



**BILL RICHARDSON**  
GOVERNOR

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**

*Hazardous Waste Bureau*  
*2905 Rodeo Park Drive East, Building 1*  
*Santa Fe, New Mexico 87505-6303*  
*Telephone (505) 428-2500*  
*Fax (505) 428-2567*  
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**RON CURRY**  
SECRETARY

**DERRITH WATCHMAN-MOORE**  
DEPUTY SECRETARY

April 28, 2006

**SUBJECT: NOTICE OF PUBLIC COMMENT PERIOD AND INTENT TO APPROVE  
A MODIFICATION TO RCRA PERMIT FOR UNITED STATES ARMY  
AIR DEFENSE ARTILLERY CENTER AND FORT BLISS**

Dear Interested Citizen:

Enclosed is a **Public Notice** regarding the intent to approve a proposed permit modification to the United States Army Air Defense Artillery Center and Fort Bliss' (the **Permittee**) Resource Conservation and Recovery Act Permit. Fort Bliss is owned and operated by the U.S. Army and is located in south central New Mexico in Dona Ana and Otero counties and is located at the following address: 2 Sheridan Road, Fort Bliss, Texas 79916. The Permittee's primary contact for this action is: Keith Landreth ATTN: ATZC-DOE, Bldg. 624, 1733 Pleasonton Road, Fort Bliss, Texas 79916-6812.

The enclosed Public Notice provides locations where the administrative record, including the Fact Sheet/Statement of Basis, and related documents 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 **5:00 p.m. on June 12, 2006**.

Any person seeking additional information regarding this notice may contact:

Mr. John E. Kieling  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505

Email: john.kieling@state.nm.us  
Telephone: (505) 428-2500  
Fax: (505) 428-2567

Sincerely,

A handwritten signature in blue ink that reads "John E. Kieling".

John E. Kieling  
Manager  
Permits Management Program  
Hazardous Waste Bureau



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**PUBLIC NOTICE NO. 06-06**

**NEW MEXICO ENVIRONMENT DEPARTMENT**  
**HAZARDOUS WASTE BUREAU**  
**Santa Fe, New Mexico**  
**April 28, 2006**

**NOTICE OF PUBLIC COMMENT PERIOD AND INTENT TO APPROVE A PERMIT  
MODIFICATION TO THE UNITED STATES ARMY AIR DEFENSE ARTILLERY  
CENTER AND FORT BLISS'S RCRA PERMIT**

Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 *et seq.*, NMSA 1978, as amended, 1992) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC), the New Mexico Environment Department (NMED) can approve or deny hazardous waste permits, closure plans, permit modifications, and amendments. Under this authority, NMED intends to approve, pending public input into this decision, a modification to the Resource Conservation and Recovery Act (RCRA) permit issued to the United States Army Air Defense artillery Center and Fort Bliss (Permittee), New Mexico, EPA ID# NM4213720101-01.

The United States Army Air Defense Center and Fort Bliss is located on approximately 1.2 million acres of land in far west Texas and southern New Mexico. Fort Bliss encompasses portions of two states and three counties (Dona Ana and Otero counties in New Mexico and El Paso County in Texas). The Installation is an active training facility and is under the U.S. Army Training and Doctrine Command with a primary mission of air defense.

The Permittee is located at the following address: United States Army Air Defense Artillery Center and Fort Bliss, 2 Sheridan Road, Fort Bliss, Texas 79916. The Permittee's primary contact for the action is: Keith Landreth, ATTN: ATZC-DOE, Bldg 624, 1733 Pleasonton Road, Fort Bliss, New Mexico 79916-6812.

United States Army Air Defense Artillery Center and Fort Bliss was issued an Environmental Protection Agency (EPA) RCRA Hazardous and Solid Waste Act (HSWA) Subpart X permit on July 21, 1995 which required RCRA Facility Investigations of nine solid waste management units (SWMUs) located on military property in New Mexico. Two additional SWMUs were added to the permit in December 1997 for a total of eleven sites. NMED has determined that two sites qualify for a Corrective Action Complete with controls determination and is proceeding with an agency initiated modification. The proposed modification would grant a Corrective

Action Complete with Controls based on the monitoring requirements included in a settlement agreement for the: Doña Ana Range Wastewater Lagoon (SWMU 27B) and the Meyer Range Wastewater Lagoon (SWMU 76). These two SWMUs will be removed from Table 2 (*List of SWMUs and AOCs requiring corrective action*) and will be placed on a new table (Table 4), which lists those SWMUs and AOCs where corrective action is complete with controls. In this case, the controls require future monitoring of discharges to the ponds and groundwater monitoring.

NMED's determination that corrective action is complete at the SWMUs is based on their having they have been characterized or remediated in accordance with current applicable state and/or federal regulations, and the available data indicate that contaminants pose an acceptable level of risk under current and projected future land use (Criterion 5).

### **PUBLIC REVIEW OF THE ADMINISTRATIVE RECORD**

The Administrative Record for this proposed action consists of the Fact Sheet/Statement of Basis, this Public Notice, the draft permit that consists of Tables 2, 3, 4 and 5, and the referenced supporting documentation. The Administrative Record may be reviewed at the following location during the public comment period at:

NMED – Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
(505) 428-2500  
*Monday - Friday from 8:00 a.m. to 5:00 p.m.*

The Fact Sheet / Statement of Basis, the Public Notice, and the draft Permit may be reviewed at the following locations during the public comment period:

NMED – Hazardous Waste Bureau 2905 Rodeo Park Drive East, Building 1 Santa Fe, New Mexico 87505-6303 Phone 505-428-2500 Fax 505-428-2567 Monday - Friday from 8:00 a.m. to 5:00 p.m.	Alamogordo Public Library 920 Oregon Ave Alamogordo, New Mexico Phone 505-439-4140
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A copy of the Fact Sheet/Statement of Basis, the Public Notice, and the draft Permit that contains Tables 2, 3, and 5 are also available electronically on the NMED website at: [www.nmenv.state.nm.us/HWB/fbperm.html](http://www.nmenv.state.nm.us/HWB/fbperm.html) under No Further Action (April 28, 2006). To obtain a copy of the Administrative Record or a portion thereof, in addition to further information, please contact Ms. Pam Allen at (505) 428-2531, or at the above Santa Fe address. NMED will provide copies, or portions thereof, of the administrative record at a cost to the requestor.

NMED issues this public notice on **April 28, 2006**, to announce the beginning of a 45-day comment period that will end at **5:00 p.m., June 12, 2006**. Any person who wishes to comment on this action or request a public hearing should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the respective address below. Only comments and/or requests received on or before **5:00 p.m., June 12, 2006**, will be considered.

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303  
Or via e-mail: john.kieling@state.nm.us  
Ref: Fort Bliss - NFA (April 28, 2006)

Written comments must be based on the administrative record. 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 proposed action, including specific references; and (4) a statement of the issues which such persons proposes to raise for consideration at the hearing. Written comment and requests for Public Hearing must be filed with Mr. John Kieling on or before **5:00 p.m., June 12, 2006**. The NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

#### **FINAL DECISION**

The NMED must ensure that the approved DRAFT Permit is consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted on the draft Permit will become part of the administrative record, will be considered in formulating a final decision, and may cause the draft Permit to be modified. NMED will respond in writing to all significant public comment. The response will specify which provisions, if any, of the draft Permit have been changed in the final Permit decision, and the reasons for the change. This response will also be posted on the NMED website in addition to NMED notifying all persons providing written comments.

After consideration of all written public comments received, NMED will issue, or modify and issue, the Permit. If NMED modifies and issues 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 NMED Secretary 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. All persons on the mailing list, or that provided written comments, or who requested notification in writing, will be notified of the final decision by mail.

The final decision will become effective thirty days after service of the decision, unless a later date is specified or review is requested under the New Mexico Hazardous Waste Management Regulations, 20.4.1 NMAC, Section 901.E., *Hearings*.

### **ARRANGEMENTS FOR PERSONS WITH DISABILITIES**

Persons having a disability and requiring assistance or auxiliary aid to participate in this process should contact Judy Bentley at the New Mexico Environment Department, Personnel Services Bureau, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.