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RYAN FLYNN
Cabinet Secretary
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Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 27, 2014

Radel Bunker-Farrah
Environmental Program Manager
National Aeronautics and Space Administration
White Sands Test Facility
P.O. Box 20
Las Cruces, NM 88004-0020

Attention of: RE-14-097

**RE: APPROVAL OF REQUEST FOR A NO LONGER CONTAINED-IN
DETERMINATION (NLCID) FOR INVESTIGATION DERIVED WASTE (IDW)
FROM THE 200 AREA PHASE II INVESTIGATION
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)
JOHNSON SPACE CENTER (JSC) WHITE SANDS TEST FACILITY (WSTF)
DOÑA ANA COUNTY, NEW MEXICO
EPA ID #NM08800019434
HWB-NASA-MISC**

Dear Ms. Bunker-Farrah:

The New Mexico Environment Department (NMED) has received the NASA WSTF (Permittee) *Request for a No Longer Contained-In Determination (NLCID) for Investigation Derived Waste (IDW) from the 200 Area Phase II Investigation*, dated August 13, 2014 and received August 15, 2014. Note that this request covers IDW from boreholes 200-SB-05, 200-SB-06, 200-SB-07, 200-SB-08, 200-SB-13, 200-SB-20 and 200-SB-21.

Based on NMED review of the chemical analytical data provided, the IDW stream does not:

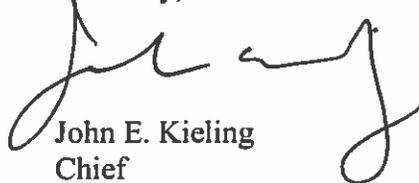
- Exhibit the characteristic of a hazardous waste per 40 CFR Part 261 Subpart C and does not contain underlying hazardous constituents as defined in Part 268.2(i) in excess of 40 CFR Part 268.40 or 268.48 regulatory limits.
- Contain F001 or F002 listed hazardous waste constituents above the 40 CFR Part 268.40 concentration based treatment standards.

Some soil samples from 200-SB-5, 200-SB-6, 200-SB-7, 200-SB-8, 200-SB-13, and 200-SB-20 exceed the NM Residential Soil Screening Levels (SSLs) for arsenic. However, it is not uncommon that soils from NM exceed the NM Residential SSLs for arsenic and none of the Permittee's samples exceed the NM Industrial SSLs.

NMED has reviewed the Permittee's request and supporting information and has determined that the material meets applicable standards and cleanup levels. NMED hereby grants the Permittee's request that the IDW debris be managed as a nonhazardous waste and can be thin-spread in the vicinity of the boreholes.

If you have any questions regarding this letter, please contact Daniel Comeau at (505) 476-6043.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
D. Comeau, NMED HWB
L. King, EPA 6PD-N
T. Davis, NASA WSTF
M. Zigmond, NASA WSTF

File: NASA 2014; NLCI Request Approval, 200 Area Phase II IDW from Seven Boreholes