KAFB

ENTERED

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

April 15, 2011

Elaine Cimino
Citizens for Environmental Safeguards (CES)
1132 Stanford Dr. NE
Albuquerque, NM 87106

APR 2011

Subject: U.S. EPA Region 6 Response to the February 24, 2011 Letter

Dear Ms. Cimino:

Thank you for your letter dated February 24, 2011, concerning EPA Region 6 oversight of permitting and public participation requirements of the New Mexico Environment Department (NMED) for Kirtland Air Force Base (KAFB). I hope this response will provide helpful insight and explanation of federal regulations, EPA's oversight authority, and EPA policies and guidance and how they apply to the issues. Some of the issues that you noted in your letter have also been addressed by EPA Region 6 staff through e-mail correspondence. The e-mail responses are provided in Attachment 1.

While EPA maintains oversight authority, NMED implements the federally authorized RCRA program in New Mexico. We encourage you to work with NMED to resolve your concerns regarding KAFB.

Sincerely,

Laurie King, Chief
Federal Facilities Section
Multimedia Planning and Permitting Division

Enclosures

Cc:
Cliff Bain - Peaceful Skies Coalition (PSC)
Kathy Wanpovi Sanchez - Tewa Women United
Robert Anderson
Jeanne Pahls - Stop the War Machine (SWM)
Charles Bennett - La Mesa Community Improvement Association
James Bearzi - NMED-HWB
Bill Olsen - NMED-GWQB
Colonel Robert Maness - KAFB

KAFB3727

The following are responses to issues raised in the February 24, 2011 letter. Excerpts from your letter ("issues") are provided in bold and our responses are provided in italic.

Issue #1: "The undersigned groups and individuals are requesting that EPA Region 6 exercise its oversight authority to ensure that the appropriate permits and public participation requirements of Resource Conservation and Recovery Act (RCRA) and the Safe Drinking Water Act (SDWA) are met by the New Mexico Environment Department (NMED)..."

The Memorandum of Agreement (MOA) between the State of New Mexico and the Environmental Protection Agency (EPA) establishes policies, responsibilities, and procedures pursuant to 40 CFR 271.8 for the State of New Mexico's Hazardous Waste Program authorized under Section 3006 of the RCRA. The NMED is authorized to implement the RCRA permitting program. Per the MOA, EPA Region 6 is responsible for assuring that the NMED RCRA permitting program is consistent with all applicable federal regulations and laws, EPA policies, guidelines and requirements agreed upon in the MOA.

On August 31, 2010, EPA Region 6 conducted a review of NMED's implementation of the RCRA permitting program. The review identified the public participation process as one of the strengths of NMED's RCRA permitting program; NMED allows for public participation above the standard required by EPA.

The State of New Mexico has primacy to implement the SDWA. The NMED enforces the SDWA for the State of New Mexico. The EPA Region 6 has oversight responsibilities for SDWA programs in New Mexico such as UIC and Public Water Supply Supervision programs.

Issue #2: "The KAFB Permit was presented to the public in 2007. No extension of the public comment period was granted to the public. The Permit was originally captioned for the Open Burn and Open Detonation Units. Although major modifications were subsequently made to the Permit before its approval in July 15, 2010, public requests to reopen the public comment period were denied. Additionally, despite the realization in or about 2007 that extensive contamination existed at the Bulk Fuel Facility the public was precluded from participating in that portion of the Permit related to Corrective Action needed for the Bulk Fuel Facility. The Bulk Fuels Facility was only listed in Permit Part 6.4.1.3 (#8) Areas with Groundwater Contamination and Table I-3, requiring a CME Report due 180 days after NMED approves site characterization. No further characterization of the Bulk Fuel Facility was provided to the public during the Permit approval process."

The NMED, which has been authorized to implement New Mexico's federally approved RCRA program, has identified the Bulk Fuels Facility Former Offloading Rack (ST-106) and the associated Light Non-Aqueous Phase Liquid (LNAPL) Plume (SS-111) as Solid Waste Management Units (SWMUs). Collectively, ST-106 and SS-111 are known as the Bulk Fuels Facility Spill. The Bulk Fuels Facility Spill is being investigated and remediated under the Resource Conservation and Recovery Act (RCRA) corrective action process. The Final

Permit that NMED issued to KAFB on July 15, 2010 includes a section (Permit Part 6) on corrective action. The permit requires that KAFB implement corrective action for any releases of hazardous waste or hazardous constituents from any SWMU or Area of Concern (AOC) at KAFB.

The Draft Permit issued by NMED to KAFB on April 16, 2007 included corrective action requirements similar to the corrective action requirements in the Final Permit. NMED identified the revisions made to the Draft Permit in their responses to the public comments received during the public comment periods (April 16 – June 15, 2007 and June 15 – July 19, 2007).

The RCRA corrective action requirements for the Bulk Fuels Facility Spill included in the Final Permit are within NMED's discretion under the authorized Program and consistent with EPA guidance for SWMUs. Information on RCRA corrective action can be found in the RCRA Corrective Action Plan, Office of Solid and Emergency Response (OSWER) Directive 9902.3-2A, May 1994 which can be accessed at http://www.epa.gov/osw/hazard/correctiveaction/resources/guidance/gen_ca/rcracap.pdf.

Issue #3: "Characterization of the site is required previous to the implementation of remedies. However, KAFB is proposing the implementation of remedies prior to the completion of any CME Report. A CME Report is required subsequent to full site characterization, which has not yet been performed. The public is entitled to a review, comment period and public hearing previous to the selection of any remedies that would be proposed in a CME Report."

As stated in our response to Issue #2, KAFB is currently performing RCRA corrective action at the Bulk Fuels Facility Spill (SWMUs ST-106 and SS-111). Corrective action typically includes five elements common to most, though not all, cleanup activities: initial site assessment (a.k.a. RCRA Facility Assessment [RFA]), site characterization (a.k.a. RCRA Facility Investigation [RFI]), interim actions (a.k.a. interim measures), evaluation of remedial alternatives (a.k.a. corrective measures evaluation or study [CME or CMS]), and implementation of the selected remedy (a.k.a. corrective measures implementation [CMI]).

In a letter dated April 2, 2010, NMED Hazardous Waste Bureau (HWB) directed KAFB to "immediately implement interim measures to remediate the LNAPL plume, to excavate and remove structures and contaminated soil in the vadose zone at and in the vicinity of the Former Fuel Offloading Rack, to install additional wells, and continue operation of the existing soil-vapor extraction units". The letter further states "Interim measures are required to reduce or prevent the migration of contaminants, or to reduce or prevent human or environmental exposure to contaminants while long-term corrective action remedies are evaluated and implemented". Furthermore, Section 6.2.2.2.12.1 of KAFB's Final Permit issued in July 2010 states "The Department [NMED] may require interim measures, if the Department determines that such measures are necessary, to reduce or prevent migration of hazardous wastes or hazardous constituents that have, or may result in, an unacceptable human or environmental receptor exposure to hazardous wastes or hazardous constituents while long-term corrective action remedies are being evaluated and implemented. Upon

making such determination, the Department will notify the Permittee in writing". The Interim Measures Work Plan that KAFB submitted to NMED was developed in response to NMED's directive to implement interim measures.

The letter also states "the Permittee is directed to immediately complete characterization of contaminated soil and soil-gas in the vadose zone, and to immediately complete characterization of the dissolved-phase contamination in groundwater". The Groundwater Investigation Work Plan and Vadose Zone Investigation Work Plan that KAFB submitted to NMED were developed in response to NMED's directive to complete characterization of the contamination in the vadose zone and groundwater.

The letter also states "the Department [NMED] hereby notifies the Permittee that it is required to conduct a CME for the Bulk Fuels Facility Spill...A CME Report shall be submitted to the Department within 180 days after the Department notifies the Permittee that characterization of the Bulk Fuels Facility Spill has been completed and approved by the Department".

As stated above, the purpose of the Groundwater Investigation Work Plan and Vadose Zone Investigation Work Plan is to characterize the contamination in the vadose zone and groundwater. The purpose of the Interim Measures Work Plan is to perform interim measures to reduce or prevent the migration of contaminants (or to reduce or prevent human or environmental exposure to contaminants) while long-term corrective action remedies are evaluated and implemented. As stated above (and in the Final Permit), NMED is requiring KAFB to conduct a CME and, after NMED notifies KAFB that characterization of the Bulk Fuels Facility Spill has been completed and approved by NMED, submit a CME Report.

Section 6.2.2.2. of the Final Permit describes the requirements of the corrective measures (i.e. CME, remedy selection, CMI, interim measures, etc.). The Final Permit states in Section 6.2.2.2.3. "when the Department determines that there are no deficiencies in the CME Report, the Department will seek and consider public comment prior to selecting a remedy." The Final Permit states in Section 6.2.2.2.6. "upon deeming the CME Report to be complete, the Department will select a proposed remedy or remedies for the SWMU or AOC...the Department will issue a Statement of Basis for the proposed remedy, and will receive public comment on the remedy."

Based on federal regulations and EPA guidance, the only periods during the RCRA corrective action process for a SWMU or AOC that a formal public comment period may be required is at Remedy Selection and Remedy Completion. At Remedy Selection, the regulatory authority (in this case, NMED) must initiate a permit modification. At Remedy Completion, NMED may initiate a permit modification to remove the SWMU or AOC from the permit's corrective action schedule of compliance. New Mexico's regulations for permitting procedures can be found in the New Mexico Administrative Code (NMAC) 20.4.1.901.

There are no federal regulations or EPA policy or guidance requiring a formal public comment period on interim measures. The 1996 RCRA Public Participation Manual recommends keeping the public informed of interim measure activities by issuing fact sheets

or holding informal meetings and incorporating interim measure activities into the public involvement program. The Manual can be accessed at http://www.epa.gov/osw/hazard/tsd/permit/pubpart/manual.htm. NMED has discretion under the State's federally authorized RCRA Program to determine the public participation activities implemented during interim measures of the Bulk Fuel Facility Spill.

NMED HWB convened public informational meetings on the Bulk Fuel Facility Spill investigation and interim measure work plans on November 30, 2010 and January 12, 2011. NMED's next public informational meeting is scheduled for May 3, 2011. According to NMED, the public informational meetings are advertised on NMED's website, to mailing list individuals and local government agencies, and in the Albuquerque Journal and Santa Fe New Mexican newspapers.

Issue #4: "Work Plans that have been approved or partially approved by NMED include substantial modifications to groundwater monitoring for number, location of downgradient and upgradient monitoring wells. The work plans have not been previously submitted to the public for any review and comment. 40 CFR 270.42 Appendix I, C Groundwater Monitoring. Modifications are being made to the permit under the Resource Conservation and Recovery Act (RCRA) that are class 2 or class 3 modifications..."

The permit modifications listed in 40 CFR 270.42 Appendix I, C. Ground-Water Protection, 1. Changes to wells, includes the following modification:

a. Changes in the number, location, depth, or design of upgradient or downgradient wells of permitted ground-water monitoring system

"Permitted ground-water monitoring system" applies to the groundwater monitoring system requirement in 40 CFR 265.91 which applies to "regulated units." Regulated unit is defined in 40 CFR 264.90 as a "surface impoundment, waste pile, and land treatment unit or landfill that receives hazardous waste after July 26, 1982."

The Bulk Fuels Facility Spill Solid Waste Management Units (SWMUs) ST-106 and SS-111 are not regulated units. As stated in our responses to Issues #2 and #3, KAFB is currently performing RCRA corrective action at SWMUs ST-106 and SS-111. As required by NMED, KAFB submitted a work plan proposing characterization of the contamination in the groundwater. The groundwater monitoring wells that KAFB has proposed to install are part of the site characterization phase of RCRA corrective action. NMED HWB has been holding meetings to inform the public on the Bulk Fuel Facility Spill investigation and interim measures.

Issue #5: "The substantial changes to the permit that include plans that are being implemented without opportunity for review and comment and remedies being proposed without presentation in a Corrective Measures Report include the following: (1) IM Plan...(2) Vadose Zone Investigation Plan...(3) Groundwater Investigation Plan...(4) The LNAPL Containment Plan and injection well remedy were approved by NMED on December 10, 2010 with no presentation of a permit to the public."

Please see our response to Issue #3. In a letter dated December 10, 2010, NMED issued partial approval with modifications of revised Interim Measures, Vadose Zone Investigation, and Groundwater Investigation Work Plans that were submitted to NMED on November 4, 2010. In March 2011, KAFB submitted revised versions of the Interim Measures, Vadose Zone Investigation, and Groundwater Investigation Work Plans. In a letter dated March 31, 2011, NMED responded to KAFB's proposed LNAPL Containment Interim Measure Work Plan and requested that KAFB submit a characterization plan and revised Work Plan.

Please also see our responses to your e-mail dated January 25, 2011 to Tara Hubner (Region 6 Multimedia Planning and Permitting Division, Federal Facilities Section) with questions concerning public involvement with the work plans. On January 27, 2011, Tara responded to this e-mail. These responses are provided in Attachment 1.

Issue #6: "The public is uninformed as to whether a Class IV or Class V injection well is planned for use...The need for a UIC permit has not been addressed..."

As stated in our response to Issue #5, in a letter dated March 31, 2011, NMED responded to KAFB's proposed LNAPL Containment Interim Measure Work Plan dated November 2010. In the letter, NMED requested that KAFB prepare a characterization plan and a revised Work Plan.

The LNAPL Containment Interim Measure Work Plan dated November 2010 stated in Section 6.1 "a UIC permit for the Class V injection well will be obtained from the NMED and/or the New Mexico Energy, Minerals and Natural Resources Department, Oil Conservation Division".

Under the federal regulations, all Class V wells (with the exception of large capacity cesspools and motor vehicle waste disposal wells that are specifically addressed by the Class V Rule) are "authorized by rule" (40 CFR 144.24). This means they are allowed to inject if they comply with the UIC program requirements. The most important of these requirements is that Class V wells are not allowed to endanger groundwater.

New Mexico was awarded primacy for Class V of injection wells on July 11, 1983 under Section 1422 of the SDWA. For more information on the State's regulations and requirements, please contact NMED.

Please also see our responses to your January 21, 2011, e-mail concerning UIC wells. On January 25, 2011, Lisa Pham (Region 6 Water Quality Division, Groundwater/UIC Section) and Tara Hubner submitted separate responses to your e-mail. You sent another e-mail to Tara on January 26, 2011 with more questions concerning UIC wells. Tara responded to that e-mail on January 26, 2011. These responses are provided in Attachment 1.

Issue #7: "Monitoring wells across KAFB and Sandia National Laboratories are known to be defective in many respects due to incorrect location, improper construction, corroded well screens, cross contamination of different saturation zones and improper

sampling procedures. Wells that currently exist in the Bulk Facility plume gave unreliable data according to HWB Chief James Bearzi during the November 30, 2010 information presentation. At the January 12, 2011 information presentation, NMED announced that 29 of the existing wells had been approved. No assurance that the approval was based on reliable factors was presented."

Since KAFB is performing RCRA corrective action on the Bulk Fuels Facility Spill SWMUs ST-106 and SS-111 under the State's federally authorized RCRA program, this issue may be better addressed by NMED.

Issue #8: "Consideration of pH, water temperature differences in relation to the natural conditions of groundwater or impacts on surface water and other water rights holders regarding their beneficial use, have not been provided for public review prior to approval of the LNAPL injection plan and associated aquifer Underground Controlled Injection. Additional technical concerns are as follows..."

As stated in our response to Issues #5 and #6, in a letter dated March 31, 2011, NMED responded to KAFB's proposed LNAPL Containment Interim Measure Work Plan dated November 2010. In the letter, NMED requested that KAFB prepare a characterization plan and a revised Work Plan.

Issue #9: "The addition of the large number of 78 groundwater wells may be excessive and could lead to further aquifer contamination. No plan has been presented for review and comment by the public for the monitoring wells and whether the aquifer has been adequately characterized for flow direction and hydraulic head..."

According to the March 2011 Groundwater Investigation Work Plan, Section 4.2.4, "monitoring wells will be clustered in groups of three comprised of shallow, intermediate, and deep wells". The Work Plan states in Section 1.3 "The intent of this BFF Spill groundwater investigation is to address data gaps for the lateral and vertical delineation of groundwater contamination and provide data of sufficient quality to characterize the nature and extent of dissolved-phase, fuels-related, and groundwater contamination; migration; and support development of a Corrective Measures Evaluation".

NMED's April 2, 2010 letter to KAFB states in Section B "the Permittee has not adequately characterized the dissolved-phase contamination in the groundwater and has not analyzed groundwater samples from wells located in the LNAPL plume area. The final remedy for the Bulk Fuels Facility spill cannot be determined until this characterization work has been completed. Additionally, the Permittee has not installed any groundwater monitoring wells to investigate the vertical extent of the dissolved-phase groundwater contamination, the effects of vertical gradients, and the geology of the aquifer at any appreciable depth below the water table."

As reported in the April 13, 2011 KAFB Weekly Activity Report – Kirtland AFB Bulk Fuels Facility, to date (April 13, 2011), 20 of the 78 planned groundwater monitoring wells have been completed. The KAFB Weekly Activity Reports along with other documents and

correspondence are provided on NMED's website at http://www.nmenv.state.nm.us/hwb/kafbperm.htm#KAFBBulkFuelsFacSpill.

As stated in our response to Issues #3 and #4, the monitor wells that are being installed under the Groundwater Investigation Work Plan which was developed in response to NMED's April 2, 2010 letter are part of the site characterization phase of RCRA corrective action.

Issue #10: "The January 12, 2011, Power Point presentation of HWB Chief Bearzi identified the July sampling event may have been from wells that were not properly developed. NMED has a duty to determine if data provided is full, accurate and complete. Nevertheless, NMED purports there is no change in the size of the plume based on the same data that NMED deems unreliable."

Since KAFB is performing RCRA corrective action on the Bulk Fuels Facility Spill SWMUs ST-106 and SS-111 under the State's federally authorized RCRA program, this issue may be better addressed by NMED.

Issue #11: "Vapor Extraction Units were previously utilized to an approved plan and did not include air quality concerns. The ABCWUA and City and County governments request Vapor Extraction plan for a permit of the NMED HWB, and there has been no mention of this matter in the public informational meetings."

In accordance with the New Mexico Air Quality Control Act, a joint air quality control board known as the Albuquerque-Bernalillo County Air Quality Control Board ("the Air Board") was created (NMAC 20.11). The Air Board serves as a joint local authority acting on behalf of both the city and the county. Within the exterior boundaries of the county (except sources located on Tribal lands), the Air Board has authority and jurisdiction to exercise the same functions pertaining to air quality as the functions that have been delegated by the Air Quality Control Act to the New Mexico Environmental Improvement Board except any functions reserved exclusively for the Environmental Improvement Board. The City of Albuquerque Air Quality Division (AQD) acts as an agent to the Air Board. The AQD is federally authorized to implement the air quality program within its jurisdiction under the Clean Air Act and enforces the Air Board's rules as codified under NMAC 20.11.

Questions concerning regulation of the Soil Vapor Extraction (SVE) Units Internal Combustion Engines (ICEs) should be directed to the City of Albuquerque Air Quality Division.

Issue #12: "The relation between corrective action procedures and permit modification is not clear. The relationship between plans and remedies seems to have blurred. The public is uninformed as to the classification levels of the ongoing permit modifications and what is to be the KAFB corrective action compliance period with specific deliverable. NMED should clarify what process it is approving these plans under and what the classifications of the modifications are. Public Participation as provided for by RCRA is not being fulfilled. NMED should identify the planning process in relation to the remedy process."

Since KAFB is performing RCRA corrective action on the Bulk Fuels Facility Spill SWMUs ST-106 and SS-111 under the State's federally authorized RCRA program, this issue may be better addressed by NMED. Please also see our response to Issues #2, #3, and #4.

Issue #13: "Investigation is needed under the Safe Drinking Water Act as to whether the public utility wells closest to the contamination were developed properly so that the contamination will not enter the well screens. Documentation needs to be provided when a plume of contamination could arrive at municipal wells. NMED has rejected without explanation CH2MHill analyses for the plume to arrive at municipal and KAFB wells under worst and best case scenarios. There is a lack of agency coordination between ABCWUA and NMED HWB as to whether the municipal wells should be replaced..."

The NMED Drinking Water Bureau (DWB) has primary enforcement authority for implementing the national primary drinking water regulations under the Safe Drinking Water Act for public water systems in the State of New Mexico. For information regarding the public water supply, please contact NMED DWB.

As mentioned in our response to Issues #3, #4, and #9, KAFB has prepared a Groundwater Investigation Work Plan to investigate the contamination in the groundwater. NMED has partially approved the Work Plan and KAFB has begun installing the groundwater monitoring wells. As stated in the Groundwater Investigation Work Plan in Section 1.3 "The intent of this BFF Spill groundwater investigation is to address data gaps for the lateral and vertical delineation of groundwater contamination and provide data of sufficient quality to characterize the nature and extent of dissolved-phase, fuels-related, and groundwater contamination; migration; and support development of a Corrective Measures Evaluation".

NMED will be holding a public informational meeting concerning the KAFB Bulk Fuels Facility Spill on May 3, 2011. The public meeting notice is provided on NMED's website at http://www.nmenv.state.nm.us/hwb/documents/KAFB_BFFS_Public_Meeting_5-3-2011.pdf. According to the public meeting notice, representatives of the Air Force, the City of Albuquerque, and the ABCWUA will be available to answer questions.

Issue #14: "NMED has stated that they will NOT implement precautionary measures to shut down Ridge Crest and Burton Wells #5, which are respectively 4-8 city blocks from the plume. NMED is regulating under RCRA and the need for application of the SWDA is necessary to address the problem of the municipal production wells..."

The EPA Region 6 Drinking Water Section has reviewed the sampling at these two public water system well fields and as of the latest compliance sampling (2008), there were no detections of volatile organic compounds (VOCs). The wells are sampled every three years, but if any contaminant is detected, quarterly sampling will be required for any detected contaminant. These well fields have just been sampled again for compliance (March 2011) and the results should be available shortly. Also, KAFB is providing funding to the City of Albuquerque (now the Albuquerque Bernalillo County Water Utility Authority) (ABCWUA)

for "special samples" to be taken monthly at these production wells which began in 2008. The special samples are analyzed and the results are sent to the ABCWUA. If any VOCs are detected, ABCWUA will contact the NMED DWB. These special samples would not be used for drinking water regulatory compliance determinations, but would inform ABCWUA and NMED of the need to increase the frequency of compliance monitoring. As stated, the latest round of compliance sampling has just been completed and the analyses should be available shortly.

ATTACHMENT 1

E-MAIL CORRESPONDENCE
BETWEEN EPA REGION 6 AND ELAINE CIMINO
REGARDING KIRTLAND AFB
BULK FUELS FACILITY SPILL ISSUES

Fw: Aquifer Injection Wells in New Mexico
Lisa Pham to: Tara Hubner 04/14/2011 02:08 PM

FYI

---- Forwarded by Lisa Pham/R6/USEPA/US on 04/14/2011 02:07 PM ----

From:	Lisa Pham/R6/USEPA/US
To:	Elaine Cimino <ecimino10@gmail.com>
Date:	01/25/2011 02:57 PM
Subject:	Re: Aquifer Injection Wells in New Mexico

Good afternoon Ms. Cimino,

Thank you for contacting us regarding pump and treat wells in New Mexico.

Our UIC Group have reviewed and discussed your questions carefully. Hopefully, our following responses would be helpful for you and might resolve any confusion between RCRA and UIC programs.

Please feel free to contact me if you have any further issues.

Regards,

Lisa Pham
Environmental Engineer
U.S. EPA Region 6
Ground Water/UIC Section (6WQ-SG)
1445 Ross Avenue
Dallas, Texas 75202
214-665-8326 (office)

Do Injection Wells for Aquifer pump and treat require a permit under federal law when the aquifer is used for the main source of Drinking water?
Ans. Pump and treat wells authorized by an approved RCRA program. They can inject without SWDA approval. 144.13 (c)

If there are known plumes of contamination in the area, Is the Permitee required to show that their project will not impact

those known plumes under federal law?
We cannot speak for a RCRA approved pump and treat activity. Federally speaking, only non-prohibited Class IV and Class V wells can inject into a non-exempt underground source of drinking water. A Class V UIC authorized well is rarely engaged in a pump and treat activity. P & T wells are usually associated to a RCRA action. That's not to say it can't happen. Which program(s) get involved is generally up to the State and the facility in question.

IS there a radius of influence in which they need to cover?
R of Is are not *required* for UIC Class V wells. They are injecting into the USDW already. However, it could be worthwhile to examine the pressure influence if there is one created by the injection and you have the chance to commingle 9000 TDS water with 500 TDS water. Pump and treat actions act in a sink fashion usually to negate any kind of harmful pressure influence.

If so, what is it and do they need permit through EPA or the NMED permit process?
This would be a state's choice. If the action is a RCRA one, the state UIC program is required to inventory the well as a non-prohibited Class IV well. Because it has been authorized under a RCRA program, the state UIC program may not choose to add another permit on top of the authorization it already holds.

Does federal law exist?
The following cited UIC rule gains its authority from the SDWA. You should contact the RCRA program managers for their inputs.

Would you be able to link me with the CFR citation?
For UIC program, it is 40 CFR 144.13; and here is the link

http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=bcac396fdc28cb3f175359a675405955&rgn=div5&view=text&node=40:22.0.1.1.6&idno=40#40:22.0.1.1.6.2.42.3

Would this fall under RCRA or the SDWA?
Either and /or both, depending on the state UIC program's willingness to get involved. More than likely this is a RCRA matter. If so, from the federal standpoint, EPA's oversight role is to see that the state's approved UIC program inventories the wells. Beyond that, if the state UIC program want to be more stringent, we're OK with that.

Elaine Cimino * Hello Lisa 01/21/2011 07:52:16 PM

From: Elaine Cimino <ecimino10@gmail.com>

To: Lisa Pham/R6/USEPA/US@EPA
Date: 01/21/2011 07:52 PM
Subject: Aquifer Injection Wells in New Mexico

Hello Lisa

I am, Elaine Cimino, the director of a small nonprofit, Citizens for Environmental Safeguards in New Mexico Several years ago my organization testified at the regulatory hearing in NM on Aquifer Storage and Recovery. We put in the regulations a cone of influence where the permittee had to provide a study showing known contaminants in the area. I am looking for it and cannot find the CFR or other citations on this for which this legislation was enacted. The Regulations were to codify state regulation to the existing Federal regulation.

So I have a few questions I hope you can answer:

Do Injection Wells for Aquifer pump and treat require a permit under federal law when the aquifer is used for the main source of Drinking water?

If there are known plumes of contamination in the area, Is the Permitee required to show that their project will not impact those known plumes under federal law?

IS there a radius of influence in which they need to cover?

If so, what is it and do they need permit through EPA or the NMED permit process?

Does federal law exist?

Would you be able to link me with the CFR citation?

Would this fall under RCRA or the SDWA?

They are pumping and treating 8 million gallons of jet fuel the plume is with 4-8 block of major drinking water Municipal wells that as far as we can see do not have an annular casing/rings that would protect the well screens.

The agencies here lack coordination and cooperation and will not give information concerning these wells.

Thanks for your help and insight of this.

Elaine Cimino
Director
Citizens for Environmental Safeguards.
1132 Stanford Dr NE
Albuquerque NM 87106
505 508-0255

"Our lives begin to end the day we become silent about things that matter."
-Martin Luther King Jr.

Re: Aquifer Injection Control
Tara Hubner to: ecimino10 01/25/2011 04:02 PM

Elaine,

I assume this is in reference to Kirtland AFB Bulk Fuels Facility Spill. In November 2010, Kirtland AFB submitted to New Mexico Environment Department (NMED) Hazardous Waste Bureau a work plan entitled Light Non-Aqueous Phase Liquid (LNAPL) Containment Interim Measure Work Plan. In the work plan, Kirtland AFB proposed installation of a pump and treat system which would include two extraction wells and one Class V injection well. **This work plan is still in review by NMED Hazardous Waste Bureau.**

Class V injection wells are currently regulated by the UIC program, under the authority of the Safe Drinking Water Act. Under the existing federal regulations, Class V injection wells are "authorized by rule" (40 CFR 144). This means that Class V injection wells do not require a permit if they do not endanger underground sources of drinking water and they comply with other UIC program requirements. These program requirements include: 1) submitting basic information about Class V injection wells to EPA or the state primacy agency, and 2) construction, operating, and closing Class V injection wells in a manner which protects underground sources of drinking water. EPA or a state primacy agency may ask for additional information or require a permit in order to ensure that ground water quality is adequately protected. Many UIC primacy state programs have additional prohibitions or permitting requirements for certain types of Class V injection wells. The State of New Mexico has delegated authority to implement, at state level, a UIC program.

Lisa Pham in EPA Region 6 Water Quality Division will be responding to your specific questions.

Tara Hubner, P.G.
Environmental Scientist

EPA Region 6
1445 Ross Ave, Ste 1200
Dallas, TX 75202
Multimedia Planning and Permitting Division (6PD)
Federal Facilities Section
214-665-7246

Elaine Cimino * Hello Tara, 01/21/2011 07:55:19 PM

From: Elaine Cimino <ecimino10@gmail.com>
To: Tara Hubner/R6/USEPA/US@EPA
Date: 01/21/2011 07:55 PM
Subject: Aquifer Injection Control

Hello Tara,
I am, Elaine Cimino, the director of a small nonprofit, Citizens for Environmental Safeguards in New Mexico Several years ago my organization testified at the regulatory hearing in NM on Aquifer Storage and Recovery. We put in the regulations a cone of influence where the permittee had to provide a study showing known contaminants in the area. I am looking for it and cannot find the CFR or other citations on this for which this legislation was enacted. The Regulations were to codify state regulation to the existing Federal regulation.

So I have a few questions I hope you can answer:

Do Injection Wells for Aquifer pump and treat require a permit under federal law when the aquifer is used for the main source of Drinking water?

If there are known plumes of contamination in the area, Is the Permitee required to show that their project will not impact those known plumes under federal law?

IS there a radius of influence in which they need to cover?

If so, what is it and do they need permit through EPA or the NMED permit process?

Does federal law exist?

Would you be able to link me with the CFR citation?

Would this fall under RCRA or the SDWA?

They are pumping and treating 8 million gallons of Jet Fuel the plume is with 4-8 block of major drinking water Municipal wells that as far as we can see do not have an annular casing/rings that would protect the well screens. The agencies here lack coordination and cooperation and will not give information concerning these wells.

Thanks for your help and insight of this.

Elaine Cimino
Director
Citizens for Environmental Safeguards.
1132 Stanford Dr NE
Albuquerque NM 87106
505 508-0255

--

"In a time where every living system is declining and the rate of decline is accelerating, we must figure out what it means to be a human on Earth and remain humane in the process." -Elaine Cimino

"Our lives begin to end the day we become silent about things that matter."

-Martin Luther King Jr.

Re: Aquifer Injection Control
Tara Hubner to: Elaine Cimino 01/26/2011 11:19 AM

Elaine,

Here is a website that provides information on the different classes of UIC wells. There are tabs you can click for each well class.

http://water.epa.gov/type/groundwater/uic/class5/index.cfm

Here is some info that I copied and pasted from the website that may answer your questions:

What is the difference between a class IV and classV well?
Class IV wells are shallow wells used to inject hazardous or radioactive wastes into or above a geologic formation that contains a USDW. In 1984, EPA banned the use of Class IV injection wells for disposal of hazardous or radioactive waste. Now, these wells may only be operated as part of an EPA- or state-authorized ground water clean-up action.

Class V wells are used to inject non-hazardous fluids underground.

In general, both shallow Class IV and Class V wells inject fluids into or above the uppermost USDW and may be of similar construction, such as a septic system or dry well. The difference between Class IV and Class V wells is the quality of the fluid being injected. Class V wells may only inject non-hazardous fluids that will not endanger USDWs.

The only allowable Class IV wells are used to clean up ground water that has been contaminated with hazardous chemicals. A common method for cleaning contaminated ground water is the "pump and treat" process that operates as follows:

- Contaminated ground water is brought to the surface
- The water is treated to remove as much contaminant as possible.
- The treated water is injected, through a well, back into the same formation.

This process is repeated until contaminant concentrations are reduced to the point where additional removal is no longer possible.

Pump and treat technology can greatly decrease, but may not completely remove, all contaminants in the water. If the water still contains hazardous waste components after treatment, the injection well used would be a Class IV well. Injection wells used in ground water clean-ups where there is no hazardous waste component are Class V aquifer remediation wells.

Here is an EPA report on Aquifer Remediation Wells:

http://www.epa.gov/ogwdw/uic/class5/pdf/study_uic-class5_classvstudy_volume16-aquiferremediation.pdf

How would that change the regs as you quoted below?

Class IV wells are authorized by rule. Owners or operators must meet the following minimum federal UIC requirements.

- Obtain approval for the project from:
- UIC Program (federal or state) and
- Resource Conservation and Recovery Act (RCRA) or Superfund (Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA]) programs, or state equivalent programs;
- Ensure that injection does not endanger USDWs; and,
- Contact the permitting authority and submit UIC inventory information, with injection well-specific information including facility name and location, name and address of legal contact, ownership of facility, nature and type of injection wells, operating status of injection wells, and well class. Inventory information must be submitted prior to construction of the well(s).

EPA Regions and states may require operators of Class IV wells to obtain permits. In addition, some states with UIC primary enforcement authority may have more stringent requirements than the federal regulations and may ban all Class IV wells. In these states, the use of Class IV wells for groundwater remediation would not be allowed.

I got all this info from the EPA website. If you have more specific questions about UIC federal regulations, you may want to contact Lisa Pham in the EPA Water Quality Division, Ground Water/UIC Section. Based on what I've read, it seems that according to federal regulations, either Class IV or Class V UIC wells can be used for cleaning up groundwater. But you may want to check with New Mexico about their regulations on UIC wells since they have primacy in their state for UIC and RCRA programs.

Tara Hubner, P.G.
Environmental Scientist

EPA Region 6
1445 Ross Ave, Ste 1200
Dallas, TX 75202
Multimedia Planning and Permitting Division (6PD)
Federal Facilities Section
214-665-7246

Elaine Cimino — Hi Tara, What is the difference between a class IV and classV well? — 01/26/2011 06:50:41 AM

From: Elaine Cimino <ecimino10@gmail.com>
To: Tara Hubner/R6/USEPA/US@EPA
Date: 01/26/2011 06:50 AM
Subject: Re: Aquifer Injection Control

Hi Tara,
What is the difference between a class IV and classV well?
Lisa Mentioned that class IV would be used however, you mentioned that they would use a class V well.
How would that change the regs as you quoted below?
thanks Elaine Cimino

On Tue, Jan 25, 2011 at 3:02 PM, <Hubner.Tara@epamail.epa.gov> wrote:

Elaine,

I assume this is in reference to Kirtland AFB Bulk Fuels Facility Spill. In November 2010, Kirtland AFB submitted to New Mexico Environment Department (NMED) Hazardous Waste Bureau a work plan entitled Light Non-Aqueous Phase Liquid (LNAPL) Containment Interim Measure Work Plan. In the work plan, Kirtland AFB proposed installation of a pump and treat system which would include two extraction wells and one Class V injection well. **This work plan is still in review by NMED Hazardous Waste Bureau.**

Class V injection wells are currently regulated by the UIC program, under the authority of the Safe Drinking Water Act. Under the existing federal regulations, Class V injection wells are "authorized by rule" (40 CFR 144). This means that Class V injection wells do not require a permit if they do not endanger underground sources of drinking water and they comply with other UIC program requirements. These program requirements include: 1) submitting basic information about Class V injection wells to EPA or the state primacy agency, and 2) construction, operating, and closing Class V injection wells in a manner which protects underground sources of drinking water. EPA or a state primacy agency may ask for additional information or require a permit in order to ensure that ground water quality is adequately protected. Many UIC primacy state programs have additional prohibitions or permitting requirements for certain types of Class V injection wells. The State of New Mexico has delegated authority to implement, at state level, a UIC program.

Lisa Pham in EPA Region 6 Water Quality Division will be responding to your specific questions.

Tara Hubner, P.G.
Environmental Scientist

EPA Region 6

1445 Ross Ave, Ste 1200
Dallas, TX 75202
Multimedia Planning and Permitting Division (6PD)
Federal Facilities Section
214-665-7246

From: Elaine Cimino <ecimino10@gmail.com>
To: Tara Hubner/R6/USEPA/US@EPA
Date: 01/21/2011 07:55 PM
Subject: Aquifer Injection Control

Hello Tara,
I am, Elaine Cimino, the director of a small nonprofit, Citizens for Environmental Safeguards in New Mexico Several years ago my organization testified at the regulatory hearing in NM on Aquifer Storage and Recovery. We put in the regulations a cone of influence where the permittee had to provide a study showing known contaminants in the area. I am looking for it and cannot find the CFR or other citations on this for which this legislation was enacted. The Regulations were to codify state regulation to the existing Federal regulation.

So I have a few questions I hope you can answer:

Do Injection Wells for Aquifer pump and treat require a permit under federal law when the aquifer is used for the main source of Drinking water?

If there are known plumes of contamination in the area, Is the Permitee required to show that their project will not impact those known plumes under federal law?

IS there a radius of influence in which they need to cover?

If so, what is it and do they need permit through EPA or the NMED permit process?

Does federal law exist?

Would you be able to link me with the CFR citation?

Would this fall under RCRA or the SDWA?

They are pumping and treating 8 million gallons of Jet Fuel the plume is with 4-8 block of major drinking water Municipal wells that as far as we can see do not have an annular casing/rings that would protect the well screens. The agencies here lack coordination and cooperation and will not give information concerning these wells.

Thanks for your help and insight of this.

Elaine Cimino
Director
Citizens for Environmental Safeguards.
1132 Stanford Dr NE
Albuquerque NM 87106
505 508-0255

--

"In a time where every living system is declining and the rate of decline is accelerating, we must figure out what it means to be a human on Earth and remain humane in the process." -Elaine Cimino

"Our lives begin to end the day we become silent about things that matter."
-Martin Luther King Jr.

--

Nothing is more perishable than our relationship with the Earth."

"In a time where every living system is declining and the rate of decline is accelerating, we must figure out what it means to be a human on Earth and remain humane in the process." -Elaine Cimino

"Our lives begin to end the day we become silent about things that matter."
-Martin Luther King Jr.

Re: Kirtland Bulk Fuel Facility Spill Request of EPA RCRA Co-ordinator
Tara Hubner to: Elaine Cimino 01/26/2011 03:51 PM

Elaine,

I'll look into this and get back with you soon.

Tara Hubner, P.G.
Environmental Scientist

EPA Region 6
1445 Ross Ave, Ste 1200
Dallas, TX 75202
Multimedia Planning and Permitting Division (6PD)
Federal Facilities Section
214-665-7246

Elaine Cimino Tara Hubner, P.G. Environmental Scientist 01/25/2011 08:01:22 PM

From: Elaine Cimino <ecimino10@gmail.com>
To: Tara Hubner/R6/USEPA/US@EPA
Date: 01/25/2011 08:01 PM
Subject: Kirtland Bulk Fuel Facility Spill Request of EPA RCRA Co-ordinator

Tara Hubner, P.G.
Environmental Scientist January26th, 2011

EPA Region 6
1445 Ross Ave, Ste 1200
Dallas, TX 75202
Multimedia Planning and Permitting Division (6PD)
Federal Facilities Section
214-665-7246

Dear Tara Hubner ,
I do have a few questions regarding the procedure for involvement of the public in the planning and decision making and whether any EA or EIS might be required for what is overall a very huge and expensive project.

The substantial changes would include the following:

1. IM Plan –excavate former Fuel Offloading Excavation Plan- Rack area, complete shallow boreholes along ancillary piping, and conduct various tests.

2. Vadose Zone Investigation Plan –complete soil borings and soil-vapor wells.

3. Groundwater Investigation Plan – install groundwater monitoring wells

4. LNAPL Containment Plan –

5. Partial Approval of the 3 KAFB Work Plans December 10, 2010, NMED issued partial approval of the 3 Work Plans with direction to:

   - Install 78 additional groundwater wells
   - Install 35 additional soil-gas wells
   - Develop all groundwater wells
   - Conduct borehole geophysical logging, existing and new wells
   - Complete soil sampling at 27 deep borings
   - Complete soil sampling at former fuel offloading rack and along pipeline to tanks.

6. Vapor Extraction plan for a permit that was requested of the NMENV HWB by the ABCWUA and City and county governments, which there has been no mention of in the public meetings.

7. NM ENV HWB failed to notify the public specifically of any request by the permittee (KAFB) for modification including an informational meeting within the appropriate time frame of 7 seven days and failed to mention it in 2 informational meetings.

Please let me know what the EPA can do in its oversight of Region 6 manager NMED.
Thank you.
Respectfully,
Elaine Cimino

1132 Stanford Drive NE
Albuquerque, NM 87106

——— Forwarded message ———
From: <Hubner.Tara@epamail.epa.gov>
Date: Tue, Jan 25, 2011 at 3:02 PM
Subject: Re: Aquifer Injection Control
To: ecimino10@gmail.com

Elaine,

I assume this is in reference to Kirtland AFB Bulk Fuels Facility Spill. In November 2010, Kirtland AFB submitted to New Mexico Environment Department (NMED) Hazardous Waste Bureau a work plan entitled Light Non-Aqueous Phase Liquid (LNAPL) Containment Interim Measure Work Plan. In the work plan, Kirtland AFB proposed installation of a pump and treat system which would include two extraction wells and one Class V injection well. **This work plan is still in review by NMED Hazardous Waste Bureau.**

Class V injection wells are currently regulated by the UIC program, under the authority of the Safe Drinking Water Act. Under the existing federal regulations, Class V injection wells are "authorized by rule" (40 CFR 144). This means that Class V injection wells do not require a permit if they do not endanger underground sources of drinking water and they comply with other UIC program requirements. These program requirements include: 1) submitting basic information about Class V injection wells to EPA or the state primacy agency, and 2) construction, operating, and closing Class V injection wells in a manner which protects underground sources of drinking water. EPA or a state primacy agency may ask for additional information or require a permit in order to ensure that ground water quality is adequately protected. Many UIC primacy state programs have additional prohibitions or permitting requirements for certain types of Class V injection wells. The State of New Mexico has delegated authority to implement, at state level, a UIC program.

Lisa Pham in EPA Region 6 Water Quality Division will be responding to your specific questions.

Tara Hubner, P.G.
Environmental Scientist

EPA Region 6
1445 Ross Ave, Ste 1200
Dallas, TX 75202
Multimedia Planning and Permitting Division (6PD)
Federal Facilities Section
214-665-7246

From: Elaine Cimino <ecimino10@gmail.com>
To: Tara Hubner/R6/USEPA/US@EPA

Date: 01/21/2011 07:55 PM
Subject: Aquifer Injection Control

Nothing is more perishable than our relationship with the Earth."

"In a time where every living system is declining and the rate of decline is accelerating, we must figure out what it means to be a human on Earth and remain humane in the process." -Elaine Cimino

"Our lives begin to end the day we become silent about things that matter."
-Martin Luther King Jr.

Re: Kirtland Bulk Fuel Facility Spill Request of EPA RCRA Co-ordinator
Tara Hubner to: ecimino10 01/27/2011 05:05 PM

Elaine,

In a letter dated April 2, 2010, NMED Hazardous Waste Bureau directed Kirtland AFB to "immediately implement interim measures to remediate the LNAPL plume, to excavate and remove structures and contaminated soil in the vadose zone at and in the vicinity of the Former Fuel Offloading Rack, to install additional wells, and continue operation of the existing soil-vapor extraction units". The Interim Measures Work Plan, Vadose Zone Investigation Work Plan, Groundwater Investigation Work Plan, and Light Non-Aqueous Phase Liquid (LNAPL) Containment Interim Measure Work Plan were all developed in response to NMED's directive to implement interim measures.

The corrective action program is a unique part of RCRA because there are no promulgated comprehensive cleanup regulations. Instead, EPA implements corrective action primarily through guidance, and enforces it largely through statutory authorities established by the Hazardous and Solid Waste Amendments (HSWA). Corrective action is included as a requirement in a facility's permit through §3004(u), §3004(v), or §3005(c)(3) HSWA statutory provisions. Corrective action typically includes five elements common to most, though not all, cleanup activities: initial site assessment, site characterization, interim actions (a.k.a. interim measures), evaluation of remedial alternatives, and implementation of the selected remedy. Kirtland AFB's RCRA permit issued by the State of New Mexico dated July 15, 2010 includes a section for corrective action which includes a subsection on interim measures. The corrective action section of the permit also includes a subsection on community relations plan.

EPA's RCRA Public Participation Manual includes Chapter 4: Public Participation in RCRA Corrective Action Under Permits and Section 3008(h) Orders. I've attached the link to the manual below. Page 4-11 of this manual discusses interim actions.

http://www.epa.gov/osw/hazard/tsd/permit/pubpart/manual.htm

I am not familiar with NEPA (EAs and EISs) so I will contact those people in our office. I will get back with you about that.

Can you give me more information on items 6 and 7?

Tara Hubner, P.G.
Environmental Scientist

EPA Region 6
1445 Ross Ave, Ste 1200
Dallas, TX 75202
Multimedia Planning and Permitting Division (6PD)
Federal Facilities Section
214-665-7246

Elaine Cimino Tara Hubner, P.G. Environmental Scientist 01/25/2011 08:01:22 PM

From: Elaine Cimino <ecimino10@gmail.com>
To: Tara Hubner/R6/USEPA/US@EPA
Date: 01/25/2011 08:01 PM
Subject: Kirtland Bulk Fuel Facility Spill Request of EPA RCRA Co-ordinator

Tara Hubner, P.G.
Environmental Scientist

January26th, 2011

EPA Region 6
1445 Ross Ave, Ste 1200
Dallas, TX 75202
Multimedia Planning and Permitting Division (6PD)
Federal Facilities Section
214-665-7246

Dear Tara Hubner ,

I do have a few questions regarding the procedure for involvement of the public in the planning and decision making and whether any EA or EIS might be required for what is overall a very huge and expensive project.

The substantial changes would include the following:

1. IM Plan –excavate former Fuel Offloading Excavation Plan- Rack area, complete shallow boreholes along ancillary piping, and conduct various tests.

2. Vadose Zone Investigation Plan –complete soil borings and soil-vapor wells.

3. Groundwater Investigation Plan – install groundwater monitoring wells

4. LNAPL Containment Plan --

5. Partial Approval of the 3 KAFB Work Plans December 10, 2010, NMED issued partial approval of the 3 Work Plans with direction to:

   - Install 78 additional groundwater wells
   - Install 35 additional soil-gas wells

- Develop all groundwater wells
- Conduct borehole geophysical logging, existing and new wells
- Complete soil sampling at 27 deep borings
- Complete soil sampling at former fuel offloading rack and along pipeline to tanks.

6. Vapor Extraction plan for a permit that was requested of the NMENV HWB by the ABCWUA and City and county governments, which there has been no mention of in the public meetings.

7. NM ENV HWB failed to notify the public specifically of any request by the permittee (KAFB) for modification including an informational meeting within the appropriate time frame of 7 seven days and failed to mention it in 2 informational meetings.

Please let me know what the EPA can do in its oversight of Region 6 manager NMED.
Thank you.
Respectfully,
Elaine Cimino
1132 Stanford Drive NE
Albuquerque, NM 87106

-------- Forwarded message --------
From: <Hubner.Tara@epamail.epa.gov>
Date: Tue, Jan 25, 2011 at 3:02 PM
Subject: Re: Aquifer Injection Control
To: ecimino10@gmail.com

Elaine,

I assume this is in reference to Kirtland AFB Bulk Fuels Facility Spill. In November 2010, Kirtland AFB submitted to New Mexico Environment Department (NMED) Hazardous Waste Bureau a work plan entitled Light Non-Aqueous Phase Liquid (LNAPL) Containment Interim Measure Work Plan. In the work plan, Kirtland AFB proposed installation of a pump and treat system which would include two extraction wells and one Class V injection well. **This work plan is still in review by NMED Hazardous Waste Bureau.**

Class V injection wells are currently regulated by the UIC program, under the authority of the Safe Drinking Water Act. Under the existing federal regulations, Class V injection wells are "authorized by rule" (40 CFR 144). This means that Class V injection wells do not require a permit if they do not endanger underground sources of drinking water and they comply with other UIC program requirements. These program requirements include: 1)

submitting basic information about Class V injection wells to EPA or the state primacy agency, and 2) construction, operating, and closing Class V injection wells in a manner which protects underground sources of drinking water. EPA or a state primacy agency may ask for additional information or require a permit in order to ensure that ground water quality is adequately protected. Many UIC primacy state programs have additional prohibitions or permitting requirements for certain types of Class V injection wells. The State of New Mexico has delegated authority to implement, at state level, a UIC program.

Lisa Pham in EPA Region 6 Water Quality Division will be responding to your specific questions.

Tara Hubner, P.G.
Environmental Scientist

EPA Region 6
1445 Ross Ave, Ste 1200
Dallas, TX 75202
Multimedia Planning and Permitting Division (6PD)
Federal Facilities Section
214-665-7246

From:	Elaine Cimino <ecimino10@gmail.com>
To:	Tara Hubner/R6/USEPA/US@EPA
Date:	01/21/2011 07:55 PM
Subject:	Aquifer Injection Control

--

Nothing is more perishable than our relationship with the Earth."

"In a time where every living system is declining and the rate of decline is accelerating, we must figure out what it means to be a human on Earth and remain humane in the process." -Elaine Cimino

"Our lives begin to end the day we become silent about things that matter."
-Martin Luther King Jr.

Re: EPA Region 6 RCRA Director?
Tara Hubner to: Elaine Cimino 02/11/2011 06:42 AM

Hi Elaine,

The EPA Region 6 Associate Director for RCRA Programs is Susan Spalding.

Tara Hubner, P.G.
Environmental Scientist

EPA Region 6
1445 Ross Ave, Ste 1200
Dallas, TX 75202
Multimedia Planning and Permitting Division (6PD)
Federal Facilities Section
214-665-7246

Elaine Cimino Hi Tara, I am trying to finalize the addresses for the letter we are sending you,... 02/10/2011 07:33:41 PM

From: Elaine Cimino <ecimino10@gmail.com>
To: Tara Hubner/R6/USEPA/US@EPA
Date: 02/10/2011 07:33 PM
Subject: EPA Region 6 RCRA Director?

Hi Tara,
I am trying to finalize the addresses for the letter we are sending you, and James Bearzi Bureau Chief NMED HWB. I need to copy this letter to the head of the agency and /or departments. I did not know if Michelle Peace was that RCRA department head or Secretary of EPA Region 6 that I would cc this letter to. You will receive the copy, James Bearzi Chief NMED HWB, David Martin the Secretary of NMED and KAFB Colonel Manness and the Public Affairs people on the Base.
the letter we spoke about earlier this month should arrive by Friday or Monday at the latest.
Look forward to hearing from you so I can get this out.
Elaine Cimino
Director Citizens for Environmental Safeguards
1132 Stanford Dr NE
Albuquerque, NM 87106

505 508-0255

--

Nothing is more perishable than our relationship with the Earth."

"Our lives begin to end the day we become silent about things that matter."

-Martin Luther King Jr.

Re: follow-up on status of letter
Tara Hubner to: Elaine Cimino
Cc: "Bearzi, James, NMENV", bill.olsen

03/31/2011 04:50 PM

Elaine,

Sorry for the delay. We are preparing a response to the February 24th letter. It takes some time to coordinate with the other programs within our office to prepare the response.

Tara Hubner, P.G.
Environmental Scientist

EPA Region 6
1445 Ross Ave, Ste 1200
Dallas, TX 75202
Multimedia Planning and Permitting Division (6PD)
Federal Facilities Section
214-665-7246

Elaine Cimino — Tara Hubner and James Bearzi, Please see the attached letter checking on the... — 03/28/2011 08:49:25 PM

From:	Elaine Cimino <ecimino10@gmail.com>
To:	Tara Hubner/R6/USEPA/US@EPA, james.bearzi@state.nm.us, david.martin@state.nm.us, Susan Spalding/R6/USEPA/US@EPA, John Blevins/R6/USEPA/US@EPA, bill.olsen@state.nm.us, marie.vanover@kirtland.af.mil
Cc:	Cliff Bain <bain@newmex.com>, Kathy Sanchez <tewawu@msn.com>, Bob Anderson <citizen@comcast.net>, Jeanne Pahls <jeannepahls@comcast.net>, "Charles Bennet & Nancy Bearce" <nmbcb4@gmail.com>, Eric Lewis/OIG/USEPA/US@EPA, Wade Najjum/OIG/USEPA/US@EPA, cisco McSorley <cisco@swcp.com>, Jerry Ortiz y Pino <jortizyp@msn.com>, linda.lopez@nmlegis.gov, "Benton, Isaac" <ibenton@cabq.gov>, "Garduno, Rey" <reygarduno@cabq.gov>
Date:	03/28/2011 08:49 PM
Subject:	follow-up on status of letter

Tara Hubner and James Bearzi,
Please see the attached letter checking on the status of our request for a public hearing. Also please see my letter regarding information requests and quesitons regarding record modifications.
Attached are the Screen Shots of the Well Logs and directroies that show modified files and dates in question. These are what I downloaded.
Look at the example of well logs, please notice the top left field in the first column, notice that the data can be changed.

I hope that you can please clarify and answer our requests
Elaine Cimino
Director Citizens for Environmental Safeguards

Citizens for Environmental Safeguards (CES)

1132 Stanford Dr NE Albuquerque, NM 87106

505 508-0255

mailto:ecimino10@gmail.com

--

Nothing is more perishable than our relationship with the Earth."

"In a time where every living system is declining and the rate of decline is accelerating, we must figure out what it means to be a human on Earth and remain humane in the process." -Elaine Cimino

"Our lives begin to end the day we become silent about things that matter."
-Martin Luther King Jr.