



April 1, 2024

United States Department of the Air Force
Colonel Michael J. Power, Commander
377th Air Base Wing
2000 Wyoming Blvd SE, Building 20604
Kirtland AFB, NM 87117

Submitted electronically to: Ms. Martha Garcia, martha.garcia.3@spaceforce.mil

RE: Environmental Assessment for projects related to Conventional High Explosive SimulaTed Nuclear Test (CHESTNUT) Site and Joint Use Areas on Kirtland Air Force Base in New Mexico

Dear Commander Power,

The New Mexico Environment Department (NMED) appreciates the opportunity to submit comments on the subject Environmental Assessment (EA), especially because some details are not clear. In this letter, NMED provides input to ensure the proposed construction, operation, maintenance, and removal of supporting infrastructure at facilities located on the Kirtland Air Force Base is done in accordance with applicable federal and NMED regulations and standards.

The request contains no actions that will impact storage tank systems currently regulated under 20.5 NMAC and does not propose the installation of new storage tank systems. If an abandoned storage tank system or petroleum impacted soil and/or water is discovered during construction, the Petroleum Storage Tank Bureau must be notified (20.5.118 NMAC, etc.) during business hours via the "Leak of the Week" at: https://www.env.nm.gov/petroleum_storage_tank/ or at 505-476-4397. During non-business hours, please call 505-827-9329.

Any asbestos waste generated during this project must be properly handled. Asbestos waste is considered a special waste under NMED's Solid Waste Rules, which require unique handling, transportation, and disposal requirements to assure protection of the environment and the public health, welfare and safety. The Solid Waste Rules, 20.9.8.12 NMAC, which deal with asbestos waste must be followed for the safety of the community and the environment. In addition, any solid waste generated during the project, should be disposed of properly at an approved transfer station or landfill. As it states in the Solid Waste Rules, 20.9.2.8.D NMAC, anyone who generates, stores, processes, transports or disposes of solid waste shall do so in a manner that does not create a public nuisance.

NMED notes that the EA specifies periodic cleanup activities but does not discuss sampling of cleanup wastes for a hazardous waste determination or provide any additional details regarding the handling of wastes generated at CHESTNUT. Waste materials that could have been potentially impacted by range activities must be characterized per 40 CFR 262.11 to determine if sufficient toxic metals/other chemicals or contamination by listed hazardous wastes would cause such cleanup wastes to be handled as hazardous waste. Materials meeting those criteria must be handled in accordance with applicable regulatory standards. Specifically, in the

section regarding use by AFRL/RV, potential materials involved in testing included barium and chromium, which at sufficient concentrations would make graded environmental media and material otherwise contaminated with these elements a hazardous waste.

Once the CHESTNUT site is no longer in use, a Solid Waste Management Unit (SWMU) Assessment Report should be completed in accordance with the Hazardous Waste Permit Part 6.1.8 in order for NMED to evaluate whether the site should be added to the list of SWMUs.

Thank you for providing the opportunity to review the Environmental Assessment of the proposed action and alternatives.

Sincerely,

Jonas Armstrong, Director
Office of Strategic Initiatives

Cc: James C. Kenney, Cabinet Secretary, NMED
Courtney Kerster, Senior Advisor, Office of Governor Michelle Lujan Grisham
Dr. Sydney Lienemann, Deputy Cabinet Secretary of Administration, NMED
Zachary Ogaz, General Counsel, NMED
Rick Shean, Director, Resource Protection Division, NMED