreed that the discrete background data may be compared to the site IS data to discuss qualitative lines of evidence. Revise all applicable sections of the Work Plan and provide replacement pages.

The Permittee must address all comments in this letter and provide replacement pages as well as electronic copies of the revised Work Plan, both clean and red-line strikeout (RLSO) versions, no later than **December 31, 2021**.

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) 690-6930.

Sincerely,



Ricardo Maestas
Acting Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
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