
FACT SHEET / STATEMENT OF BASIS

Notice of Intent to Approve a Class 3 Permit Modification
to Grant Corrective Action Complete Status for
Solid Waste Management Unit 26, Area of Concern 44,
Area of Concern 79 and Removal of Parcel 10B from the
Facility

RCRA Permit Number NM6213820974

**FORT WINGATE DEPOT ACTIVITY
NEW MEXICO**

December 2014

FACT SHEET / STATEMENT OF BASIS

NOTICE OF INTENT TO APPROVE A CLASS 3 PERMIT MODIFICATION TO GRANT CORRECTIVE ACTION COMPLETE STATUS FOR SOLID WASTE MANAGEMENT UNIT 26, AREA OF CONCERN 44; AREA OF CONCERN 79 AND REMOVAL OF PARCEL 10B FROM THE FACILITY

RCRA Permit No. NM6213820974

Under 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 approve, pending public input into this decision, a Class 3 permit modification request (PMR) received from the Department of Army/Fort Wingate Depot Activity (Permittee) for the Hazardous Waste Permit (Permit) pursuant to 20.4.1.900 NMAC (incorporating 40 CFR 270.42(c)).

If approved, the proposed modifications would grant Corrective Action Complete (CAC) status for Solid Waste Management Unit (SWMU) 26, Area of Concern (AOC) 44 and AOC 79. In addition, Parcel 10B would be removed from within the facility boundary of Fort Wingate Depot Activity (FWDA). Currently, Table 1 in Permit Attachment 8 of the Permittee's Resource Conservation and Recovery Act (RCRA) Permit lists SWMUs and AOCs at the FWDA facility where corrective action may be necessary to characterize and remediate past releases of hazardous wastes or hazardous waste constituents. If this modification is approved by NMED, SWMU 26, AOC 44, and AOC 79 would be transferred from Table 1 in Attachment 8 of the Permit to Table 4 that lists SWMUs and AOCs with the status of CAC without Controls. The removal of Parcel 10B will modify the Facility Boundary Map.

FWDA is located at the following address: Fort Wingate Depot Activity, McKinley County, New Mexico. FWDA's primary contact for this action is: Mr. Mark Patterson, FWDA, BRAC Coordinator, P. O. Box 93, Ravenna, OH 44266. Telephone: (330) 358-7312.

A. Facility Description

FWDA is located in McKinley County, New Mexico, approximately eight miles east of the City of Gallup. FWDA covers approximately 22 square miles next to Navajo Nation and the Zuni Pueblo Tribal land. In 1918, the Army established the munitions depot at its current location. From 1918 until its closure in 1993, the installation stored, refurbished, tested and demolished military munitions. In negotiations with the Pueblo of Zuni and Navajo Nation, the Army Base Realignment and Closure Program transferred half of the 22,000 acres to be used jointly by the tribes, and retained the remainder of the base for the Missile Defense Agency for missile testing.

From 1949 to 1993, Fort Wingate stored, conducted functional testing and demilitarizing of munitions. Open-burning detonation, incineration, and bomb washout were the principal demilitarization methods used. Past practices resulted in releases of ordnance-related waste both on and off the facility.

B. Background

NMED issued Attachment 8 as part of the FWDA RCRA Permit in December 2005 (Revised April, 2014). The FWDA Permit requires investigation of SWMUs and AOCs listed in Attachment 8 of the Permit. Section H of this fact sheet briefly describes the locations, histories, evaluations of relevant information, and the basis for the determination for these three sites as achieving corrective action complete without controls status. More detailed descriptions of the AOCs can be found in the permit modification requested by the Permittee and the references listed at the end of this fact sheet which constitute the administrative record for this action.

The following sites, with SWMU/AOC designations, are the subject of this proposed permit modification:

SWMU/AOC	Parcel	Description in Permit
SWMU 26	10B	Suspected POL Area. Large berm north of the railroad classification yard.
AOC 44	7, 10A, and 10B	Former Administration and Utilities Area.
AOC 79	6	Feature 2 on the 1973 aerial photo (API-5) in the 1995 Archive Search Report.

SWMU 26, AOC 44 and AOC 79 are currently being considered for Corrective Action Complete without Controls. SWMU 26 is located in Parcel 10B and is a large berm between the main rail line entering FWDA from the north and a small rail spur. AOC 44 is located in Parcel 10B, Parcel 7 and in the eastern portion of Parcel 10A. AOC 79 is located in Parcel 6 and was an Open Storage Site or an area Standard Ammunition Magazine. Since, no other SWMUs or AOCs are located within Parcel 10B, once SWMU 26 and AOC 44 receive CAC without control Parcel 10B qualifies for removal from the Facility for future transfer to tribal trust.

C. Administrative Record

The Administrative Record for this proposed action consists of this Fact Sheet/Statement of Basis, the Public Notice, and the RCRA Permit that contains Tables 1 and 4 in Attachment 8 and the Class 3 Permit Modification Request, dated August 21, 2014. The Administrative Record 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
(505) 476-6000
Monday - Friday from 8:00 a.m. to 5:00 p.m.

A copy of the above mentioned documents are also available electronically on the NMED website at:

<http://www.nmenv.state.nm.us/hwb/fwdaperm.html>.

To obtain a copy of the Administrative Record or a portion thereof and to obtain further information please contact Ms. Pamela Allen at (505) 476-6064, or at the address given above. NMED will provide copies, or portions thereof, of the administrative record at a cost to the requestor.

D. Public Participation

The Permittee issued a public notice on **August 6, 2014**, and a public meeting was held on **September 10, 2014** in accordance with 20.4.1.901 NMAC as part of the 60-day public comment period on the PMR required by the regulations at 40 CFR §§ 270.42(c)(4) and (5). NMED did not receive any comments from the public during this comment period.

NMED issued a public notice on **December 12, 2014**, to announce the beginning of a 60-day comment period that will end at 5:00 p.m. MDT **February 10, 2015**. 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 physical or e-mail address below. Only comments and/or requests received on or before 5:00 p.m. MDT, **February 10, 2015** will be considered.

Dave Cobrain, 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: dave.cobrain@state.nm.us
Ref: FWDA Class 3 Permit Modification Request

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 propose to raise for consideration at the hearing. Written comments and requests for Public Hearing must be filed with Mr. Dave Cobrain on or before 5:00 p.m. MDT, **February 10, 2015**. NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

E. Next Steps

After consideration of all public comments received, NMED will issue a final decision that will approve, modify or deny the request. If NMED modifies or denies the request, NMED will provide written justification for the decision to the Permittee by certified mail. NMED will make the final decision publicly available and will notify the Permittee's and each person who submitted written comments of the final decision. The final decision will constitute a final agency decision and maybe appealed as provided in the Hazardous Waste Act.

F. Contact Person for Additional Information

For additional information, contact the following individual:

Dave Cobrain, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303
Telephone: (505) 476-6000
Fax: (505) 476-6030
e-mail: dave.cobrain@state.nm.us

G. Arrangements for Persons with Disabilities

Any person with a disability and requiring assistance or auxiliary aid to participate in this process should contact J.C. Borrego, NMED, Room S-4303, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-6110, TDD or TDY users please access Mr. Borrego's number via the New Mexico Relay Network at 1-800-659-8331.

H. Description of Sites Proposed for Corrective Action Complete without Controls

1. SWMU 26, Suspect Petroleum Oil Lubricants (POL) Site

Location

SWMU 26 is located in Parcel 10B, north of the North Patrol Road at the northern edge of FWDA between the South Fork Puerco River and Interstate 40. It is a large berm between the main rail line entering FWDA from the north and a small rail spur.

Summary of Investigations

SWMU 26 is a large pile of soil that is approximately 25 feet high, 250 feet long and 50 feet wide. SWMU 26 was included in the permit for further investigation as a result of the Preliminary Assessment Report (ANL, 1990) which describes a site used for POL disposal to be directly north of the fluorspar storage area. The Facility Assessment Report (PRC, 1990) presents information based on personal interviews that indicated two different locations at which POL may have been disposed. The report further states that the actual POL site had been covered with soil in 1975, therefore, no visibly stained soil was evident.

The majority of the historical environmental characterization efforts for SWMU 26 were summarized in the 1997 Remedial Investigation/Feasibility Study (PMC, 1997). It was determined that no known wastes or contaminants were released at this site and the Permittee proposed No Further Action at this site (USACE, 1999).

In 2009 the Permittee submitted a Release Assessment (USACE, 2009) that included a review of assessment of all available records pertaining to SWMU 26 in Parcel 10B. However, due to the limited amount of data available, additional soil sampling was completed in March 2009. The sampling results included two samples with arsenic detections slightly above the NMED Soil Screening Levels (SSLs) (NMED, 2009).

NMED issued a Notice of Deficiency (NMED, 2010) regarding the Release Assessment Report (USACE, 2009). In response the Permittee submitted a Facility Investigation Work Plan (USACE, 2010) that reviewed historic engineering drawings dated 1942 (FWDA drawing C-7-113) and 1963 (FWDA drawing 137-A), which indicated that the soil in question had been intentionally placed at this site to provide a protective barrier in the event of an explosion on the adjacent railroad lines. The soil was placed such that it was approximately as high as the top of a railroad car, with a 6-foot wide flat top and sides sloped at a rate of 1.5 horizontal to 1.0 vertical. Soil samples were also collected to further evaluate the presence of environmental impacts at SWMU 26. The samples were analyzed for target analyte list (TAL) metals, semi-volatile organic compounds (SVOCs), explosives, diesel range organics (DROs) extended and oil range organics (ORO).

Evaluation of Investigation Results

Based on the review and assessment of available historical information, no known wastes or contaminants were released at this site. Aerial images dated from 1935 to 1997 were reviewed and the bermed rail spur was present beginning in 1948. The 1958 aerial photo shows the berm present as well as an access road leading to a scarred area east of this site. The 1973 photo shows that the bermed rail spur was present with no significant findings after that date.

During the 1997 Remedial Investigation/Feasibility Study (PMC, 1997) the Permittee collected subsurface soil samples around the perimeter of the soil pile. Five soil borings were installed and depth recorded around the soil pile with a hand auger. Ten soil samples were analyzed for Target Compound List (TCL) volatile organic compounds (VOCs), TCL SVOCs, polychlorinated biphenyls (PCBs), and TAL metals. A No Further Action (NFA) proposal was based on these results (USACE, 1999). Based on the information provided it was determined that the bermed soil should be considered “clean soil” (NMED, 1999).

The 2009 Release Assessment (USACE, 2009) documented two detections of arsenic. However, these arsenic detections were determined to be within the soil background concentrations at FWDA (NMED, 2013 Arsenic Background Levels).

The 2010 Facility Investigation Work Plan (USACE, 2010) determined that SWMU 26 was engineered as a protective barrier in the event of an explosion on the adjacent railroad lines. The soil sampling data indicated that no contaminants of concern were detected above the 2009 NMED residential SSLs.

The historical documents, observations and soil investigations suggest that no releases of hazardous waste or hazardous constituents occurred from operations at SWMU 26.

Basis of Determination

Based on the historical information and investigations no known wastes or contaminants were released at the site. SWMU 26 has been determined to be suitable for Corrective Action Complete without Controls. SWMU 26 does not pose an unacceptable level of risk to human health and the environment under a residential land use scenario.

2. AOC 44, Former Administration and Utilities Area

Location

AOC 44 is the Former Administration and Utilities Area. The Administration Area was located on the eastern portion of Parcel 10 with a dirt airfield laid out in an X pattern to the west of the Administration area.

Summary of Investigations

Based on historical information, AOC 44 was used as an Administration and Utilities Area during the 1919-1939 General Ordnance Depot periods. FWDA drawing C-8-25

dated 1919 shows details of the Former Administration and Utilities Area and is included in the 2012 Facility Investigation Report (USACE, 2012 RFI).

A Site Assessment was conducted in 2002 that documented visual observations made either by driving or by foot throughout Parcel 10. In addition, a review of the 1935 aerial photographs revealed an airfield with two intersecting dirt runways and an adjoining cluster of buildings which is now considered the majority of AOC 44 (TT, 2002).

In 2006, an Aerial Photography Site Analysis (ERI, 2006) reviewed photographs to locate potential sources of contamination and to record any findings inside the boundaries of the known AOCs and SWMUs. Aerial images dated from 1935 to 1997 were evaluated. Dark-toned material and objects visible along and at the end of an access road east of the administration buildings in the 1935 and 1948 historical aerial photos were observed. Rows of probable containers and scarred area were also present in the 1948 photo. In the 1952 aerial photo probable debris from the demolition of buildings adjacent to the old administration/utilities site were observed.

Evaluation of Investigation Results

Based on the review and assessment of available historical information, no known wastes or contaminants were released at this site. The 2009 Release Assessment Report (USACE, 2009), documented inspections and soil sampling that were conducted at AOC 44. An Unexploded Ordnance Technician inspected the area with a magnetometer for possible discarded munitions and Underground Storage Tanks (USTs). No munitions or USTs were found. Only remnants of building debris were observed. In addition, samples were taken and analyzed for explosives, SVOCs, TAL metals, pesticides, and DRO. Two soil samples detected arsenic above the NMED SSL, 2009.

NMED issued a noticed of deficiency (NMED, 2010) in response to the Release Assessment Report (USACE, 2009) and in response the Permittee submitted a Work Plan (USACE, 2010) to summarize previous investigations and restoration activities at AOC 44 and propose additional investigations.

The 2012 RCRA Facility Investigation Report (USACE, 2012) summarizes the additional soil sampling conducted at AOC 44. Based on the results of the soil investigations no contaminants of concern were detected above the 2009 NMED residential SSLs.

The historical documents, observations and soil investigations suggest that no releases of hazardous wastes or hazardous constituents occurred from operations at AOC 44.

Basis of Determination

AOC 44 has been determined to be suitable for Corrective Action Complete without Controls. There is no evidence that a release of contaminants that occurred from the operations at AOC 44 and it does not pose an unacceptable level of risk to human health and the environment under a residential land use scenario.

3. AOC 79, Feature 2 on the 1973 Aerial Photo (API-5) in the 1995 Archive Search Report.

Location

AOC 79 is located in the northern portion of Parcel 6 and is approximately 3.6 acres in size.

Summary of Investigations

AOC 79 is described as Feature 2 on the 1973 aerial photo (API-5) in the 1995 Archive Search Report. Historical area photographs indicate that access roads previously to a probable building foundation at an area of apparent scarred and stained soil.

FWDA historical maps for this area list a portion of AOC 79 as an Open Storage Site or a Standard Ammunition Magazine. A temporary building number listed as Z-220 or X-18 is listed for this area. Buildings designated with an X-identifier were wood-framed structures with a roof but no walls. These buildings had earth or gravel floors. Areas with Z-identifiers were either buildings such as those with an X-identifier or were flat open storage areas with no associated building. Munitions were temporarily stored at these locations from the 1940s to the 1960s.

Evaluation of Investigation Results

No known wastes or contaminants were historically released at AOC 79. This site was identified as an AOC based solely on aerial photography.

In the 2008 release assessment surface soil samples were collected at two general locations at AOC 79. Multi-incremental samples were collected and analyzed for explosives using EPA Method 8330B and for lead using EPA Method 6010. No contaminants of concern were detected above the NMED residential SSLs.

Basis of Determination

AOC 79 has been determined to be suitable for Corrective Action Complete without Controls. There is no evidence that a release of contaminants that occurred from the operations at AOC 79 and it does not pose an unacceptable level of risk to human health and the environment under a residential land use scenario

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- CH2M HILL, 2008. *Final Geophysical Investigation Plan for Parcel 6, Fort Wingate Depot Activity, June 2008.* (CH2M Hill, 2008)
- DoD, 2009. *Department of Defense Quality Systems Manual for Environmental Laboratories, Version 4.1 Final, April 2009.* (DoD, 2009)
- DoD, 2010. *Department of Defense Quality Systems Manual for Environmental Laboratories, Version 4.2 Final, October 2010.* (DoD, 2010)
- ERI, 2006. *Aerial Photographic Site Analysis, Fort Wingate Depot Activity, Fort Wingate, New Mexico, Environmental Research, Inc. (ERI), September 2006.* (ERI, 2006)
- FWDA, 1999. *Petition for No Further Action (NFA) at Suspected Petroleum, Oils, Lubricants (POL) Site at Fort Wingate Depot Activity (FWDA), New Mexico, February 1999.* (FWDA, 1999)
- Metcalf & Eddy, Inc., 1992. *Final Sampling and Analysis Plan for the Environmental Investigations (EI) at Fort Wingate Depot Activity (FWDA), Gallup, New Mexico for USATHAMA, Metcalf & Eddy, Inc., November 1992.* (Metcalf & Eddy, 1992)
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SAIC, 2007. *Letter Report Archival Search for Fort Wingate Depot Activity Information, Science Applications International Corporation (SAIC)*, March 2007. (SAIC, 2007)

Shaw, 2010. *Soil Background Study and Data Evaluation Report, Fort Wingate Depot Activity, New Mexico*, Shaw Environmental, Inc., February 2010. (Shaw, 2010)

Tetra Tech, Inc., 2002. *Phase I Environmental Site Assessment Report (AR), Fort Wingate Parcels 5, 8, 10, and 14 for U.S. Department of Interior Bureau of Land Management*, Tetra Tech Inc., December 2002. (TT, 2002)

USACE, 1995. *Archives Search Report Fort Wingate*, U.S. Army Corps of Engineers, St. Louis District, July 1995. (USACE, 1995)

USACE, 1999. *No Further Action (NFA) Proposal – Suspected POL Area*, U.S. Army Corps of Engineer Fort Worth District, February 1999. (USACE, 1999)

USACE, 2005. *Guidance for Evaluating Performance-Based Chemical Data*, EM 200-1-10, June 2005. (USACE, 2005)

USACE, 2009. *Final of the Release Assessment (RA) Report for Parcel 10, Version 3.0, Fort Wingate Depot Activity, New Mexico*, U.S. Army Corps of Engineers Ft. Worth District, October 2009. (USACE, 2009)

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