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**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

November 24, 2015

Mark Patterson  
FWDA, BRAC Coordinator  
P.O. Box 93  
Ravenna, OH 44266

Steve Smith  
USACE FWDA Program Manager  
CESWF-PEC-EF  
819 Taylor Street, Room 3A12  
Fort Worth, TX 76102

**RE: DISAPPROVAL  
FINAL WORK PLAN PARCEL 22 SOLID WASTE MANAGEMENT UNITS 12,  
27, 70 AND AREAS OF CONCERN 88A AND 88B  
FORT WINGATE DEPOT ACTIVITY  
MCKINLEY COUNTY, NEW MEXICO  
EPA ID# NM6213820974  
HWB-FWDA-15-013**

Dear Messrs. Patterson and Smith:

The New Mexico Environment Department (NMED) has reviewed the *Final Work Plan Parcel 22 Solid Waste Management Units 12, 27, 70 and Areas of Concern 88A and 88B* (Plan), dated April 17, 2015 and received June 1, 2015, for Fort Wingate Depot Activity (Permittee). NMED hereby issues this Disapproval. The Permittee must address the following comments.

**General Comments:**

**1. Overall goal**

**NMED Comment:** The goal of the proposed work in the Plan is unclear. While the Plan indicates that the goal is to conduct additional investigation in selected parcels and defines the data quality objective as being to determine the presence or absence of munitions and explosives of concern (MEC), the Plan does not define the end regulatory status. The underlying assumptions that are used in the statistical determination of the number of

anomalies to be investigated assume that there is an absence of MEC. The Permittee does not specify what course of action will be taken for a particular Solid Waste Management Unit (SWMU) or Area of Concern (AOC) should MEC be identified.

Also, munitions debris (MD) has been observed at these sites during previous investigations. Knowing that these sites are slated to be transferred to Department of the Interior, provide a discussion as to why investigation of 100% of the anomalies is not the appropriate approach for these locations.

## 2. Estimation Methodology

While Appendix J provides some of the algorithms for the Estimating a Proportion Method, it appears that the program Visual Sample Plan (VSP) may have actually been used to determine the sample sizes for the digital geophysical mapping (GPM). Clarify if VSP was used or if the equations shown in Appendix J were used in a spreadsheet. Provide either the input/output files for VSP or the spreadsheets used to determine the sample sizes.

## 3. Limits of Investigation

Figures 5-2, 6-2, 7-2, 8-2, and 8-5 all show many anomalies scattered along the edges of the Geophysical Boundaries of each site. Provide a description of how the investigation areas will be expanded should MEC or MD be located near the boundaries and to verify that the lateral extent of the survey was adequate to fully assess the areal extent of potential MEC and MD.

### Specific Comments:

## 4. Section 4.3, Data Quality Objectives, page 4-4

**NMED Comment:** The maximum depth of anomaly investigation is set at four feet (ft) below ground surface (bgs). It appears that this depth was based on site history in SWMU 70 where testing by detonation included burying items to a depth of 4 ft bgs. Clarify the basis for the maximum depth of four ft bgs.

In addition, the report indicates that if items are found at a greater depth, the USACE will be contacted, but it is not clear whether additional investigations of deeper anomalies will be conducted. However, when munitions are buried for treatment via detonation, there is kickout where munitions and/or munitions debris can be forced downward. This is especially true if multiple detonations have occurred in the same location. For risk assessment purposes, depths of up to 10 ft bgs are typically considered as that is the reasonable intrusive depth defined for both residential and construction workers. Further, the proposed Dynamic NanoTEM system only allows for detection of items to six feet. If the intent of this field effort is to obtain a closure with no controls and unrestricted land use, discuss how risks are to be mitigated from items buried between four and 10 ft bgs and how uncertainty for buried

items between six and 10 ft bgs (outside the range of the proposed instrumentation) will be addressed.

**5. Section 4.4.2, Health and Safety, page 4-6**

**Permittee's Statement:** "The project-specific Accident Prevention Plan / Site Safety and Health Plan (APP/SSHP) is included in Appendix D."

**NMED Comment:** The APP/SSHP was not included in Appendix D. However, NMED does not review or approve health and safety work plans. Remove the statement above from the revised Plan.

**6. Section 6.4, Scope of Activities, page 6-7**

**NMED Comment:** Of the 2,666 anomalies detected in SWMU 27, only 336 will be intrusively investigated. This number appears proportionately low compared to the other SWMUs. Please verify the calculations. In addition, for land that is anticipated to be transferred from U.S. Army control, explain why 100% of detected anomalies will not be intrusively investigated or propose to investigate all anomalies that exceed a minimum size.

The Permittee must submit a revised Plan to address all comments contained in this Disapproval. In addition, the Permittee must include a response letter that details where each comment was addressed, cross-referencing NMED's numbered comments. The Permittee must also submit an electronic redline-strikeout version of the revised Plan. The revised Plan must be submitted on or before **April 30, 2016**.

Messrs. Patterson and Smith  
November 24, 2015  
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If you have any questions regarding this letter, please contact Ben Wear at (505) 476-6041.

Sincerely,



John E. Kieling  
Chief  
Hazardous Waste Bureau

cc: Dave Cobrain, NMED, HWB  
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File: FWDA 2015 and Reading, Parcel 22, FWDA-15-013