



BILL RICHARDSON
Governor

DIANE DENISH
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**



RON CURRY
Secretary

SARAH COTTRELL
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 7, 2010

Colonel Robert L. Maness
Base Commander
377 ABW/CC
2000 Wyoming Blvd. SE
Kirtland AFB, NM 87117-5606

John Pike
Director, Environmental Management Section
377 MSG/CEANR
2050 Wyoming Blvd., Suite 116
Kirtland AFB, NM 87117-5270

**RE: EXTENSION REQUEST
SUBMITTALS UNDER AUGUST 6, 2010, NOTICE OF DISAPPROVAL
BULK FUELS FACILITY SPILL (SWMUS ST-106 AND SS-111)
KIRTLAND AIR FORCE BASE, EPA ID# NM9570024423
HWB-KAFB-10-015, HWB-KAFB-10-016, HWB-KAFB-10-019**

Dear Col. Maness and Mr. Pike:

The New Mexico Environment Department (NMED) has received the U. S. Air Force's (Permittee's) September 2, 2010, request for additional time (Request) to submit revisions to the Interim Measures, Vadose Zone, and Groundwater Investigation Work Plans, to submit critical data, and to complete various tasks related to soil-vapor extraction (SVE) for the Bulk Fuels Facility Spill (Solid Waste Management Units ST-106 and SS-111) under Section 1.38 of the Permittee's Hazardous Waste Permit for Kirtland Air Force Base. The submittals and SVE-related tasks were required under the Notice of Disapproval (NOD) issued by the NMED to the Permittee on August 6, 2010.

NMED found numerous inconsistencies in the tables attached to the Request. Additionally, the columns were difficult to decipher as there was not an explanation of the headings included. NMED therefore did not consider information provided in the tables, only that which was articulated in the text of the Request.

The Permittee requests an additional 60 days to submit revisions of the Interim Measures, Vadose Zone, and Groundwater Investigation Work Plans. The Permittee asserts that the additional time is warranted to put a Performance Based Contract into place so that the selected

contractor can make recommendations as to the content of the plans. NMED finds such rationale to be good cause, and hereby grants the 60-day extension for the Interim Measures, Vadose Zone, and Groundwater Investigation Work Plans. These work plans are now due no later than **November 8, 2010** (*see Revised Compliance Schedule below*).

With respect to certain critical data required under Part 2 section A.7 of the NOD, it was NMED's intent that the requested data be only that already available to the Permittee. No additional sampling is required to compile these extant data. It is therefore unclear why the Permittee could not meet the September 7, 2010, deadline for this submittal. However, in the interest of comity the NMED is granting an additional 30 days to submit the data under the aforementioned section of the NOD, now due no later than **October 7, 2010** (*see Revised Compliance Schedule below*).

NMED concurs that completion of the New Source Performance Standards testing for the SVE Units is a necessary precursor to installation of additional SVE units. NMED therefore hereby grants an additional 120 days for the SVE-related tasks (*see Revised Compliance Schedule below*).

Revised Compliance Schedule

Task or Submittal	Original Due Date	New Due Date
Work Plan Revisions		
Submit Interim Measures Work Plan to NMED	September 7, 2010	November 8, 2010
Submit Vadose Zone Work Plan to NMED	September 7, 2010	November 8, 2010
Submit Groundwater Investigation Work Plan to NMED	September 7, 2010	November 8, 2010
Interim Measures and other Actions		
Submit Critical Data to NMED	September 7, 2010	October 7, 2010
Install and operate SVE units at KAFB-3411, KAFB-10614, and KAFB-10624	October 6, 2010	February 3, 2011
Install and operate SVE units at soil boring/monitoring well locations #4, 5, 9, 10, 11, 12, and 21	November 8, 2010	March 8, 2011 or 60 days after required access is granted, which ever is later
Install and operate SVE units at KAFB-10617 and KAFB-10618	October 6, 2010	February 3, 2011 or 60 days after required access is granted, which ever is later

Install and operate SVE units at soil boring/monitoring well location KAFB-10610	November 8, 2010 or 60 days after required access is granted, which ever is later	March 8, 2011 or 60 days after required access is granted, which ever is later
Prepare for SVE operation at soil boring/monitoring well locations #3, 8, and 9	November 8, 2010 or 60 days after required access is granted, which ever is later	March 8, 2011 or 60 days after required access is granted, which ever is later
Maintain spare parts and spare engine for SVE units in inventory	September 7, 2010	January 5, 2011
Report that spare parts and spare engine for SVE units are in inventory.	October 6, 2010	February 3, 2011

All other required submittals and tasks and their associated deadlines in the Compliance Schedule in the August 6, 2010, NOD remain in effect as originally directed.

The second paragraph of the Request states: "We do expect the revised work plans will deviate from the prescriptive direction in NMED's letter, however, the Air Force is confident that such an allowance will ensure the cleanup is completed in the most expeditious and efficient manner possible". NMED is willing to consider proposed work that meets or exceeds what NMED has already directed. However, to date the Permittee's work plans have fallen far short of compliance with NMED's April 2 and August 6, 2010 directions, in large part because the plans did not propose robust site characterization. NMED continues to hold that KAFB is not proposing nearly enough groundwater and soil-vapor monitoring wells and sampling locations. Design and implementation of effective interim measures to stop the migration of contaminants both in the vadose zone and the saturated zone is and will continue to be greatly hindered by this lack of site characterization. If the Permittee desires to complete clean up the Bulk Fuels Facility Spill efficiently and expeditiously, KAFB must take site characterization more seriously.

Finally, the Permittee is reminded again to respond directly to my attention, with copy to Mr. Bill Olson of the NMED's Ground Water Quality Bureau, and Mr. William Moats (NMED HWB, 5500 San Antonio NE, Albuquerque, NM 87109), on all correspondence and required plans and reports related to the Bulk Fuels Facility Spill, unless otherwise directed by NMED. All submittals and correspondence must be submitted in hardcopy and electronic format.

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Questions concerning the technical aspects of this letter should be directed to Mr. William Moats of my staff at (505) 222-9551. Any other questions should be directed to me at 505-476-6016.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

BRZ:wpm

cc: J. Kieling, NMED HWB
W. Moats, NMED HWB
W. McDonald, NMED HWB
S. Brandwein, NMED HWB
B. Olsen, HWB GWQB
A. Puglisi, HWB GWQB
B. Swanson, HWB GWQB
L. Barnhart, NMED OGC
C. de Saillan, NMED OGC
B. Gallegos, AEHD
B. Gastian, ABCWUA
L. King, EPA-Region 6 (6PD-N)
T. Bridges, DAF

File: Reading and KAFB 2010