

July 7, 2010
Mr. Ron Curry, Secretary
New Mexico Environment Department
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Dear Mr. Curry,

Citizen Action New Mexico has previously requested that the proposed Kirtland Air Force Base (KAFB) Resource Conservation and Recovery Act (RCRA) Part B Permit for Open Burn/Open Detonation should be opened for public comment. This letter is to provide a supplemental reason for the requests were set forth in letters to the NMED of October 6 and October 28, 2009 that have gone without response by KAFB and NMED. Citizen Action is also hereby informing NMED of our position that the Open Detonation permit for KAFB should be denied.

An overarching environmental emergency at KAFB is the onsite and offsite groundwater contamination from KAFB by an 8,000,000 gallon spill of jet fuel that took place over decades and is only recently being investigated as to the extent of the plume of contamination. That investigation is being handled by the NMED Hazardous Waste Bureau at present. The plume of contamination has left KAFB and traveled in the groundwater into the City of Albuquerque beneath Bullhead Park and into residential subdivisions. Contamination of municipal drinking water wells is a possible outcome.

The KAFB jet fuel plume of contamination is at the very least an Area of Concern or a Solid Waste Management Unit that is subject to corrective action and groundwater monitoring under RCRA. The proposed KAFB RCRA Part B Permit does not include the jet fuel spill as an AOC or a SWMU. Under 40 CFR 264.101, a facility seeking a hazardous waste permit must include, in the permit, corrective action schedules and financial assurance for releases that have occurred at a facility.

“264.101 - Corrective action for solid waste management units.

“(a) The owner or operator of a facility seeking a permit for the treatment, storage or disposal of hazardous waste must institute corrective action as necessary to protect human health and the environment for all releases of hazardous waste or constituents from any solid waste management unit at the facility, regardless of the time at which waste was placed in such unit.

“(b) Corrective action will be specified in the permit in accordance with this section and subpart S of this part. The permit will contain schedules of compliance for such corrective action (where such corrective action

cannot be completed prior to issuance of the permit) and assurances of financial responsibility for completing such corrective action.

“(c) The owner or operator must implement corrective actions beyond the facility property boundary, where necessary to protect human health and the environment, unless the owner or operator demonstrates to the satisfaction of the Regional Administrator that, despite the owner's or operator's best efforts, the owner or operator was unable to obtain the necessary permission to undertake such actions. The owner/operator is not relieved of all responsibility to clean up a release that has migrated beyond the facility boundary where off-site access is denied.”

The proposed KAFB Part B has not included the jet fuel spill and thus the draft is incomplete and must be revised and forth for public comment.

Citizen Action supports denial of the Open Detonation portion of the proposed KAFB Part B permit. The unmonitored contamination of Albuquerque's breathing air and groundwater by open detonation further compounds the threat to public health and safety from the jet fuel spill.

There are alternatives to open detonation that are in use at military bases in the United States and around the world for energetic wastes, such as propellants, explosives and pyrotechnic materials. (See, e.g., <http://www.eldoradoengineering.com/thermal.htm> and <http://www.eldoradoengineering.com/images/mapS.jpg>). Containerized units including mobile units can be designed to handle specific waste streams. The failure to use these technically available alternatives in the major metropolitan neighborhood of Albuquerque with 600,000 residents does not speak well for KAFB as a good neighbor.

The Open Detonation of thousands of pounds of rocket motors from Sandia National Laboratories and military hazardous waste will explode nearly 200 dangerous chemicals and heavy metals into the air. The gasses, ash residue and re-suspension of contaminated soil can cause a variety of health effects, including asthma, allergic reactions, nausea, headaches, cancer, hormonal changes, skin disease and rashes, fetal damage, damage to organs, neurological, reproductive and the immune systems.

An environmental study conducted to assess burning and detonation of wastes at KAFB to be received from Edwards Air Force Base in California concluded that Albuquerque's air shed is not suitable for that activity. For the same reasons, the ongoing open detonation of up to 100,000 pounds of hazardous waste per year into Albuquerque's airshed should be stopped.

There is no real-time air quality monitoring that is conducted at the Open Detonation site during the detonations. In addition, groundwater monitoring at the Open Detonation site is non-existent and does not comply with the federal law.

We would appreciate a response in writing for these issues.

Sincerely,

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