

National Aeronautics and
Space Administration

Lyndon B. Johnson Space Center
White Sands Test Facility
P.O. Box 20
Las Cruces, NM 88004-0020



July 8, 2013

RE-13-067

New Mexico Environment Department
Attn: Mr. John Kieling, Chief
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

Subject: Final Certification Closure Report, Certification of Final Closure, and Permit Modification Procedures for the Evaporation Treatment Unit (ETU) at the NASA White Sands Test Facility (WSTF) - Hazardous Waste Permit No. NM8800019434

The NASA White Sands Test Facility (WSTF) is providing this letter as an update to a previously submitted letter dated December 17, 2012 (reference RE-12-179). In the NASA letter dated December 17, 2012, it was stated that upon removal of the primary and secondary tank liners, NASA intended to submit a Class I permit modification to address all of the obsolete permit conditions due to the Evaporation Tank Unit (ETU) demolition and subsequent removal from service. Additionally, NASA stated in that same letter that February 2013 was the anticipated submittal date for the permit modification to remove the obsolete ETU permit conditions from the RCRA Hazardous Waste Permit (NM8800019434).

Based on recent discussions with NMED, it was determined that removing the ETU via the permit modification process immediately after the primary and secondary liners were removed (anticipated to be February 2013) was not actually feasible, from a regulatory perspective, until the Final Certification Closure Report is approved and a formal Certification of Closure is issued by NMED. Therefore, the timeframes proposed in the December 17, 2012 letter were not achievable until the entire Closure Plan process is completed.

Based on recent discussions between NMED and NASA, NMED requested that NASA provide an updated submittal timeframe specific to the Closure Plan process, not the permit modification process, since removing the ETU from the permit is fully contingent on successful completion of the ETU Closure Plan. Therefore, NASA proposes that the Final Certification Closure Report and the associated Certification of Closure request will be submitted to NMED by August 6, 2013. Based on this submittal date, and taking into consideration that the permit modification timing is contingent on NMED's review and approval process, NASA estimates that the permit modification to remove the ETU from the Hazardous Waste Permit will be submitted prior to the end of the 2013 calendar year, barring any unforeseen documentation issues, or requirements for additional fieldwork.

After approval of the Final Certification Closure Report and issuance of an NMED-approved Certification of Closure, NASA will then submit a Class I permit modification request to remove all ETU permit conditions from the Hazardous Waste Permit. As discussed with NMED, the proposed permit modification criteria for removing these obsolete ETU requirements is a Class I modification, with prior Agency approval, as specified in 40 CFR §270.42, Appendix I, Criteria A.8, which reads as follows:

A.8 - Changes to remove permit conditions that are no longer applicable (i.e., because the standards upon which they are based are no longer applicable to the facility).

As part of the Closure Plan process, the ETU tank systems, major sections of the hazardous waste drain line (HWDL), and the drain line sump system have been physically removed from service. Therefore, certain permit conditions can no longer be performed because the tank system and ancillary equipment such as the liners, nitrogen purge, leak detection, drain line sump, emergency alert system, and cathodic protection system no longer exist. For example, the entire dual tank system was demolished; therefore, daily, weekly, and monthly tank inspections cannot be performed. Additionally, the monthly and annual sampling requirements for the ETU wastewater (light and dense phases) cannot be performed and the cathodic protection system cannot be monitored, inspected, or tested. Finally, certain waste streams such as investigative-derived wastes (IDW), precipitation, and precipitation runoff from the Fuel Treatment Unit (FTU) and ETU can no longer be moved to the tanks as specified by certain permit conditions. In all of the cases cited above, notations to the Operating Record have been made to describe the situation of permit requirements for permitted facilities that have been demolished and removed from service. All permit conditions that cannot be performed because the system was demolished and removed from service will be removed from the Hazardous Waste Permit as previously discussed using a standard Class I permit modification process. This process will occur after the Final Certification Closure Report review is completed and the formal Certification of Closure process has been successfully performed. If you have any questions or comments concerning this submittal, please contact Tim Davis of my staff at 575-524-5024.



Radel Bunker-Farrar
Chief, Environmental Office

cc:

New Mexico Environment Department
Attn: Mr. Dan Comeau
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505

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