



**NEW MEXICO
ENVIRONMENT DEPARTMENT**



Hazardous Waste Bureau

SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

2905 Rodeo Park Drive East, Building 1

Santa Fe, New Mexico 87505-6303

Phone (505) 476-6000 Fax (505) 476-6030

www.nmenv.state.nm.us

DAVE MARTIN
Secretary

RAJ SOLOMON, P.E.
Deputy Secretary

March 10, 2011

SUBJECT: NOTICE OF PUBLIC COMMENT PERIOD AND REQUEST FOR PUBLIC HEARING ON THE DRAFT HAZARDOUS WASTE PERMIT MODIFICATION FOR FORT WINGATE DEPOT ACTIVITY

Dear Interested Citizen:

Enclosed is a **Public Notice** regarding a draft modification to the hazardous waste permit for Fort Wingate Depot Activity (**FWDA**). The permit applicant, FWDA, will receive a permit to perform treatment of waste military munitions at a corrective action management unit as part of facility cleanup activities. FWDA is located in McKinley County, New Mexico, approximately seven miles east of Gallup, New Mexico at the following physical address: Fort Wingate Depot Authority, Building 1, U.S. Highway 66, P.O. Box 268, Gallup, NM 87301. The applicant's primary contact for this action is: Mr. Mark Patterson, Ravenna Army Ammunition Plant, Building 1037, 8451 State Route 5, Ravenna, OH 44266. Telephone: (330) 358-7312

The enclosed Public Notice provides locations where the administrative record, including the Permit Application, draft Permit as modified, Fact Sheet, and supporting documentation, for this action can be reviewed, and provides procedures for submitting comments and requesting a Public Hearing. Comments and requests for Public Hearing will be received through **May 9, 2011**.

Any person seeking additional information regarding this notice may contact:

Mr. John E. Kieling, Program Manager
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
E-mail: john.kieling@state.nm.us
Telephone: (505) 476-6000
Fax: (505) 476-6030

Sincerely,

John E. Kieling
Program Manager
Permits Management Program
Hazardous Waste Bureau



SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

**2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone (505) 476-6000 Fax (505) 476-6030
www.nmenv.state.nm.us**



DAVE MARTIN
Secretary

RAJ SOLOMON, P.E.
Deputy Secretary

PUBLIC NOTICE 11-03

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO 87505
March 10, 2011**

**NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO REQUEST A
PUBLIC HEARING ON A PROPOSED MODIFICATION TO THE HAZARDOUS
WASTE PERMIT FOR FORT WINGATE DEPOT ACTIVITY
EPA ID NO. NM6213820974**

The New Mexico Environment Department (NMED) intends to issue a modification to the Hazardous Waste Permit to Fort Wingate Depot Activity (FWDA) for the addition of a Corrective Action Management Unit (CAMU). The Permit requires the United States Department of the Army (the Permittee) to: 1) conduct closure of the Open Burn/Open Detonation (OB/OD) hazardous waste management unit, and, if necessary, to provide for post-closure care; 2) to conduct corrective action activities for solid waste management units (SWMUs) and areas of concern (AOCs); and 3) to conduct tasks in accordance with schedules of compliance, pursuant to the Hazardous Waste Act (Chapter 74, Article 4 NMSA 1978) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC).

FWDA is located in McKinley County, New Mexico approximately 8 miles east of the city of Gallup on U.S. Route 66 and approximately 130 miles west of Albuquerque on Interstate 40. FWDA is situated on the south side of the Rio Puerco and encompasses 15,280 acres. FWDA is a closed military installation owned and operated by the United States Department of the Army.

Closure of the open burn / open detonation hazardous waste management unit requires the removal of all waste munitions debris and contaminated soils. Some of the waste generated during the closure activities is anticipated to be unsafe to transport off-site for disposal. The purpose of the CAMU is to allow the Permittee to manage and treat on-site generated waste military munitions (WMM) at the CAMU in accordance with 20.4.1 NMAC, and incorporating 40 Code of Federal Regulations (CFR) 264.552. The CAMU is proposed to be located at solid waste management unit (SWMU) 14 within Parcel 3.

NMED announces the availability of the proposed draft Permit for public comment. In addition, NMED will consider any requests for public hearing and determine whether a public hearing will be held to consider further public comment. NMED also announces the availability of a Fact

Sheet providing the basis for NMED's proposed action on the Permit that the Permittee must implement and a summary of the basis for permit conditions, including applicable statutory and regulatory support.

PUBLIC REVIEW OF THE DRAFT PERMIT

A copy of the draft Permit, Public Notice, and the Fact Sheet may be reviewed during the public comment period at:

NMED - Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone: (505) 476-6000
Monday – Friday: 8:00 a.m. to 5:00 p.m.
Contact: Pam Allen (505) 476-6064

Fort Wingate Depot Activity
Information Repository
Building 1
U.S. Highway 66
Gallup, New Mexico 87301
(505) 905-6108
Monday-Friday: 8:00 a.m. to 5:00 p.m.
Contact: Richard Cruz (505) 905-6109

A copy of the draft Permit, Fact Sheet, and Public Notice are also available on the NMED website at www.nmenv.state.nm.us/HWB/fwdaperm.html under Corrective Action Management Unit (CAMU) Permit Modification. The Administrative Record may also be reviewed at the NMED – Hazardous Waste Bureau at the address given above. To obtain a copy of the Administrative Record or a portion thereof, please contact Ms. Pam Allen at (505) 476-6064, or at the NMED address given above. NMED will provide copies, or portions thereof, of the Administrative Record at a cost to the requestor.

Any person who wishes to comment on the draft Permit or request a public hearing should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the address below. The comment period begins on **March 10, 2011** and ends on **May 9, 2011**. Only comments and/or requests received on or before **5:00 p.m. MDT May 9, 2011** will be considered.

John E. Kieling, Program Manager
Hazardous Waste Bureau
New Mexico Environmental Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

e-mail: john.kieling@state.nm.us
Ref: FWDA CAMU Permit Modification

Written comments must be based on all reasonably available information and include, to the extent practicable, all referenced factual materials. Documents in the administrative record need not be re-submitted if expressly referenced by the commenter. Requests for a public hearing shall provide: (1) a clear and concise factual statement of the nature and scope of the interest of the person requesting the hearing; (2) the name and address of all persons whom the requestor represents; (3) a statement of any objections to the draft Permit, including specific references to

any Permit conditions being addressed; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing. NMED will provide a thirty (30) day notice of a public hearing, if granted.

NMED must ensure that the approved draft Permit is consistent with the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC). All written comments submitted on the draft Permit will be considered in formulating a final decision and may cause the draft Permit to be modified. NMED will respond in writing to all public comments. NMED's response will specify which provision, if any, of the draft Permit have been changed in the final Permit decision, the reasons for the change, and briefly describe and respond to all public comments on the draft Permit or the Permit application raised during the public comment period. All persons presenting written comments or who requested notification in writing will be notified of NMED's decision by mail. This response will also be posted on the NMED website.

After consideration of all the written public comments received, NMED will issue, or modify and issue the Permit. If NMED modifies and issues the Permit, the applicant shall be provided by mail a copy of the modified Permit and a detailed written statement of reasons for the modifications.

The Secretary of the New Mexico Environment Department will make the final Permit decision publicly available and shall notify the applicant by certified mail. The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the Hazardous Waste Act (Chapter 74, Article 4 NMSA 1978).

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

If any person requires assistance, an interpreter or auxiliary aid to participate in this process, please contact Judy Bentley at NMED, Personnel Service Bureau, Room N-4071, 1190 St. Francis Drive, P.O. Box 5469, Santa Fe, New Mexico, 87502. Ms. Bentley's telephone number is (505) 827-9872. TDY users please access Ms. Bentley's number through the New Mexico Relay Network at 1-800-659-8331.