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NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Ground Water Quality Bureau*

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RON CURRY  
Secretary

SARAH COTTRELL  
Deputy Secretary

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

April 2, 2010

Colonel Michael S. Duvall  
Base Commander  
Kirtland Air Force Base  
377 ABW/CC  
2000 Wyoming Blvd SE  
Kirtland AFB, New Mexico 87117-5606

John Pike  
Director, Environmental Management  
377 MSG/CEANR  
2050 Wyoming Blvd, SE Suite 116  
Kirtland AFB, New Mexico 87117-5270

**Re: KAFB Stage 2 Abatement Plan, SS-111 and ST-106 Bulk Fuels Facility Fuel Spill**

Dear Colonel Duvall and Mr. Pike:

The New Mexico Environment Department's (NMED) Ground Water Quality Bureau (GWQB) has reviewed your letter of December 30, 2009 responding to its second Notice of Deficiency dated October 28, 2009 (second "NOD") for Kirtland Air Force Base's (KAFB's) Stage 2 Abatement Plan for the SS-111 and ST-106 Bulk Fuels Facility.

On June 23, 2009, the GWQB sent KAFB a letter outlining major deficiencies in the Stage 2 Abatement Plan and requiring correction of the deficiencies by July 24, 2009 (first "NOD"). KAFB responded to the first NOD on July 30, 2009, but did not correct the deficiencies.

The GWQB's second NOD required KAFB to submit an interim light nonaqueous phase liquid (LNAPL) removal work plan to remediate the off-base LNAPL plume. It also reiterated the requirement that KAFB provide specific dates by which it would complete specific work tasks. The second NOD noted that the required work plan should include relocation and operation of interim SVE units and the installation of more wells for plume verification and extraction of LNAPL in contaminated areas outside of the base.

KAFB has not complied with the requirements of the GWQB's first and second NODs. KAFB has failed to provide an interim work plan with specific dates for task completion,

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or a revised timeline that provides for the investigation and abatement of off-base plumes in a reasonable time frame. Additionally, KAFB's December 30, 2009 letter indicates that it will not be moving expeditiously to begin active remediation of off-base contamination. Given the scope and severity of the contamination plume, KAFB's proposed approach is not acceptable.

By letter of June 11, 2007, the NMED Hazardous Waste Bureau (HWB) informed KAFB that so long as KAFB meets the GWQB requirements for conducting corrective action at SS-111 and ST-106, the HWB considered KAFB to be compliant with corrective action required under the New Mexico Hazardous Waste Act (HWA) and KAFB's Resource Conservation and Recovery Act (RCRA) Permit. As demonstrated by the GWQB's letters of June 23, 2009, October 28, 2009, and this letter, KAFB has not and is not meeting the GWQB's requirements. Therefore, the GWQB has transferred oversight of corrective action at SS-111 and ST-106 to the HWB, which will enforce corrective action under the HWA and the New Mexico Hazardous Waste Management Regulations, 20.4.1 NMAC. From this point forward, KAFB shall respond directly to the HWB and copy the GWQB on all correspondence and required plans and reports related to SS-111 and ST-106.

Sincerely,



William Olson

Chief

Ground Water Quality Bureau

cc: Marcy Leavitt, NMED WWMD  
Alex Puglisi, NMED GWQB  
Baird Swanson, NMED GWQB  
James Bearzi, NMED HWB  
John Kieling, NMED HWB  
William Moats, NMED HWB  
Leslie Barnhart, NMED OGC  
Billy Gallegos, AEHD  
Barbara Gastain, ABCWUA