



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov



BUTCH TONGATE
Cabinet Secretary
J. C. BORREGO
Deputy Secretary

PUBLIC NOTICE NO. 18-01

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO
February 2018**

**NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO REQUEST A
PUBLIC HEARING ON THE DRAFT CLOSURE PLAN FOR THE FORMER ACID
NEUTRALIZATION PIT SOLID WASTE MANAGEMENT UNIT (SWMU) 89 AT
WHITE SANDS MISSILE RANGE, NEW MEXICO, EPA ID NO. NM2750211235**

Under the 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, pending public input into this decision, a Closure Plan received from U.S Army White Sands Missile Range (WSMR or the Permittee) for an Interim Status Hazardous Waste Management Unit (HWMU) designated as the Former Acid Neutralization Pit. The unit is labeled as Solid Waste Management Unit (SWMU) 89 on Table 4-4 of the 2009 WSMR RCRA Permit. The unit is being closed in accordance with 20.4.1.600 NMAC (incorporating 40 CFR 265 subpart G).

WSMR is a United States Army Installation Management Command (IMCOM) Installation established in 1945. WSMR is the largest land area military installation in the United States, encompassing approximately 3,200 square miles of land in Doña Ana, Socorro, Lincoln, Otero, and Sierra Counties in south-central New Mexico. The installation is approximately 99 miles long (north to south) and 25 to 40 miles wide (east to west). WSMR was established on July 9, 1945, as White Sands Proving Ground (the name was changed in 1958) to be the nation's testing range for newly developed missile weapons. WSMR is located in the Tularosa Basin of south-central New Mexico, and portions of WSMR extend west into the Jornada del Muerto Basin. The headquarters (Main Post) area of WSMR is located at the southwestern corner of the installation, approximately 27 miles east-northeast of Las Cruces, New Mexico, and 45 miles north of El Paso, Texas. The main entrance to WSMR is on U.S. Highway 70, east from Interstate 25 at Exit 6.

SWMU 89 was an aboveground, open-top, double-walled concrete evaporation tank located within the Hazardous Waste Storage Facility (HWSF), approximately 8 miles east of the WSMR Main Post. The Neutralization Pit was used to evaporate liquid chemical wastes generated at photographic laboratories. The unit was also occasionally used as a storage pad for damaged

transformers containing polychlorinated biphenyls (PCBs). In 1981, the unit was converted to a loading dock. Wastes managed at the site included potassium ferricyanide, potassium ferrocyanide, waste bleach solution, soil contaminated with methylene chloride (from a spill at the Temperature Test Facility), and containerized liquids contaminated with PCBs. Soils around the pit were affected by cyanide.

PUBLIC REVIEW OF THE ADMINISTRATIVE RECORD

A copy of the administrative record may be reviewed at the following location:

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

A copy of the Closure Plan is also available on the NMED website at <https://www.env.nm.gov/hazardous-waste/wsmr/>. To obtain a copy of the administrative record or a portion thereof, or for further information, contact Mr. Dave Cobrain at (505) 476-6055 or at the address given below.

The 30-day public comment period begins on **February 28, 2018**. 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 or requests received on or before **5:00 p.m. March 30, 2018** will be considered. Written comments may be sent to:

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

Ref: White Sands Missile Range, SWMU 89 Closure Plan
email: dave.cobrain@state.nm.us

Written comments must be based on the information available for review 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 requester represents; (3) a statement of any objections to the Closure Plan; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing. NMED will provide a minimum 30 days notice of a Public Hearing, if scheduled.

NMED must ensure that the approved Closure Plan consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted will be considered in formulating a final decision and may result in NMED modifying the Closure Plan. NMED will respond in writing to all public comments received. This response will specify which provisions,

if any, of the Closure Plan have been changed in the final decision and the reasons for the change, and will provide a brief description of all public comments. All persons who submit written comments or who request notification in writing will be notified of the decision by mail. The final decision 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 Closure Plan. If NMED modifies the Closure Plan, NMED will provide to the Permittee a copy of the modified Closure Plan and a detailed written statement containing the reasons for the modifications by mail.

NMED will make the final decision publicly available and will notify the Permittee by certified mail. The final decision will constitute a final agency decision and may be appealed as provided by the HWA.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Donna Wright no less than 15 days prior to the end of the public comment period at the following address: New Mexico Environment Department, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-6110, (505) 827-9769. TDD or TDY users please access Ms. Wright's number via the New Mexico Relay Network at 1 (800) 659-8331.

Non-Discrimination Statement

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact:

Kristine Pintado, Non-Discrimination Coordinator
New Mexico Environment Department
1190 St. Francis Dr., Suite N4050
P.O. Box 5469
Santa Fe, NM 87502
(505) 827-2855
NMED.NDC@state.nm.us

If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.