



Certified Mail - Return Receipt Requested

March 1, 2023

Tim Davis
Chief Environmental Officer
National Aeronautics and Space Administration
White Sands Test Facility
P.O. Box 20
Las Cruces, NM 88004-0020

Attention of: RE-23-023

**RE: RESPONSE TO APPROVAL WITH MODIFICATIONS REVISED SMALL ARMS FIRING
RANGES (SWMU 29-31) REMEDY COMPLETION REPORT AND RISK ASSESSMENT
REPORT; NMED COMMENT 1.B. CORRESPONDENCE
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
JOHNSON SPACE CENTER WHITE SANDS TEST FACILITY
DOÑA ANA COUNTY, NEW MEXICO
EPA ID #NM08800019434
HWB-NASA-17-006**

Dear Mr. Davis:

The New Mexico Environment Department (NMED) has received the National Aeronautics and Space Administration Johnson Space Center White Sands Test Facility [WSTF] (Permittee) *Approval with Modifications Revised Small Arms Firing Ranges (SWMU [Solid Waste Management Unit] 29-31) Remedy Completion Report and Risk Assessment Report; NMED Comment 1.b* correspondence dated January 26, 2023, which requested additional clarification on the process for a corrective action status change for SWMUs 29, 30, and 31.

Corrective action status determinations for SWMUs and Areas of Concern (AOCs) require a Permittee to submit a 40 Code of Federal Regulation 270.42(c) petition for a Class 3 Permit modification with all supporting information. This ensures that all requirements for permit modification documentation and public notice are implemented in accordance with applicable federal regulations and 20.4.1.901 New Mexico Administrative Code (NMAC).

However, because the WSTF Permit renewal is currently in process, corrective action status review for SWMUs 29, 30, and 31 is not appropriate at this time. Corrective action status review can be addressed following completion of the pending Permit renewal.

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In addition, the characterization of contamination source areas is currently in progress, and significant uncertainty continues to exist regarding SWMU, AOC, and Hazardous Waste Management Unit (HWMU) association with environmental contamination. Therefore, corrective action status determinations may not be appropriate at this time for SWMUs and AOCs and will be addressed on a case-by-case basis in accordance with the WSTF Permit and NMED's November 2022 *Risk Assessment Guidance for Site Investigations and Remediation* (as updated). Post-closure care at five WSTF HWMUs must continue in accordance with applicable provisions of the Permit.

If you have any questions regarding this letter, please contact Gabriel Acevedo at (505) 690-5760.

Sincerely,



Dave Cobrain
Acting Chief
Hazardous Waste Bureau

cc: B. Wear, NMED HWB
G. Acevedo, NMED HWB
L. King, EPA Region 6 (6LCRRC)
A. Sanchez, NASA WSTF

File: NASA 2023 and Reading

HWB 3391
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Bldg.1
Santa Fe, New Mexico 87505-6313

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