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October 28, 2020

Mr. James C. Kenney
Cabinet Secretary, New Mexico Environment Department
PO Box 5469
Santa Fe, NM 87502-5469

Subject: Water Protection Advisory Board Concerns Regarding the Kirtland Air Force Base Bulk Fuels Facility Jet Fuel Leak Investigation and Remediation Status

Dear Secretary Kenney:

The Water Protection Advisory Board (WPAB) was established by joint ordinance to study and advise the City of Albuquerque, Albuquerque Bernalillo County Water Utility Authority (Water Authority), and Bernalillo County on surface and groundwater protection concerns and to advocate for effective protection of surface and groundwater quality. Further, it is in the WPAB's 2020 Work Plan to foster intergovernmental coordination, cooperation and communication by advocating for improved public outreach on water quality issues by governmental agencies. Of utmost importance to the WPAB is the continued protection of surface and groundwater quality in the Water Authority's service area so that public health, quality of life, and economic vitality of current and future generations are not diminished.

In the spring and summer of 2018, the WPAB received updates from the United States Air Force (USAF) and the New Mexico Environment Department (NMED) on the progress of the Resource Conservation and Recovery Act (RCRA) site investigation and cleanup activities at the Kirtland Air Force Base (KAFB) Bulk Fuels Facility (BFF) jet fuel leak project site (the Site). At that time the WPAB adopted Resolution Number: WPR-2018-02 (the Resolution) addressing its findings and concerns regarding the status and continued investigation and remediation activities at the Site.

Two years later, after the October 9, 2020 presentations to the WPAB on the status of the Site by the Water Authority and NMED, the WPAB regrets that it must again address several of the issues that were discussed in the Resolution. The Resolution is attached to this letter to highlight the similarities in the concerns that WPAB raised in 2018.

The WPAB wants to emphasize that if appropriate and aggressive remediation does not occur at the Site, drinking water resources for the public water supply will be unavailable. The WPAB now wishes to address four key areas of concern and where it believes further work and coordination will result in a more comprehensive analysis of the site, and, ultimately, better protection of the public drinking water supply.

1. Stakeholder Involvement. WPAB has heard concerns from stakeholders that they are no longer being courtesy copied on key correspondence or reports from the USAF or NMED that directly impact their review of the Site and their work related to the Site. It is imperative that stakeholders remain

informed and be provided with copies of reports and correspondence. It is especially important for the Water Authority to be included, as the Site's remaining contaminants have potential direct impacts on groundwater used for drinking water. The WPAB is aware of the recent solicitation to establish a Restoration Advisory Board (RAB) and urges the USAF to ensure that stakeholder involvement is still prioritized if a RAB is convened.

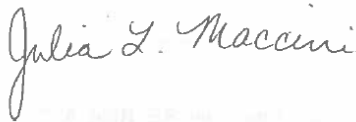
2. Technical Working Group. It is the WPAB's understanding that the Technical Working Group composed of representatives from stakeholder groups has not been convened for at least two years, despite members of the Technical Working Group meeting NMED's stated conditions for calling for such a meeting. The WPAB believes it is imperative that the Technical Working Group begin holding regularly scheduled meetings to allow the stakeholders an opportunity to provide input, analyze new data, and participate in the Site investigation that continues while the USAF prepares its Phase II RCRA Facility Investigation Report.

3. Data Gaps. NMED and USAF must address specific areas of identified data gaps as follows: (1) establish the depth of the ethylene dibromide (EDB) contamination in groundwater at the northern edge of the plume, (2) determine the extent of remaining fuel in soil that is off-base as there are data quality issues and inconclusive results in this existing testing and monitoring data, (3) examine the shallow soil vapor nature and extent that is off base, and (4) eliminate the gap in data in sampling of field parameters and fuel contaminants. The Water Authority has repeatedly requested the USAF install a deep interval down-gradient groundwater monitoring well at the northernmost portion of the EDB plume. This well will provide much of the data needed to eliminate some of the aforementioned data gaps. The WPAB again strongly urges the installation of this well.

4. Access to Public Information. It has been brought to the WPAB's attention that the information related to this site, which is public and part of the administrative record for the Site, is not being made available in a timely or readily accessible fashion on a public platform. The WPAB feels this is something that should be easily remedied, and that updating the administrative record should be a high priority for NMED. NMED should also require that the USAF bring their administrative record into compliance with the terms of their RCRA permit as soon as possible. Transparency and access to information regarding the Site for review by the public, stakeholders, and other interested parties will create greater trust for everyone involved.

The WPAB urges continued and improved public engagement by NMED and the USAF regarding Site examination and clean up. Further, the WPAB requests regular updates from NMED and the USAF regarding the status of the investigation and development of the Phase II RCRA Facility Investigation Report.

Respectfully,

A handwritten signature in cursive script that reads "Julia L. Maccini".

Julia Maccini, Chair
Water Protection Advisory Board

Enclosure: 2018 Water Protection Advisory Board Resolution WPR-2018-02

CC: Albuquerque Bernalillo County Water Utility Authority Governing Board
Albuquerque Bernalillo County Water Utility Authority Executive Director's Office
Bernalillo County Commission
Bernalillo County Manager's Office
City of Albuquerque Council
Mr. Timothy Keller, City of Albuquerque Mayor
Senator Tom Udall, United States Senate
Senator Martin Heinrich, United States Senate
Representative Debra Haaland, United States House of Representatives
Ms. Stephanie Stringer, New Mexico Environment Department
Mr. Kevin Pierard, New Mexico Environment Department

Resolution Number: WPR-2018-02

**Water Protection Advisory Board
Kirtland Air Force Base Bulk Fuels Facility Jet Fuel Leak Project Resolution
FINAL July 13, 2018**

Background

The Water Protection Advisory Board (WPAB) is composed of community members appointed by the City of Albuquerque (City), Bernalillo County (County), and the Albuquerque Bernalillo County Water Utility Authority (Water Authority). As established by ordinance, WPAB is tasked with oversight of implementation of the Water Quality Protection Policy and Action Plan (WQPPAP) that is currently being updated. As part of that mission, WPAB is charged with advocating for effective protection of surface and groundwater quality as well as the study of surface and groundwater protection concerns so that WPAB can make recommendations to the City, County, and Water Authority as appropriate. On March 9, 2018, WPAB approved updated WQPPAP policies that emphasize the importance of a proactive approach in source water protection. Additionally, Policy C guides the City, County, and Water Authority to identify groundwater contamination and expedite corrective action.

To fulfill its mission, WPAB has received regular project updates from both the United States Air Force (USAF) and the New Mexico Environment Department (NMED) on the progress of Resource Conservation and Recovery Act (RCRA) site investigation and cleanup activities for the jet fuel contamination at the Kirtland Air Force Base (KAFB) Bulk Fuels Facility (BFF) jet fuel leak project site. Additionally, WPAB members have attended joint USAF and NMED quarterly public meetings and have reviewed the annual NMED Strategic Plans. The WPAB strongly advocates for rapid and effective progress towards addressing the known groundwater contamination and addressing the remaining source.

On March 6, 2018, NMED released a draft of the 2018 Strategic Plan for the jet fuel leak project site that presented Monitored Natural Attenuation (MNA) as a new strategy (#2 in the draft document dated March 6, 2018) to protect Albuquerque's aquifer and drinking water supply wells near the BFF project. The WPAB feels strongly that MNA should not be a primary remediation strategy for the BFF site and that engineered technologies (#3 in the draft document) need to continue as the primary cleanup strategy. The board acknowledges that the NMED is currently revising the draft 2018 Strategic Plan and is hopeful that the final plan will reaffirm an assertive and active approach to remediating the site. WPAB will continue to monitor the progress of site remediation and advocate for rapid and effective cleanup of groundwater contamination in our aquifer.

Findings

Following review and discussion of NMED's 2018 Strategic Plan at the April 13, 2018 and May 11, 2018 meetings along with recommendations received from the Policy Implementation Committee (PIC) the WPAB has the following findings:

- The NMED and the USAF have not installed nor have committed to a firm deadline to install a deep interval, down-gradient groundwater monitoring well that the Water Authority has repeatedly requested to address an existing vertical data gap in the northernmost portion of the dissolved-phase ethylene dibromide (EDB) plume. Stratigraphic sections prepared for the site and the most recent water table maps (Quarter 4, 2017) demonstrate the necessity of installing this monitoring well. The WPAB strongly urges the installation of this new well.
- Key stakeholders, including the City and Water Authority, are concerned that there has been a break down in the collaborative process; previous consensus-based decisions have been later disregarded.
- The BFF project is at a decisive moment as the project shifts from site characterization and the NMED considers initiating the Corrective Measures Evaluation (CME) to select the final remediation technology(s) for the site.

Recommendations:

Based on the information available to WPAB in the NMED 2018 Strategic Plan and after much deliberation, the WPAB has the following recommendations:

1. NMED should require the USAF to install a deep, down-gradient groundwater monitoring well at the location identified in the Final Work Plan submitted by the USAF on December 20, 2017. This location was negotiated by the Water Authority and the USAF during the September 2017 working group meetings and represents a location that the technical working group members agreed would adequately fill the data gap and provide the Water Authority confidence in the deep interval of the EDB plume. The February 28, 2018 letter of approval with conditions for the data gap monitoring wells does not include a reason for relocating this deep, down-gradient groundwater monitoring well (KAFB-106240). No justification has been given for not installing this well which is needed to ensure protection for drinking water resources.
2. NMED and the USAF should reassemble the technical working groups composed of multi-stakeholders and contractors to develop remediation technology options for the CME. The suggestions and concerns of the members should be incorporated into future plans or the reasons for not implementing these decisions should be thoroughly documented.
3. Transparency and the emphasis on public involvement should be maintained and enhanced. In addition to the quarterly public meetings, the public should be provided with easy and timely access to meeting summaries from technical working groups, documenting decisions that were made and deliverables to be submitted by the USAF.
4. As part of continued transparency, the USAF is invited to provide the WPAB with presentations and/or letters documenting the evaluation of remediation criteria as part of the CME and selection of the final remedy(s) for the BFF site. This will assist WPAB in fulfilling their mission of studying, advising, and advocating for the protection of groundwater resources in the City and County.
5. An independent evaluation of the site should be completed prior to initiation of the CME. A complex site such as the BFF with the volume of data collected to date would be well served by a comprehensive technical review. The evaluation could be completed by a contractor to the NMED or could potentially follow a model similar to the Independent External Peer Review. The

NMED's hiring of a contractor to review the plume capture model and the Water Authority's work on the RCRA Facility Investigation (RFI) report and modeling are examples of how an external evaluation can benefit the project. The goal would be to assess existing data and determine data quality, usability, and completeness along with a review of the site conceptual model. Engagement of this independent peer review prior to the start of the CME would provide the NMED, the USAF, stakeholders, and the public a chance to proactively address any potential data concerns or issues resulting in a more complete and confident starting point for evaluating remedies.