



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](http://www.nmenv.state.nm.us)



RYAN FLYNN  
Cabinet Secretary-Designate

BUTCH TONGATE  
Deputy Secretary

**SUBJECT: NOTICE OF PUBLIC COMMENT PERIOD AND REQUEST FOR PUBLIC HEARING ON THE PROPOSED CLASS 3 PERMIT MODIFICATION FOR FORT WINGATE DEPOT ACTIVITY**

Dear Interested Citizen:

Enclosed is a Public Notice regarding the intent to approve a proposed class 3 permit modification request to the Fort Wingate Depot Activity (FWDA) RCRA permit. FWDA, requests a permit modification to receive corrective action complete status for Areas of Concern 71, 78, 82, 87, and 93 and approves removal of three Parcels (5A, 12 and 14) from the facility. FWDA is located in McKinley County, New Mexico, approximately eight 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 modification request, 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 **February 17, 2014**.

Any person seeking additional information regarding this notice may contact:

Mr. Dave Cobrain, Program Manager  
New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
E-mail: [dave.cobrain@state.nm.us](mailto:dave.cobrain@state.nm.us)  
Telephone: (505) 476-6000  
Fax: (505) 476-6030

Sincerely,

A handwritten signature in cursive script, appearing to read "Dave Cobrain".

Dave Cobrain  
Program Manager  
Permits Management Program  
Hazardous Waste Bureau





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TOM BLAINE, P.E..  
Director  
Environmental Health Division

**PUBLIC NOTICE 13-10**

**NEW MEXICO ENVIRONMENT DEPARTMENT  
HAZARDOUS WASTE BUREAU  
SANTA FE, NEW MEXICO 87505  
December 19, 2013**

**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**

Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 *et seq.*, New Mexico Statutes Annotated (NMSA) 1978 as amended, 1992) and the New Mexico Hazardous Waste Management Regulations (20.4.1 [New Mexico Administrative Code] NMAC). The New Mexico Environment Department (NMED) intends to issue a Class 3 permit modification to the Hazardous Waste Permit (Permit) pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42(c)) for Fort Wingate Depot Activity (FWDA). The NMED proposes to approve corrective action complete without controls status for five Areas of Concern (AOC) 71, 78, 82, 87, and 93, and approve removal of three (3) Parcels (5A, 12 and 14) from within the facility boundary.

FWDA is located in McKinley County, New Mexico approximately eight 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.

NMED announces the availability of these proposed Permit modifications 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 and a summary of the basis for permit modifications, including applicable statutory and regulatory support.

## **PUBLIC REVIEW OF THE CLASS 3 PERMIT MODIFICATION REQUEST**

A copy of the modification request 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](http://www.nmenv.state.nm.us/HWB/fwdaperm.html) under Class 3 Permit Modification. The Administrative Record may also be reviewed at the NMED – Hazardous Waste Bureau at the address listed 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 listed 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 Permit modification 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 **December 19, 2013** and ends on **February 17, 2014**. Only comments and/or requests received on or before 5:00 p.m. **February 17, 2014** will be considered.

Dave Cobrain, Program Manager  
Hazardous Waste Bureau  
New Mexico Environmental Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303

e-mail: [dave.cobrain@state.nm.us](mailto:dave.cobrain@state.nm.us)  
Ref: FWDA Class 3 Permit Modification

Written comments must be based on 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 Permit modification, 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 Permit is consistent with the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC). All written comments submitted on the modified Permit will be considered in formulating a final decision and may cause the Permit to be modified. NMED will respond in writing to all public comments. NMED's response will specify which provision, if any, of the Permit modification have been changed in the final Permit decision, the reasons for the change, and briefly describe and respond to all public comments on the Permit modification 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 may modify the Permit. If NMED modifies the Permit, the Permittee 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 Permittee 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 Juan-Carlos Borrego by January 21, 2014 at the NMED Human Resources Bureau, Room S-4303, 1190 St. Francis Drive, P.O. Box 5469, Santa Fe, New Mexico 87502. Mr. Borrego's telephone number is 505-827-0424. TDY users please access Mr. Borrego's number through the New Mexico Relay Network at 1-800-659-8331.

