

## NEW MEXICO LEGISLATURE RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE

November 3, 2017 FIFTH MEETING 3:00 p.m. State Capitol, Santa Fe  
Citizen Action New Mexico Presentation and Fact Sheet for Kirtland AFB Fuel Spill Status  
By Dave McCoy and Dr. Eric Nuttall, Ph.D.

**Citizen Action requests the RHM Committee to recommend legislation that implements the House/Senate Joint Memorial (HJM) 13 adopted in the 2014 Legislative Session.** HJM 13 called for an independent task force for review of emergency short term and long term strategies for cleaning up the Kirtland Air Force Base (KAFB) jet fuel/aviation gasoline spill. Independent oversight should be technical and audit costs. The need for the RHMC to revisit independent oversight is now greater than ever to protect public health and the groundwater resources of New Mexico. Although discovered 26 years ago, the Air Force has no approved plan to remove Ethylene Dibromide (EDB) and the liquid jet fuel from the aquifer.

### **An immediate independent oversight panel is needed because:**

- Taxpayers have spent \$130,000,000 with no cleanup plan in sight;
- Serious data gaps remain in the RCRA Facility Investigation (RFI);
- Kirtland AFB is minimizing the problem, and;
- Potentially unsuccessful corrective measures.

### **The need for an immediate independent oversight panel is because of administrative, technical concerns, and lack of transparency:**

#### **A. Administrative –**

1. Management since 2000 has failed to produce an approved RCRA Facility Investigation (RFI)
2. High turnover in project management for NMED and the Air Force – three EPA

Administrators, five Air Force base commanders, four NMED Secretaries, four Hazardous Waste Bureau Chiefs, Project contractor management change from Kirtland Air Force to Shaw to CBI and EA

#### **B. The INTERA Review shows the following major deficiencies in the RFI –**

- The RFI document does not provide the evidentiary basis for conducting a Corrective Measures Evaluation (CME) and its conceptual model contains errors and omissions that could lead to an inappropriate or ineffective set of corrective measures
- RFI lacks important data and inaccurately characterizes important features and processes
- RFI underestimates contaminant sources and overestimates degradation rates
- RFI document downplays the remediation challenges ahead
- The Proposed RFI Addendum should address the data gaps described in this presentation to prevent the implementation of potentially unsuccessful corrective measures.
- Soil data insufficient to estimate vadose zone source mass and mass flux to aquifer
- Insufficient data and inaccurate description of LNAPL near and in saturated zone
- Analysis presented misrepresents groundwater contaminant trends
- Incomplete groundwater plume delineation
- Interpretive presentations should be omitted from the RFI.

#### **C. Lack of public transparency –** Public kept out of the technical loop and has not had opportunity for review and technical input.

**Sources:** <https://drive.google.com/file/d/0B-Hj9wKSwLlJUWR2VWg3d0lYMGm/view> INTERA report  
<https://www.abqreport.com/single-post/2017/10/31/Devastating-Report-On-KAFB-Fuel-Spill-Cleanup>