



# New Mexico Environment Department

Radioactive and Hazardous Materials Committee

September 9, 2020

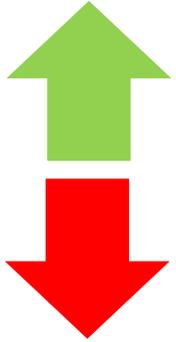


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# Hazardous Waste Bureau

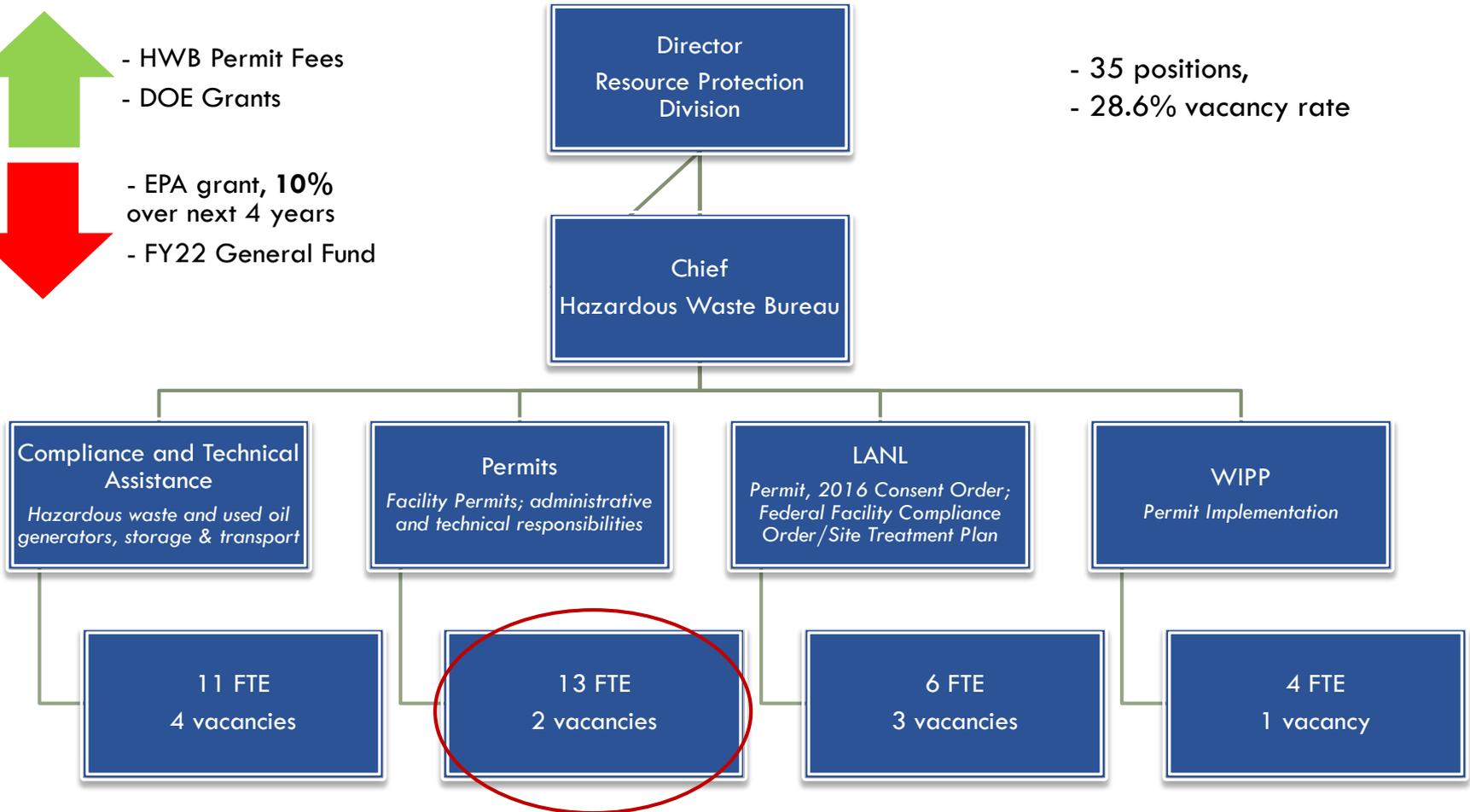
## Funding



- HWB Permit Fees
- DOE Grants
- EPA grant, **10%** over next 4 years
- FY22 General Fund

## Staff Resources

- 35 positions,
- 28.6% vacancy rate



# Kirtland Air Force Base Bulk Fuel Spill



Previous update provided on 11/04/2019, presentation available at:  
<https://www.nmlegis.gov/agendas/RHMCageNov04.19.pdf>



# Regulatory Authority

## □ Regulations

- Federal Resource Conservation and Recovery Act (RCRA)
- New Mexico Hazardous Waste Act (HWA)
- New Mexico Hazardous Waste Permit and Corrective Action Fee Regulations [20.4.2 NMAC]

## □ KAFB Permit (EPA ID# NMD9570024423; NM ID# 2400)

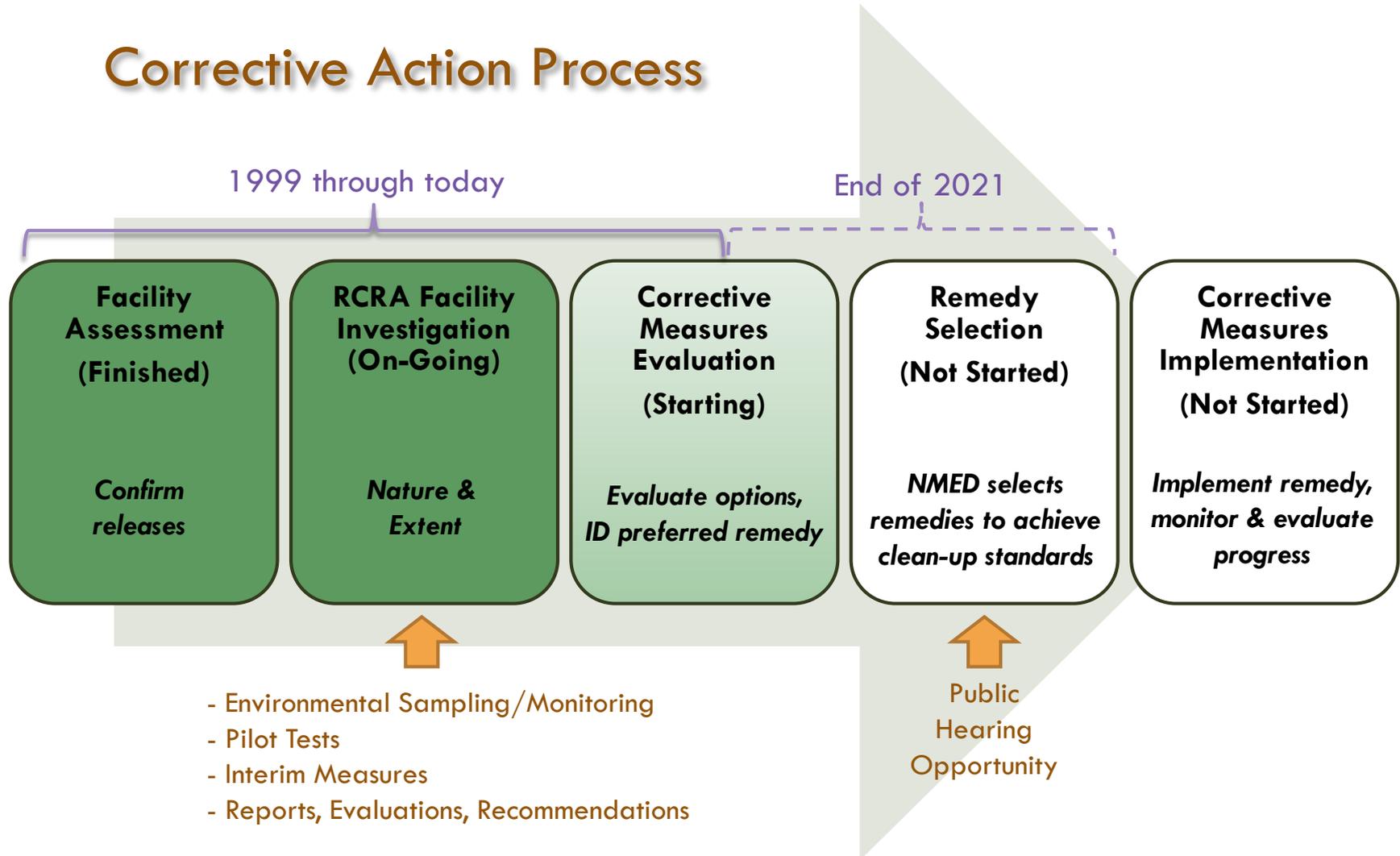
- Governs the Corrective Action Process
- Contains requirements for Corrective Action Process
- <https://www.env.nm.gov/hazardous-waste/kafb/>





# Regulatory Authority

## Corrective Action Process





# Regulatory Authority





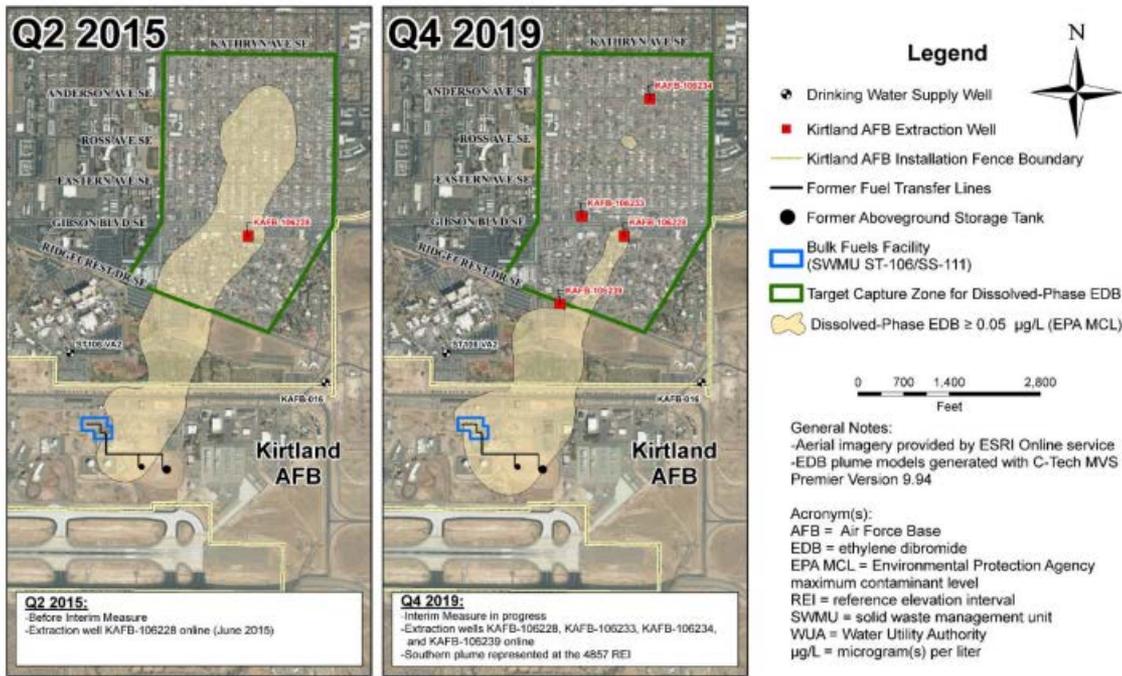
# Regulatory Authority



## Pump and Treat Interim Measure Update



### EDB PLUME - 2015 vs 2019



*\*Plume maps are based on actual field measurements and not computer simulations*



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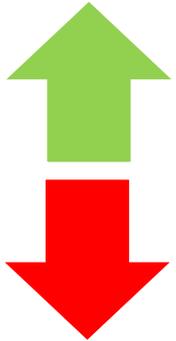


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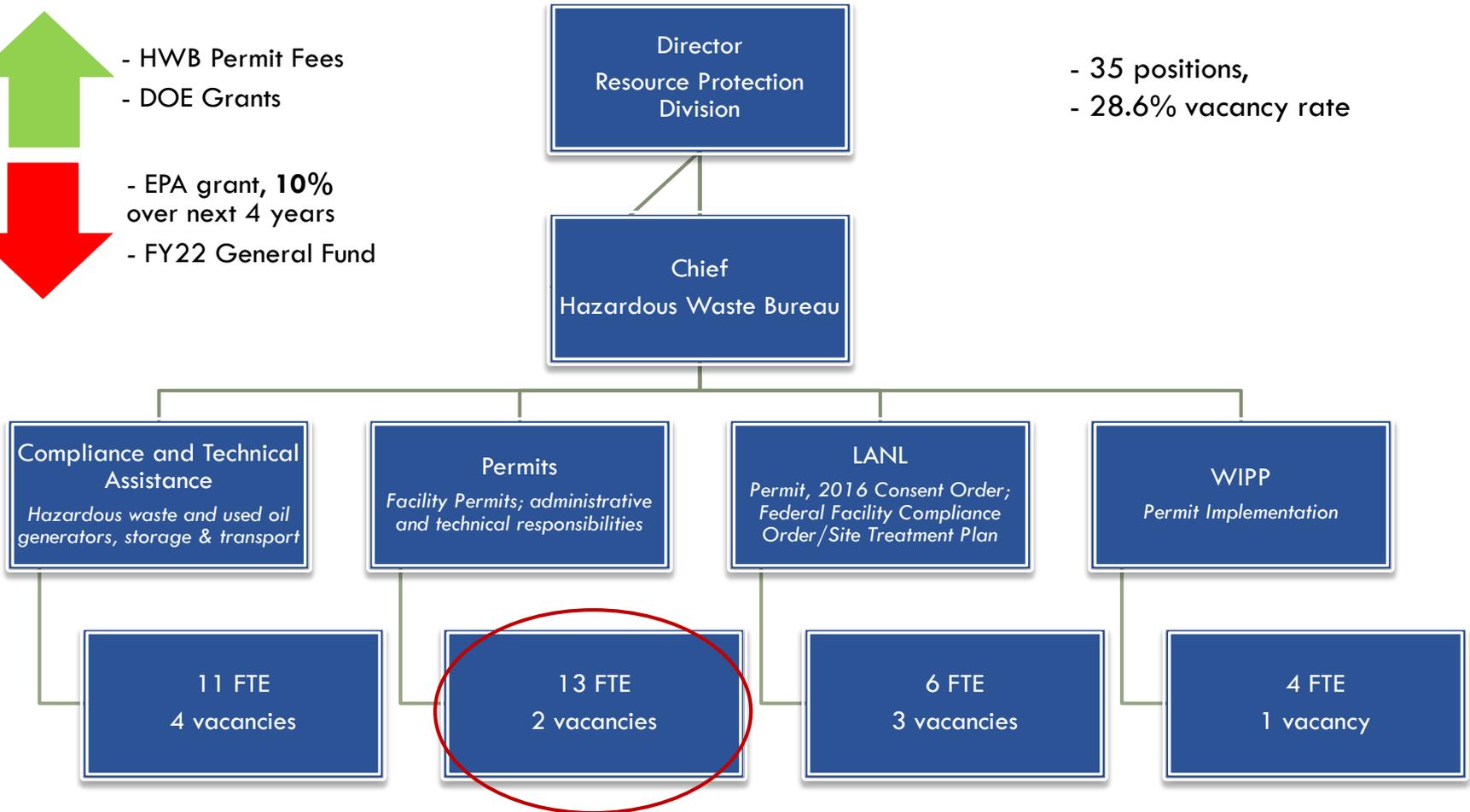
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# Overview

## **PFAS**

- Persistent in groundwater and documented adverse health effects
- Previous update provided on 11/04/2019, presentation available at: <https://www.nmlegis.gov/agendas/RHMCageNov04.19.pdf>

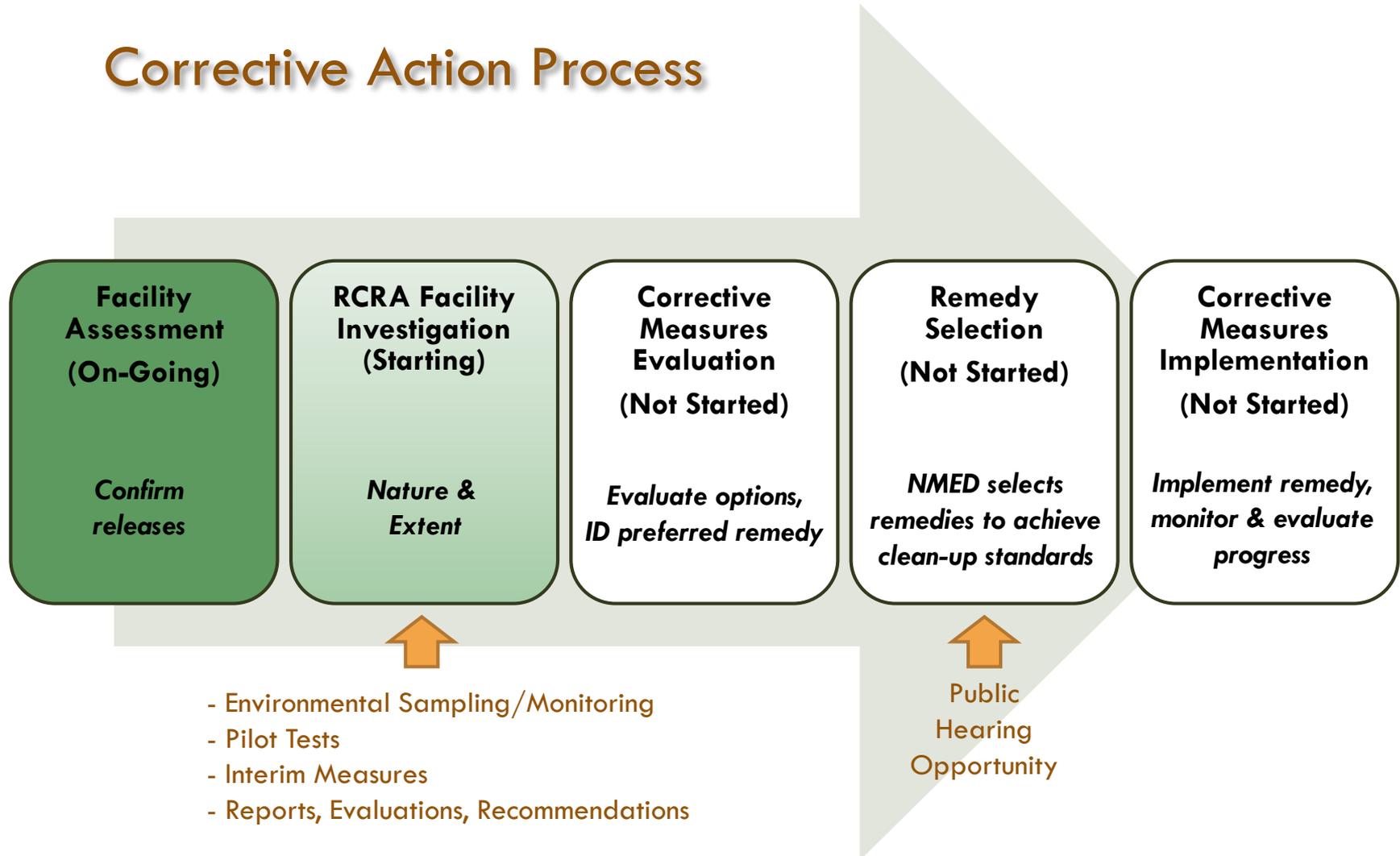
## **Background**

- NMED implements regulatory authority:
  - Ground Water Quality Act – violation for discharging without permit
  - Resource Conservation and Recovery Act – requires corrective action
- 2018 – U.S. Department of Defense (DOD) discloses contamination at Cannon & Holloman Air Force Bases
- 2019 – NMED and the State Attorney General sued the DOD seeking action on the imminent and substantial endangerment to public health and the environment caused by PFAS pollution



# Regulatory Authority

## Corrective Action Process





# Next Steps

## Compliance

**Plume Delineation:** NMED seeking proposals to characterize contamination plumes at CAFB & HAFB (\$1,000,000 per Legislative Appropriation)

### **RCRA & Hazardous Waste Regulations**

New Mexico's litigation combined with product liability actions against PFAS manufacturers in the U.S. District Court in South Carolina