

GW - 040

**USEPA “LEE
ACRES”
SUPERFUND SITE
5-Yr. REVIEW**

2020

Chavez, Carl J, EMNRD

From: Ho, Nancy <Ho.Nancy@epa.gov>
Sent: Monday, August 10, 2020 1:24 PM
To: Chavez, Carl J, EMNRD
Cc: Brooks, Janet; Ogden, Sarah, NMENV; Ortelli, Angelo, NMENV; Polak, Tiffany, EMNRD
Subject: [EXT] EPA comments: Marathon Petroleum Company, L.P. Former Giant Bloomfield Refinery (GW-40) in San Juan County: WQCC Application Administratively Complete
Attachments: EPA Letter Comments 2020 GW-40 Discharge Permit w Enclosure dated August 10-2020_Signed.pdf

Hi Carl,

Please see attached EPA comments.

Thanks,
Nancy

From: Chavez, Carl J, EMNRD <CarlJ.Chavez@state.nm.us>
Sent: Monday, August 10, 2020 9:45 AM
To: Ho, Nancy <Ho.Nancy@epa.gov>
Cc: Polak, Tiffany, EMNRD <Tiffany.Polak@state.nm.us>
Subject: RE: Question: Marathon Petroleum Company, L.P. Former Giant Bloomfield Refinery (GW-40) in San Juan County: WQCC Application Administratively Complete

Nancy:

Good morning.

You may send your comments electronically to me, since OCD is currently not accepting hardcopies.

Please copy the OCD Environmental Director (Acting for Vacant Bureau Chief Position) at Tiffany.Polak@state.nm.us.

Thank you.

Mr. Carl J. Chavez, CHMM (#13099)
New Mexico Oil Conservation Division (Albuquerque Office)
Energy Minerals and Natural Resources Department
5200 Oakland Avenue, NE
Albuquerque, New Mexico 87113
Ph. (505) 660-7923
E-mail: CarlJ.Chavez@state.nm.us

“Why not prevent pollution, minimize waste to reduce operating costs, reuse or recycle, and move forward with the rest of the Nation?” (To see how, go to: <http://www.emnrd.state.nm.us/OCD> and see “Publications”)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

via Email to carlj.chavez@state.nm.us

Date: August 10, 2020

Carl Chavez
New Mexico Oil Conservation Division
Energy, Minerals & Natural Resources Department, Environmental Bureau
5200 Oakland Avenue, NE
Albuquerque, New Mexico 87113

Re: Lee Acres Landfill Superfund Site
EPA Comments on the 2020 Discharge Permit and Permit Application for the Marathon
Petroleum Company LP (GW-40) Former Giant Bloomfield Refinery

Dear Mr. Chavez:

The U.S. Environmental Protection Agency (EPA) Region 6 office has completed its review of the Marathon Petroleum Company LP (GW-40) Former Giant Bloomfield Refinery Discharge Permit Application along with the New Mexico Oil Conservation Division's (OCD) issued Discharge Permit to the GW-40 facility.

EPA looks forward to continued coordination with your agency and the opportunity to review the annual report submitted by Marathon for the GW-40 facility, which is required to be submitted to the OCD on or before June 15th of each year. Please see the enclosed comments.

If you have any questions regarding this matter please contact me at (214) 665-3179 or via e-mail at ho.nancy@epa.gov.

Sincerely,

NANCY HO

Digitally signed by NANCY HO
DN: c=US, o=U.S. Government, ou=Environmental
Protection Agency, cn=NANCY HO,
0.9.2342.19200300.100.1.1=68001003655648
Date: 2020.08.10 14:18:41 -05'00'

Nancy Ho
Project Manager
Superfund and Emergency Management Division

Enclosure (1)

cc: Sarah (Maggie) Ogden, Ground Water Quality Bureau – Superfund Oversight Section, NMED
Leigh (Whitney) Thomas, Bureau of Land Management
Tiffany Polak, Environmental Director (Acting for Vacant Bureau Chief Position), NM OCD

**EPA Comments
on the
Discharge Permit Application dated May 13, 2020 and Application Addendum dated July 16, 2020 for
the Marathon Petroleum Company LP (GW-40) Former Giant Bloomfield Refinery**

1. Background Concentrations (Section 12.1 Pages 13-14) – The first paragraph of this section states, *“...elevated concentrations of several constituents are present due to the offsite migration of contaminants originating from the Lee Acres Landfill Superfund site.”*

EPA notes the Record of Decision for the Lee Acres Landfill site determined the Giant Bloomfield Refinery lost approximately 45,000 barrels of refined product into the soils and groundwater from 1975 to 1984. EPA notes it could be likely the elevated concentrations of several constituents at the GBR facility are due to existing historical contamination present at and from the GBR site rather than offsite migration from the Lee Acres Landfill Site. Petroleum hydrocarbons are known to persist in the environment for several decades. In addition, the final Lee Acres Landfill Remedial Investigation report found the area south of GBR-24 (with wells in the northern part within this defined area as having floating product attributed to activities by GBR). Subsequent Lee Acres Landfill cover monitoring inspection historical reports including from 2019 and 2020 indicate the cover is in good condition and appears to be working properly. Please see the following studies which may also assist Marathon in determining migration of contaminants and in refining assumptions and inputs used for statistical analyses for creating “background” levels of contaminants at its facility. These studies discuss higher manganese and dissolved organic carbon concentrations near rivers; the occurrence of manganese reduction and mobilization associated with certain conditions, including reducing conditions due to biodegradation of residual crude oil causing reductive dissolution of manganese from aquifer sediments.

Elevated Manganese Concentrations in United States Groundwater, Role of Land Surface–Soil–Aquifer Connections

Peter B. McMahon, Kenneth Belitz, James E. Reddy, and Tyler D. Johnson
Environmental Science & Technology **2019** 53 (1), 29-38
DOI: 10.1021/acs.est.8b04055

Reductive Dissolution and Precipitation of Manganese Associated with Biodegradation of Petroleum Hydrocarbons

Leslie A. Klinchuch and Thomas A. Delfino
Environmental Geosciences 2000 Volume 7, Number 2.

2. Section 14 – Facility Closure and Post Closure Plan – The first paragraph states that groundwater will be sampled for chemical analyses annually when the facility is in operation. The second paragraph

EPA Response to Marathon Petroleum Company LP (GW-40) Former Giant Bloomfield Refinery Discharge Permit

states “once eight consecutive quarters with groundwater contaminants below applicable standards is documented, facility closure will be requested from the NMOCD...”. EPA recommends the GBR’s chemical analyses results be below NMWQCC standards instead of the currently proposed GBR Background Threshold Values as the determining factor for facility closure proposal. Furthermore, EPA recommends there be at least eight consecutive quarters from calendar year 2021 of chemical analytical data that are below NMWQCC standards instead of solely two sample sets of annual chemical analytical data prior to proposal for facility closure. Note the Bureau of Land Management will conduct a multi-year groundwater study beginning in 2020/2021 with an estimated completion before 2025 at the Lee Acres Landfill site that may have findings to assist Marathon in developing its Stage 2 Abatement Plan.

3. Appendix A GBR Background Threshold Values: It appears the method for determining the GBR Background Threshold Values was determined by using data from wells potentially affected by petroleum hydrocarbon contamination at the site. Note the method for determining background concentrations at the Lee Acres Landfill site was determined by using sampling data from sites unaffected by activities at the landfill. This means inherently the GBR background threshold values proposed would be of higher values if data was not used solely from unaffected petroleum hydrocarbon sample sites. EPA recommends the proposed background threshold values utilized be calculated by using data from wells from locations unaffected by man-made contamination.
4. Stage 1 Abatement Plan – Section 3.0 Current Site Conditions – The last sentence of this paragraph states,
“With no active source, the residual contaminants are not likely to migrate with or without the hydraulic barrier introduced by the remediation system.”

EPA notes the current plan does not consider the role of land-surface-soil aquifer connections that can cause residual contaminants to migrate. See previous studies mentioned above.

5. Stage 1 Abatement Plan – Section 4.0 Recommendations – Second paragraph – LTE proposed sampling be ceased at wells that have at least eight quarters of analytical results with no exceedances of NMWQCC standards and/or background concentrations. EPA recommends the GBR’s chemical analyses results be below NMWQCC standards instead of the currently proposed GBR Background Threshold Values as the determining factor to cease sampling.
6. Stage 2 Abatement Plan – EPA looks forward to continued coordination with NMOCD and opportunity to review and comment on the Stage 2 Abatement Plan.

From: Chavez, Carl J, EMNRD

Sent: Monday, June 22, 2020 4:03 PM

To: : 'Sandoval, Alexandra J., DGF' <alexandra.sandoval@state.nm.us>; Wunder, Matthew, DGF <Matthew.Wunder@state.nm.us>; 'Shije, Suzette, IAD' <Suzette.Shije@state.nm.us>; ddapr@nmda.nmsu.edu; James.Amos@blm.gov; psisneros@nmag.gov; r@rthicksconsult.com; src.chris@earthlink.net; nmparks@state.nm.us; Blaine, Tom, OSE <Tom.Blaine@state.nm.us>; marieg@nmoga.org; Fetner, William, NMENV <william.fetner@state.nm.us>; lazarus@glorietageo.com; perry@glorietageo.com; cjoyner@fs.fed.us; Pierard, Kevin, NMENV <Kevin.Pierard@state.nm.us>; bsg@garbhall.com; Hunter, Michelle, NMENV <Michelle.Hunter@state.nm.us>; claudette.horn@pnm.com; ekendrick@montand.com; pam@ipanm.org; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Kelly, Jonathan, EMNRD <Jonathan.Kelly@state.nm.us>; Powell, Brandon, EMNRD <Brandon.Powell@state.nm.us>; Torres, Susan, EMNRD <Susan.Torres@state.nm.us>; Polak, Tiffany, EMNRD <Tiffany.Polak@state.nm.us>; sgarciarichard@slo.state.nm.us

Cc: Tulk, Laura, EMNRD <Laura.Tulk@state.nm.us>; Lujan, Elizabeth, EMNRD <Elizabeth.Lujan@state.nm.us>; gjmccartney@marathonpetroleum.com; Devin Hencmann <dhencmann@ltenv.com>; Stuart Hyde <shyde@ltenv.com>

Subject: Marathon Petroleum Company, L.P. Former Giant Bloomfield Refinery (GW-40) in San Juan County: WQCC Application Administratively Complete

Ladies and Gentlemen:

The New Mexico Oil Conservation Division (OCD) recently deemed the Water Quality Control Commission- WQCC Former Giant Bloomfield Refinery Discharge Permit Abatement Application for Marathon Petroleum Company, L.P. application to be “**administratively complete**” under 20.6.2.3108 NMAC.

The OCD public notice is scheduled to post in the Sunday, July 12, 2020 editions of the Farmington Daily Times and Albuquerque Journal. OCD will allow at least 30-days from the date of the newspaper postings for the public comment period to be completed. The OCD draft permit will be posted on or before the post date. The final discharge permit, if issued, is subject to completion of the technical review process with additional notice to stakeholders. If there are any changes made by OCD to the original draft permit, if issued, OCD will allow for an additional 30-days for the appeal period to elapse under 20.6.2.3112 NMAC before permit issuance.

New Discharge Permit Marathon Petroleum Company LP (GW-40) Former Giant Bloomfield Refinery (6/22/2020)

Western Refining Southwest, Inc.: **Abatement of Groundwater and Vadose Zone Contamination** under Water Quality Control Commission- WQCC 20.6.2.3114 NMAC Discharge Permit Application

The former Giant Bloomfield Refinery (GBR) Facility is located in the NW/4 of Section 27, and SW/4 of Section 22, Township 29 North, Range 12 West, NMPM, San Juan County, New Mexico. The facility may be found driving toward the northeast corner of United States Highway 64 and County Road 3500, approximately five miles west of Bloomfield, New Mexico.

[Administratively Complete \(6/19/2020\)](#)

[Description \(6/22/2020\)](#)

[Application \(5/13/2020\)](#)

Discharge Permit (Draft to be posted soon)

[Public Notice \(Estimated OCD date: Sunday 7/12/2020\)](#)

Please click on the OCD draft discharge permit web link at <http://www.emnrd.state.nm.us/OCD/env-draftpublicetc.html> to keep apprised of updates and for access to OCD Online Web based information resources.

Please contact me at (505) 660-7923 or E-mail: CarlJ.Chavez@state.nm.us if you have questions or require further assistance.

Thank you.

Mr. Carl J. Chavez, CHMM (#13099)
New Mexico Oil Conservation Division (Albuquerque Office)
Energy Minerals and Natural Resources Department
5200 Oakland Avenue, NE
Albuquerque, New Mexico 87113
Ph. (505) 660-7923
E-mail: CarlJ.Chavez@state.nm.us

“Why not prevent pollution, minimize waste to reduce operating costs, reuse or recycle, and move forward with the rest of the Nation?” (To see how, go to: <http://www.emnrd.state.nm.us/OCD> and see “Publications”)

From: [McCartney, Gregory J.](#)
To: [Chavez, Carl J, EMNRD](#)
Subject: [EXT] RE: [EXTERNAL] FW: Lee Acres Landfill - Coordination with NMOCD and LT Environmental
Date: Monday, June 8, 2020 1:29:25 PM

Thanks

Greg

From: Chavez, Carl J, EMNRD <CarlJ.Chavez@state.nm.us>
Sent: Monday, June 08, 2020 3:27 PM
To: McCartney, Gregory J. <gjmccartney@marathonpetroleum.com>
Subject: [EXTERNAL] FW: Lee Acres Landfill - Coordination with NMOCD and LT Environmental

Greg:

FYI. Thank you.

Mr. Carl J. Chavez, CHMM (#13099)
New Mexico Oil Conservation Division (Albuquerque Office)
Energy Minerals and Natural Resources Department
5200 Oakland Avenue, NE
Albuquerque, New Mexico 87113
Ph. (505) 660-7923
E-mail: CarlJ.Chavez@state.nm.us

“Why not prevent pollution, minimize waste to reduce operating costs, reuse or recycle, and move forward with the rest of the Nation?” (To see how, go to: <http://www.emnrd.state.nm.us/OCD> and see “Publications”)

From: Chavez, Carl J, EMNRD
Sent: Monday, June 8, 2020 1:17 PM
To: 'Stuart Hyde' <shyde@ltenv.com>
Cc: Polak, Tiffany, EMNRD <Tiffany.Polak@state.nm.us>
Subject: RE: Lee Acres Landfill - Coordination with NMOCD and LT Environmental

Stuart:

Good afternoon.

It would appear we are awaiting the conclusions of the U.S.G.S. Study on Manganese (~ 2023) as one input into whether the COC migrating onto the GW-40 Facility.

As OCD has discussed with Marathon, there have been discussions on other monitoring methods to help Marathon make the case that contamination at the hydrogeologically upgradient end of the site is not from the GW-40 Facility to address 20.6.2 NMAC (specifically “background”).

This correspondence serves to inform Marathon that the determination of background conditions at the facility is not specifically a function of the U.S.G.S. Study; however, if it proves supportive of Marathon’s final position, OCD welcomes the review of the study and hydrogeologic contaminant

study.

Please contact me if you have questions.

Thank you.

Mr. Carl J. Chavez, CHMM (#13099)
New Mexico Oil Conservation Division (Albuquerque Office)
Energy Minerals and Natural Resources Department
5200 Oakland Avenue, NE
Albuquerque, New Mexico 87113
Ph. (505) 660-7923
E-mail: CarlJ.Chavez@state.nm.us

“Why not prevent pollution, minimize waste to reduce operating costs, reuse or recycle, and move forward with the rest of the Nation?” (To see how, go to: <http://www.emnrd.state.nm.us/OCD> and see “Publications”)

From: Stuart Hyde <shyde@ltenv.com>
Sent: Monday, June 8, 2020 12:46 PM
To: Chavez, Carl J, EMNRD <CarlJ.Chavez@state.nm.us>; Ho, Nancy <Ho.Nancy@epa.gov>; Devin Hencmann <dhencmann@ltenv.com>; Ashley Ager <aager@ltenv.com>; gjmccartney@marathonpetroleum.com
Cc: Thomas, Leigh W <l1thomas@blm.gov>; Ogden, Sarah, NMENV <Sarah.Ogden@state.nm.us>; Polak, Tiffany, EMNRD <Tiffany.Polak@state.nm.us>
Subject: [EXT] RE: Lee Acres Landfill - Coordination with NMOCD and LT Environmental

Thank you for the update Nancy.

Stuart Hyde, LG
Project Geologist
970.385.1096 *direct*
970.903.1607 *cell*

From: Chavez, Carl J, EMNRD <CarlJ.Chavez@state.nm.us>
Sent: Monday, June 8, 2020 11:26 AM
To: Ho, Nancy <Ho.Nancy@epa.gov>; Devin Hencmann <dhencmann@ltenv.com>; Stuart Hyde <shyde@ltenv.com>; Ashley Ager <aager@ltenv.com>; gjmccartney@marathonpetroleum.com
Cc: Thomas, Leigh W <l1thomas@blm.gov>; Ogden, Sarah, NMENV <Sarah.Ogden@state.nm.us>; Polak, Tiffany, EMNRD <Tiffany.Polak@state.nm.us>
Subject: RE: Lee Acres Landfill - Coordination with NMOCD and LT Environmental

Ms. Ho:

Message received.

Thank you.

Mr. Carl J. Chavez, CHMM (#13099)
New Mexico Oil Conservation Division (Albuquerque Office)
Energy Minerals and Natural Resources Department
5200 Oakland Avenue, NE
Albuquerque, New Mexico 87113
Ph. (505) 660-7923
E-mail: CarlJ.Chavez@state.nm.us

“Why not prevent pollution, minimize waste to reduce operating costs, reuse or recycle, and move forward with the rest of the Nation?” (To see how, go to: <http://www.emnrd.state.nm.us/OCD> and see “Publications”)

From: Ho, Nancy <Ho.Nancy@epa.gov>

Sent: Monday, June 8, 2020 10:18 AM

To: dhencmann@ltenv.com; Chavez, Carl J, EMNRD <CarlJ.Chavez@state.nm.us>; shyde@ltenv.com; aager@ltenv.com; gjmccartney@marathonpetroleum.com

Cc: Thomas, Leigh W <l1thomas@blm.gov>; Ogden, Sarah, NMENV <Sarah.Ogden@state.nm.us>

Subject: [EXT] Lee Acres Landfill - Coordination with NMOCD and LT Environmental

Hi Carl and All,

I hope you are well.

I am writing to let you know that I am the new EPA Remedial Program Manager for the Lee Acres Landfill site. Ms. Nelly Smith, the previous EPA RPM for this site, has moved on to another position. (Sorry, for the late notice, I had assumed Ms. Smith notified you when she moved on).

Thank you for ensuring the relevant groundwater data for the former Giant Bloomfield Refinery (GBR) continues to be available to EPA, NMED, and BLM via <http://ocdimage.emnrd.state.nm.us/imaging/AEOrderFileView.aspx?appNo=pENV000GW00042>. I was able to locate the 2019 Annual Report for the Former Giant Bloomfield Refinery. With this email, I am ccing Ms. Whitney Thomas with the Bureau of Land Management and Ms. Maggie Ogden with NMED as confirmation they have access to the groundwater data in order to coordinate analyses of the data and in order to incorporate any relevant findings into future Five Year Reviews conducted by BLM.

In addition, I am letting you know the Third Five-Year Review report and Addendum to the Report for the Lee Acres site, along with EPA’s response to the Report is available via <https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.scs&id=0600911&doc=Y&colid=32176®ion=06&type=SC>

Please don’t hesitate to contact me with any questions.

Thank you,

Nancy Ho
EPA Region 6

Mailing Address: USEPA Region 6 Mail Code SEDRL, 1201 Elm Street, Dallas, Texas 75270-2102,

Tel: 214-665-3179 || Email: ho.nancy@epa.gov

From: [Ho, Nancy](#)
To: [Thomas, Leigh W](#); tspisak@blm.gov
Cc: [Tafoya, Jeffrey J](#); [Ogden, Sarah, NMENV](#)
Bcc: [Baier-Anderson, Caroline](#); [McEaddy, Monica](#); [Tzhone, Stephen](#); [Malone, George](#); [Atkins, Blake](#); [Purcell, Mark](#)
Subject: EPA Response - Third Five Year Review Report: Lee Acres Landfill
Date: Monday, April 06, 2020 1:30:00 PM
Attachments: [Lee Acres Five Year Review Addendum by BLM SIGNED Apr 6 2020.pdf](#)

Dear Mr. Spisak and Ms. Thomas:

Thank you for providing BLM's Addendum to the Third Five Year Review Report for the Lee Acres Landfill site. Please see attached EPA concurrence sheet and memorandum documenting the approval. Due to the current shelter-in-place health order effective for Dallas county through May 20, 2020 where the EPA Region 6 office is located, the hardcopy version of the letter will be mailed when it becomes permissible to be in-person at the EPA office.

Thank you,

Nancy Ho

Nancy Ho

EPA Region 6

Mailing Address: USEPA Region 6 Mail Code SEDRL, 1201 Elm Street, Dallas, Texas 75270-2102,

Tel: 214-665-3179 || Email: ho.nancy@epa.gov



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

via Email to tspisak@blm.gov and First-Class Mail

Timothy R. Spisak
Bureau of Land Management
301 Dinosaur Trail
Santa Fe, NM 87508

Re: Addendum to Third Five-Year Review Report
Lee Acres Landfill Superfund Site, San Juan, New Mexico
EPA ID# NMD980750020

Dear Mr. Spisak:

The U.S. Environmental Protection Agency (EPA) has completed its review of the Bureau of Land Management's (BLM's) Addendum to the Third Five-Year Review Report ("Addendum") for the Lee Acres Landfill Superfund Site (Site), dated January 27, 2020. Based on this review, EPA has determined that the Addendum adequately addresses the EPA comments on the Third Five-Year Review Report (FYR Report), which were submitted to BLM in a letter dated December 30, 2019. Therefore, the FYR Report, as amended by the January 27, 2020 Addendum, is approved. Enclosed are a signed EPA concurrence sheet and memorandum documenting the approval.

With the approval of the amended FYR Report, EPA is reaffirming its independent finding of protectiveness for the Site remedy, which is stated in EPA's December 30, 2019, letter as follows:

"[t]he remedial actions at the site are protective of human health and the environment in the short-term because the manganese is not impacting current drinking water sources. Because manganese levels are not decreasing, the long-term protectiveness of human health and the environment will be achieved when manganese levels decrease, and satisfy the cleanup level established in the ROD."

This finding of short-term protectiveness for the selected remedial action is reported to Congress. With regards to the long-term protectiveness determination, we thank you for providing the draft pre-proposal prepared by the U.S. Geological Survey (USGS) for investigating the source of elevated manganese concentrations in groundwater. The FYR Report specifies that taking such an action is necessary to ensure that the remedy will be protective in the long-term. EPA will continue to coordinate with BLM and USGS as EPA reviews the draft pre-proposal.

EPA will track the status of BLM's recommended actions (from the Addendum) and the completion of the manganese groundwater study in its Superfund Enterprise Management System (SEMS). The purpose of the groundwater study is to examine the occurrence and distribution of elevated manganese concentrations and their relation to land surface-soil-aquifer connections and other potential local factors controlling manganese mobilization. BLM stated to EPA on March 02, 2020, that it estimates completing this groundwater study before May 01, 2023. Therefore, the date of May 01, 2023, will be entered into SEMS as the anticipated deadline for completing the groundwater study.

In addition, EPA is advancing the deadline for BLM to complete the first draft of the Fourth Five-Year Review Report in order to allow an adequate amount of time to meet the statutory deadline for completing the review. The Comprehensive Environmental Response, Compensation & Liability Act (CERCLA), 42 U.S.C. §9621(c), requires that a periodic review be conducted no less often than every five years after the initiation of remedial action at sites where hazardous substances, pollutants or contaminants will remain onsite above levels that allow for unlimited use and unrestricted exposure. Since the initiation of the remedial action at the Site began on October 25, 2004, the Fourth Five-Year Review Report must be completed by October 25, 2024. Therefore, EPA requests BLM to submit the first draft of the report to EPA by July 25, 2024. This should allow an adequate amount of time for EPA to review and comment on the draft report and for BLM to make any revisions, if necessary, and resubmit the final report for EPA concurrence, in advance of the October 25, 2024 deadline.

If you have any questions, please do not hesitate to contact me or Nancy Ho of my staff at (214) 665-3179.

Sincerely,

**WREN
STENGER**

Wren Stenger
Director

Superfund and Emergency Management Division

 Digitally signed by WREN STENGER
DN: c=US, o=U.S. Government,
ou=Environmental Protection Agency,
cn=WREN STENGER,
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Date: 2020.04.06 06:34:15 -05'00'

Enclosures (2)

cc: Sara Ogden – New Mexico Environment Department (NMED)
Whitney Thomas – Bureau of Land Management (BLM)

**THIRD FIVE-YEAR REVIEW REPORT WITH ADDENDUM
PREPARED BY BUREAU OF LAND MANAGEMENT
LEE ACRES SUPERFUND SITE (EPA ID#: NMD980750020)
FARMINGTON, SAN JUAN COUNTY, NM**

This U.S. Environmental Protection Agency memorandum documents the performance, determinations and approval of the Lee Acres Landfill Superfund Site (Site) Third Five Year Review with Addendum under Section 121(c) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S. Code Section 9621(c), as prepared by the Bureau of Land Management (BLM) in the attached Third Five-Year Review Report with Addendum.

The Third Five-Year Review is required by Section 121(c) of the Comprehensive Environmental Response, Compensation & Liability Act (CERCLA), 42 U.S.C. §9621(c), which requires that a periodic review be conducted no less often than every five years after the initiation of remedial action at sites where hazardous substances, pollutants or contaminants will remain onsite above levels that allow for unlimited use and unrestricted exposure. The triggering action for the statutory First Five-Year Review is the initiation of the remedial action on October 25, 2004. BLM finalized the First Five-Year Review Report which was concurred by EPA on October 23, 2009. The statutory Second Five-Year review was initially completed by BLM in September 19, 2014 with EPA independent determination of protectiveness made on November 26, 2014 and with a subsequent final revision and EPA concurrence made on August 14, 2015. The statutory Third Five-Year Review was completed by BLM in November 2019 with EPA independent determination of protectiveness along with EPA request to BLM to revise its report on December 30, 2019. On January 27, 2020, BLM led the Third Five-Year Review revision effort with an addendum and completed it in close cooperation with EPA. The Fourth Five-Year Review report with EPA's concurrence will be due on October 25, 2024.

Actions Needed

The following actions must be taken during the fourth five year review period for the remedy to be protective in the long term:

- BLM recommends monitoring of the landfill cover should be performed semi-annually until 2021, and then annually;
- The groundwater monitoring schedule in the Work Plan requires annual monitoring of eight specified wells. BLM recommends annual monitoring be initiated in 2020 and be performed for a total of 5 years for manganese, nickel, vinyl chloride, trichloroethylene, tetrachloroethylene, 1,2-trans-DCE, and 1, 2-cis-DCE (all seven contaminants of concern as identified in the Record of Decision's Remedial Action Objective for the groundwater pathway);
- Conduct a groundwater study to examine the occurrence and distribution of elevated manganese concentrations and their relation to land surface-soil-aquifer connections and other potential local factors controlling manganese mobilization. BLM recommends conducting a study to investigate the source(s) of high levels of manganese.

Determination

I have determined that the remedy for the Lee Acres Landfill Superfund Site is protective in the short-term of human health and the environment. The remedial actions at the site are protective in the short-term because the manganese is not impacting current drinking water sources. Because manganese levels are not decreasing, the long-term protectiveness of human health and the environment will be achieved when manganese levels decrease, and satisfy the cleanup level established in the ROD.

WREN STENGER

Digitally signed by WREN STENGER
DN: cn=US, o=U.S. Government, ou=Environmental Protection Agency,
cn=WREN STENGER, o.9.2342.19200300.100.1.1=68001003651787
Date: 2020.04.06 07:57:10 -0500

Wren Stenger
Director, Superfund and Emergency Management Division
U.S. Environmental Protection Agency Region 6

Date

EPA CONCURRENCES

**THIRD FIVE-YEAR REVIEW REPORT WITH ADDENDUM
PREPARED BY BUREAU OF LAND MANAGEMENT
LEE ACRES SUPERFUND SITE
EPA ID#: NMD980750020
FARMINGTON, SAN JUAN COUNTY, NM**

NANCY HO

Digitally signed by NANCY HO
DN: c=US, o=U.S. Government, ou=Environmental
Protection Agency, cn=NANCY HO,
0.9.2342.19200300.100.1.1=68001003655648
Date: 2020.03.19 12:35:28 -05'00'

Nancy Ho
Remedial Project Manager

Date

BLAKE ATKINS

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ou=Environmental Protection Agency,
cn=BLAKE ATKINS,
0.9.2342.19200300.100.1.1=68001003652741
Date: 2020.03.24 12:47:06 -05'00'

Blake Atkins
Chief, Louisiana, New Mexico, Oklahoma Section

Date

JOHN MEYER

Digitally signed by JOHN MEYER
DN: c=US, o=U.S. Government,
ou=Environmental Protection Agency,
cn=JOHN MEYER,
0.9.2342.19200300.100.1.1=68001003655626
Date: 2020.03.24 14:19:46 -05'00'

John C. Meyer
Chief, Superfund Remedial Branch

Date

**GEORGE
MALONE**

Digitally signed by GEORGE MALONE
DN: c=US, o=U.S. Government,
ou=Environmental Protection Agency,
cn=GEORGE MALONE,
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Date: 2020.03.24 11:04:49 -05'00'

George Malone
Attorney, Office of Regional Counsel

Date

PAMELA TRAVIS

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Date: 2020.04.03 15:12:05 -05'00'

Pam Travis
Acting Chief, Superfund Branch,
Office of Regional Counsel

Date