



NEW MEXICO
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 10, 2013

Colonel John Kubinec
Base Commander
377 Air Base Wing
2000 Wyoming Blvd. SE
Kirtland Air Force Base, NM 87117-5606

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

**RE: DISAPPROVAL
FORMER FUEL OFFLOADING RACK STEP-OUT CONFLICTS,
ADDENDUM TO INTERIM MEASURES WORK PLAN,
BULK FUELS FACILITY SPILL, APRIL 2013
KIRTLAND AIR FORCE BASE, EPA ID# NM9570024423
HWB-KAFB-13-010**

Dear Col. Kubinec and Mr. Pike:

The New Mexico Environment Department (NMED) has received the U.S. Air Force's (Permittee's) plan: *Former Fuel Offloading Rack Step-Out Conflicts, Addendum to Interim Measures Work Plan, Bulk Fuels Facility Spill*, dated April 2013 (hereinafter referred to as the Addendum). NMED received the Addendum on April 30, 2013.

The Addendum modifies a previous revision of the plan dated March 2012 that was approved by the NMED on June 29, 2012. In the previous revision, the Permittee proposed moving one of 16 step-out sampling locations three feet north of its approved location. And, as stated in NMED's December 10, 2010, letter partially approving the Interim Measures Work Plan, samples were to be collected at depths of 0, 5, 10, 15, and 20 feet below grade for chemical analysis for total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and lead. Subsequent to the initial soil investigation and step-outs, and since issuance of NMED's latest version of *Soil Screening Levels* (SSLs - found on NMED's website at

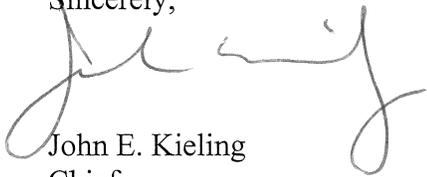
www.nmenv.state.nm.us/HWB/guidance.html), the Permittee has identified 28 locations where additional step-out samples must be collected to further characterize contaminated areas.

In the Addendum, the Permittee requests a variance that consists of moving five proposed step-out locations an additional three feet to the north. As justification, the Permittee cites the need to avoid existing underground utilities. NMED has determined that this request is acceptable because the additional distance is not large and in this case there is no overwhelming need to disrupt the service provided by the utilities.

However, the Permittee also states in the Addendum that no samples for VOCs analysis "need to be collected for these step-outs in the first 5 feet." No explanation for deviating from the previously approved sampling and analysis plan is given by the Permittee. Because no explanation was provided, NMED hereby disapproves the Addendum. The Permittee must provide, for NMED's consideration, adequate justification to forgo the collection and analysis of soil samples for VOCs from the 0-5 foot interval at the proposed step-out locations. The Permittee must provide this justification in writing by no later than **July 10, 2013**.

If you have any questions regarding this letter, please contact Mr. William McDonald of my staff at (505) 222-9582.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
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