



MICHELLE LUJAN GRISHAM
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Certified Mail - Return Receipt Requested

May 23, 2023

Colonel Jason F. Vattioni
Base Commander
377 ABW/CC
2000 Wyoming Blvd SE
Kirtland AFB, NM 87117

Ms. Melissa Clark
Civil Engineer Office
377 MSG/CEIE
2050 Wyoming Blvd SE
Kirtland AFB, NM 87117

**RE: RESPONSE TO SECOND DISAPPROVAL, OPERATIONS AND MAINTENANCE (O&M) PLAN
GROUNDWATER TREATMENT SYSTEMS
BULK FUELS FACILITY SOLID WASTE MANAGEMENT UNIT ST-106/SS-111 REVISION R4
KIRTLAND AIR FORCE BASE, NEW MEXICO
EPA ID# NM6213820974
HWB-KAFB-20-003**

Dear Colonel Vattioni and Ms. Clark,

The New Mexico Environment Department (NMED) is in receipt of the Kirtland Air Force Base (Permittee) *Response to Second Disapproval, Operations and Maintenance (O&M) Plan Groundwater Treatment Systems, Bulk Fuels Facility Solid Waste Management Unit ST-106/SS-111 Revision R4 (Response)*, dated March 27, 2023. NMED has reviewed the Response, and hereby issues this reply.

The Response states, “[t]he Air Force is requesting clarification of General Comment No. 1, Coverage of the O&M Plan.” General Comment 1 of the NMED’s February 6, 2023 *Second Disapproval* states, “[n]ew information (e.g., information regarding well KAFB-1061N2) was added to the O&M Plan. However, the O&M Plan must only cover the proposed activities for year 2020. Therefore, the Permittee must not substitute this submittal with the subsequent O&M Plan update (2021 O&M Plan). A separate O&M Plan that covers the proposed 2021 activities must be submitted to NMED. As of September 30, 2021, NMED has not received the 2021 O&M Plan. The Permittee must submit the 2021 O&M Plan or submit a request for an extension to the submittal date upon receipt of this letter.” To clarify, the comment directed the Permittee to submit the revised 2020 O&M plan rather than the plan updates. The Response subsequently states, “[t]he Air Force proposes for NMED consideration that instead of developing two O&M plans to meet annual requirements, the Revision 5 O&M Plan covers all modifications to date and addresses NMED comments provided in the second disapproval letter,” and “[r]evision 5 O&M Plan will be submitted by June 1, 2023, as requested.”

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Hazardous Waste Bureau - 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Me
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Considering the timeline for the correspondence, NMED concurs with the Permittee's proposal. The 2023 O&M Plan (i.e., Revision 5 O&M Plan) that addresses comments provided in the NMED's February 6, 2023 *Second Disapproval*, where applicable, and covers the proposed 2023 O&M activities must be submitted for NMED's review no later than **July 1, 2023**. The revision number (e.g., Revision R4, Revision 5) in the title of the submittal is confusing and does not clearly represent the pertaining year of the O&M activities; therefore, indicate the year "2023" in the title of the submittal. The revised 2020 O&M Plan is no longer required.

Furthermore, the Response states, "[t]he Air Force requests that NMED rescind its annual O&M plan requirement and maintain the NMED requirement that a revised O&M Plan be submitted 120 days after significant changes are made to the Groundwater Treatment System, including extraction well(s), new injection well(s), and expansion of the treatment capacity, as detailed in NMED's approval with modifications letter dated December 12, 2016, included as an attachment to this letter. If NMED decides to retain the annual requirement, the Air Force requests direction on how to manage meeting both the annual and the 120-day requirements for O&M Plans. The Air Force requests that NMED consider that NMED's review times often exceed a year and that there are sometimes no significant modifications implemented on an annual basis. When combined with the 120-day revision requirement, the annual plan requirement puts an additional, unnecessary burden on both the Air Force and NMED."

NMED does not agree with the request. NMED anticipates that review time for future annual O&M plans will be minimal once the Permittee addresses the comments in the NMED's February 6, 2023 *Second Disapproval*. Several comments in the NMED's *Second Disapproval* require the plans to be better organized to facilitate NMED's review. In addition, any changes proposed for the Groundwater Treatment System (GWTS) will be reviewed and approved in annual O&M plans. Since all changes will be reviewed in annual O&M plans, review time for the revised plans would be minimal. Accordingly, the Permittee must comply with the direction provided in the NMED's December 12, 2016 letter. The Permittee must continue to submit the O&M plan that reflects actual operations and maintenance at the GWTS annually. Additional plan updates must be submitted when significant changes are made to the GWTS within 120 days.

Should you have any questions, please contact Dave Cobrain at (505) 476-6055.

Sincerely,

Ricardo Maestas

Digitally signed by Ricardo
Maestas
Date: 2023.05.23 09:05:41 -06'00'

Ricardo Maestas
Acting Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB

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