

N83447.AR.000671
NAS FORT WORTH
5090.3a

LETTER ACCEPTING DEED CERTIFICATION AND RELEASE FROM POST CLOSURE CARE
RESPONSIBILITIES AT SOLID WASTE MANAGEMENT UNIT 66 NAS FORT WORTH TX
1/19/2007
TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



CARSWELL AFB TEXAS

ADMINISTRATIVE RECORD COVER SHEET

AR File Number _____ 738

Kathleen Hartnett White, *Chairman*
 Larry R. Soward, *Commissioner*
 Martin A. Hubert, *Commissioner*
 Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 19, 2007

Ms. Norma Landez
 BRAC Environmental Coordinator
 AFRPA/DK
 143 Billy Mitchell, Suite 1
 San Antonio, TX 78226-1816

Re: Acceptance of Deed Certification and Release From Post-closure Care Responsibilities
 MH-4, Associated with the Sanitary Sewer System, SWMU No. 66 - Risk Reduction
 Standard No. 2
 Former Carswell Air Force Base (AFB)
 TCEQ SWR No. 65004
 EPA ID No. TX0571924042
 TCEQ Hazardous Waste Permit No. HW-50289-000

Dear Ms. Landez:

The Texas Commission on Environmental Quality (TCEQ) received a letter dated October 16, 2006 submitted by the Air Force Real Property Agency (AFRPA) containing proof of deed certification for the MH-4, associated with the Sanitary Sewer System, Solid Waste Management Unit (SWMU) No. 66. The certification states that contaminants remaining at the site have been remediated to meet non-residential (i.e. industrial/commercial) soil criteria under Risk Reduction Standard (RRS) No. 2 pursuant to Title 30 Texas Administrative Code (TAC) Chapter 335 Subchapters A and S.

After review of the proof of deed certification, it appears that the deed certification requirements of 30 TAC §335.560(b) and (c) have been completed. The TCEQ hereby releases the facility from post-closure care responsibilities for the above referenced area.

In order to attain RRS No. 2, all industrial solid waste and municipal hazardous waste and waste residues must be removed or decontaminated to health based standards and criteria. Contaminants allowed to remain in place in media of concern (i.e., soil, ground water, surface water and air) must not exceed the health based clean up levels as specified in 30 TAC §335.556. A Final Report, documenting that remediation at the facility has attained RRS No. 2 such that no post-closure care or engineering control measures are required, was previously accepted by the TCEQ on February 8, 2006.

2007 JUN 26 AM 10 25

11

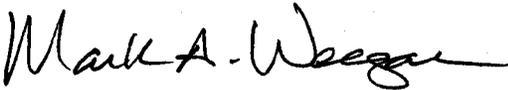
492

Ms. Norma Landez
Page 2
SWR No. 65004
January 19, 2007

Please be aware that it is the continuing obligation of persons associated with a site to ensure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the response actions described in the report fail to comply with these requirements, please take any necessary and authorized action to correct such conditions. A TCEQ field inspector may conduct an inspection of your site to determine compliance with the report.

Questions concerning this letter should be directed to me at (512) 239-2360. When responding by mail, please submit an original and one copy of all correspondence and reports to the TCEQ Environmental Cleanup Section I at Mail Code MC-127. An additional copy should be submitted to the local TCEQ Region Office. The information in the reference block should be included in all submittals.

Sincerely,



Mark A. Weegar, P.G., Senior Project Manager
Team 1, Environmental Cleanup Section I
Remediation Division
Texas Commission of Environmental Quality

MW/mw

cc: Mr. Noel Bennett, USEPA Region 6, Dallas, TX (6PD-NB)
Waste Program Manager, TCEQ Region 4 Office, Dallas/Fort Worth

Kathleen Hartnett White, *Chairman*
 R. B. "Ralph" Marquez, *Commissioner*
 Larry R. Soward, *Commissioner*
 Glenn Shankle, *Executive Director*

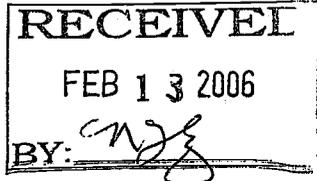


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 8, 2006

Ms. Norma Landez
 BRAC Environmental Coordinator
 AFRPA/DK
 143 Billy Mitchell Blvd., Suite 1
 San Antonio, TX 78226-1816



Re: *Draft Final Sanitary Sewer System Solid Waste Management Unit No. 66 RCRA Facility Investigation Report, Former Carswell Air Force Base, Fort Worth, Texas October 2005*
 Carswell Air Force Base (Carswell AFB)
 Solid Waste Registration No. 65004
 EPA ID No. TX0571924042
 Hazardous Waste Permit No. HW-50289
Approval - Risk Reduction Standard No. 1
Notice of Public Comment Risk Reduction Standard No. 2

Dear Ms. Landez:

The Texas Commission on Environmental Quality (TCEQ) has completed our review of the above referenced Closure Report dated October 2005 and received by the TCEQ on November 15, 2005. According to the Closure Report, with the exception of Soil Area MH-4, the closure of the Sanitary Sewer System Solid Waste Management Unit (SWMU) No. 66 has been completed in accordance with 30 Texas Administrative Code (TAC) Chapter 335.554 Risk Reduction Standard (RRS) No. 1 Closure/Remediation to Background, such that no post-closure care or institutional control measures are required. Based upon the information contained in the Closure Report, the RRS No. 1 closure of SWMU No. 66, excluding Soil Area MH-4, is approved.

The Closure Report indicates that Soil Area MH-4, associated with SWMU No. 66, has attained closure pursuant to 30 TAC Chapter 335.555 RRS No. 2 Closure/Remediation to Health-Based Standards and Criteria. In order to attain RRS No. 2, all industrial solid waste and municipal hazardous waste and waste residues must be removed or decontaminated to health based standards and criteria. Contaminants allowed to remain in place in media of concern (i.e., soil, ground water, surface water, air) must not exceed the health based clean up levels as specified in 30 TAC §335.556.

Based upon the information contained in the referenced closure report, it appears that the Air Force Real Property Agency (AFRPA) has provided sufficient information to document that Soil Area MH-4 has attained RRS No. 2 such that no post-closure care or engineering or institutional control measures are required. The TCEQ, however, cannot issue a final closure determination for contamination associated with SWMU No. 66/ Soil Area MH-4 at this time. In order to comply with TCEQ Environmental Cleanup Section policy requirements associated with the corrective action program (effective August 1, 2001), the TCEQ cannot issue a final closure determination for SWMU No. 66 until the public has had an opportunity to comment on the proposed corrective measure for Soil Area MH-4.

AFRPA shall notify the public of the proposed corrective measure for Soil Area MH-4 (i.e., RRS No. 2 Closure/Remediation to Health-Based Standards and Criteria), pursuant to the above referenced TCEQ

Ms. Landez
Page 2
February 8, 2006

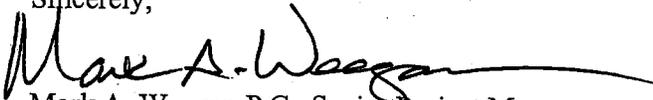
policy. An example of the proper public notice language is provided in **ENCLOSURE 1** of this letter. AFRPA should proceed with the following steps:

1. Publish the notice (completed with the correct information) once in its entirety, at your expense, in a newspaper of general circulation which is regularly published or circulated in the county(ies) or the geographical location of the facility;
2. Once the notice is published, please read it carefully and notify us immediately if it contains any errors or omissions that require the corrected version to be re-published; and,
3. Mail, immediately upon publication, an original and one (1) copy of the following items to the TCEQ's Environmental Cleanup Section (MC-127) and one copy to the Waste Program Manager, TCEQ Region 4 Office in Fort Worth:
 - a. a clipping of the published notice; and,
 - b. The original sworn affidavit from the newspaper giving the date on which the notice was published, using the example publisher's affidavit form provided in **ENCLOSURE 2** of this letter.

If comments which require clarification are received during the comment period, the Executive Director of the TCEQ may request AFRPA to hold a public meeting if such a meeting might clarify one or more issues concerning the proposed corrective measure for SWMU No. 66/Soil Area MH-4. The TCEQ will issue a final determination if no public comments are received.

An original and one copy of future correspondence associated with this issue should be submitted to the TCEQ Environmental Cleanup Section at the letterhead address using Mail Code MC-127. The facility name, location and identification number(s) in the TCEQ reference line above should be included with the submittal. A copy should also be submitted to the TCEQ Region 4 Office in Fort Worth. Should you need additional information, or wish to discuss this issue further, please call me at (512) 239-2360 or via e-mail at mweegar@tceq.state.tx.us.

Sincerely,



Mark A. Weegar, P.G., Senior Project Manager
Team II, Environmental Cleanup Section I
Remediation Division
Texas Commission on Environmental Quality

MW/mw

cc: Mr. Noel Bennett, U.S. EPA Region 6, Dallas (6F-NB)
Waste Program Manager, TCEQ Region 4, Fort Worth (MC-R4)

Enclosures: ENCLOSURE 1 - *Example Notice of Proposed Corrective Measures*
ENCLOSURE 2 - *Example of Publisher's Affidavit*

PAID ADVERTISEMENT

NOTICE OF PROPOSED CORRECTIVE MEASURES

The Air Force Real Property Agency/Chief Operating Office-Kelly (AFRPA/COO-Kelly) located at 143 Billy Mitchell Boulevard, San Antonio, Bexar County, Texas, is responsible for the Base Realignment and Closure process at the former Carswell Air Force Base (AFB). AFRPA/COO-Kelly has hereby given notice to the Texas Commission on Environmental Quality (TCEQ) of the proposed corrective measure for Soil Area MH-4 associated with Solid Waste Management Unit (SWMU) No. 66, the Sanitary Sewer System located at former Carswell AFB. The investigation conducted indicates the closure of SWMU No. 66, with the exception of Soil Area MH-4, has been completed in accordance with 30 Texas Administrative Code (TAC) Chapter 335, Subchapter S, Risk Reduction Standards (RRS) and the requirements of the RCRA Hazardous Waste Permit Number HW-50289. Soil Area MH-4 has attained closure pursuant to 30 TAC §335.555 RRS No. 2 Closure/Remediation to Health-Based Standards and Criteria and is based upon results of the Draft Final Sanitary Sewer System SWMU 66 RCRA Facility Investigation (RFI) Report, Former Carswell AFB, Fort Worth, Texas, dated October 2005. Contaminants allowed to remain in place in the soils do not exceed the health based clean up levels as specified in 30 TAC §335.556. No post-closure care or engineering or institutional control measures are required. Deed certification will be completed pursuant to 30 TAC §335.560 following completion of the 60 day public comment period.

The purpose of this notice is to give members of the public an opportunity to submit written comments on the proposed corrective measure in accordance with TCEQ policy effective August 1, 2001. Comments must be submitted within 60 days of the date of publication of this notice to: Manager, Environmental Cleanup Section, Mail Code MC-127, Remediation Division, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. Copies of the Draft Final RFI Report and the proposed corrective action measure are available for public inspection at the Austin office of the TCEQ located at Technical Park Center, Building D, Room 109, 12118 North IH-35, Austin, Texas, the TCEQ Region 4 Office located at 2301 Gravel Drive, Fort Worth, Texas, 76118, and the White Settlement Public Library located at 8215 White Settlement Road, White Settlement, Texas, 76108.

PAID ADVERTISEMENT

TEACHERS!

NO COST!

THE LAND CONNECTS US

From the food on our table to the gas in our cars, this NIE program for grades 5-10 teaches students about natural resources that come from the land, the products that they make and the occupations that provide them - farming, forestry, mining and ranching.

- 30 copies of the Star-Telegram Tuesdays & Thursdays for 7 weeks on Tuesday, March 28th - Thursday, May 11, 2006.
- 30 copies of the NIE supplement "The Land Connects Us" delivered Tuesday March 28, 2006.
- Teacher's Guide
- Classroom Poster



DEADLINE TO ORDER: March 10, 2006

For more details or to order online visit www.star-telegram.com/nie. To remain eligible for any NIE sponsored programs, the required verification forms must be signed and returned upon receipt.

Code: "THE LAND CONNECTS US" 2006

School Name _____ School Phone _____

Teacher's Full Name _____

Address _____ City _____ Zip _____

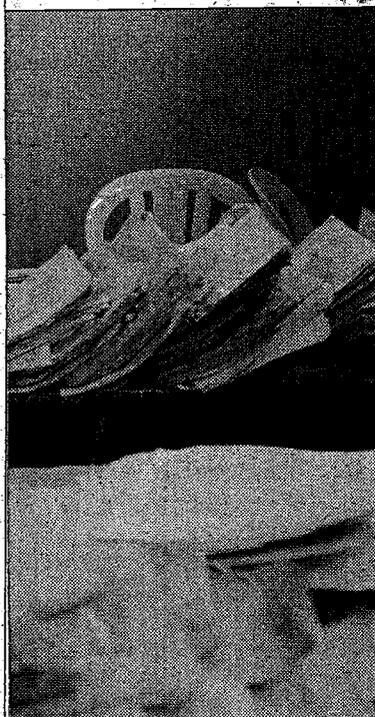
Phone 817/215-2208 • FAX: 817/215-2206
Mail Orders to: Star-Telegram/The Land That Connects Us
P.O. Box 915008, Fort Worth, TX 76115

Sponsored by



Ford Motor Company Fund

Atrocities



THE ASSOCIATED PRESS/MOISES CASTILLO documents, which could contain evidence up to a decade.

enemies. About 200,000 people, mostly civilians, died or vanished before U.N.-brokered peace accords ended the fighting in December 1996.

Human rights groups hope the files contain evidence that the National Police, which was disbanded in 1997 because of its notorious reputation, worked with other shadowy security forces that wrongfully imprisoned, tortured and killed suspected insurgents.

"They are concrete proof from an official source and they all are intact," said Idivina Hernandez, director of the Institute for Democratic Security, a nongovernmental group helping to analyze and protect the Guatemalan files. "They detail everything, not like U.S. declassified documents that come with the names of those responsible for many atrocities blacked out."

But sorting of the estimated 1-million documents has not

PAID ADVERTISEMENT

NOTICE OF PROPOSED CORRECTIVE MEASURES

The Air Force Real Property Agency/Chief Operating Office-Kelly (AFRPA/COO-Kelly) located at 143 Billy Mitchell Boulevard, San Antonio, Bexar County, Texas, is responsible for the Base Realignment and Closure process at the former Carswell Air Force Base (AFB). AFRPA/COO-Kelly has hereby given notice to the Texas Commission on Environmental Quality (TCEQ) of the proposed corrective measure for Soil Area MH-4 associated with Solid Waste Management Unit (SWMU) No. 66, the Sanitary Sewer System located at former Carswell AFB. The investigation conducted indicates the closure of SWMU No. 66, with the exception of Soil Area MH-4, has been completed in accordance with 30 Texas Administrative Code (TAC) Chapter 335, Subchapter S, Risk Reduction Standards (RRS) and the requirements of the RCRA Hazardous Waste Permit Number HW-50289. Soil Area MH-4 has attained closure pursuant to 30 TAC §335.555 RRS No. 2 Closure/Remediation to Health-Based Standards and Criteria and is based upon results of the Draft Final Sanitary Sewer System SWMU 66 RCRA Facility Investigation (RFI) Report, Former Carswell AFB, Fort Worth, Texas, dated October 2005. Contaminants allowed to remain in place in the soils do not exceed the health based clean up levels as specified in 30 TAC §335.556. No post-closure care or engineering or institutional control measures are required. Deed certification will be completed pursuant to 30 TAC §335.560 following completion of the 60 day public comment period.

The purpose of this notice is to give members of the public an opportunity to submit written comments on the proposed corrective measure in accordance with TCEQ policy effective August 1, 2001. Comments must be submitted within 60 days of the date of publication of this notice to: Manager, Environmental Cleanup Section, Mail Code MC-127, Remediation Division, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. Copies of the Draft Final RFI Report and the proposed corrective action measure are available for public inspection at the Austin office of the TCEQ located at Technical Park Center, Building D, Room 109, 12118 North IH-35, Austin, Texas, the TCEQ Region 4 Office located at 2301 Gravel Drive, Fort Worth, Texas, 76118, and the White Settlement Public Library located at 8215 White Settlement Road, White Settlement, Texas, 76108.

PAID ADVERTISEMENT



THE LAND CONNECTS US

From the food on our table to the gas in our cars, this NIE program for grades 5-10 teaches students about natural resources that come from the land, the products that they make and the occupations that provide them - farming, forestry, mining and ranching.

- 30 copies of the Star-Telegram Tuesdays & Thursdays, for 7 weeks on Tuesday, March 28th - Thursday, May 11, 2006.
- 30 copies of the NIE supplement "The Land Connects Us" delivered Tuesday March 28, 2006.
- Teacher's Guide
- Classroom Poster



DEADLINE TO ORDER: March 10, 2006

For more details or to order online visit www.star-telegram.com/nie
To remain eligible for any NIE sponsored programs, the required verification forms must be signed and returned upon receipt.

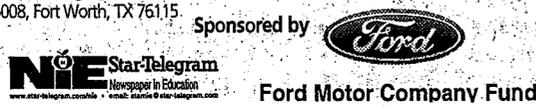
Code: "THE LAND CONNECTS US" 2006

School Name _____ School Phone _____

Teacher's Full Name _____

Address _____ City _____ Zip _____

Phone 817/215-2208 • FAX: 817/215-2206
Mail Orders to: Star-Telegram/The Land That Connects Us
P.O. Box 915008, Fort Worth, TX 76115



GUATEMALA

Files may r

■ At least 48 million pages that could shed light on human rights violations remain in a leaky warehouse.

By JUAN CARLOS LLORCA
THE ASSOCIATED PRESS

GUATEMALA CITY — Technicians using soft-bristle brushes are working to preserve documents that could contain evidence of government involvement in the torture and disappearance of thousands of Guatemalans during the country's 36-year civil war.

But millions of other pages remain vulnerable to mold, rain, fire, vermin and sabotage in a leaky, humid police warehouse where they were discovered eight months ago. The Guatemalan human rights ombudsman's office doesn't have enough money, people or technology to examine what secrets they contain.

"There could be evidence of human rights violations, but we might never find out if the files decay or are destroyed," said Carla Villagran, director of analysis for the national human rights ombudsman, which stumbled upon the towering stacks of mildewing documents last June.

On Thursday, the rights activists plan to release findings of how Guatemalan police gave and followed orders — essential background for understanding the documents. Villagran's office also will provide a progress report on efforts to preserve the documents. At least 48 million pages remain haphazardly piled to the ceiling across five rooms in a decrepit, two-story warehouse in a crowded Guatemala City neighborhood. The warehouse is located at the edge of a semi-abandoned police complex that is filled with junked cars.

With \$2.5 million from Swe-



A worker's
dence of



build a
files. T
Program
and Sp
send ar
zor wi
rounds
guards
clock.

But t
able. T
camera
vice cot
street tl
or crack
Heavy)

Publisher's Affidavit

STATE OF TEXAS

COUNTY OF Tarrant

Before me this day personally appeared Lisa Wesselman

_____, the Bids & Legals Coordinator

of the Star-Telegram, a

newspaper which is regularly published or circulated in

Tarrant County, Texas, who being by me duly sworn

deposes and says:

That the foregoing notice was published in said newspaper

on March 2nd, 2006.

Lisa Wesselman

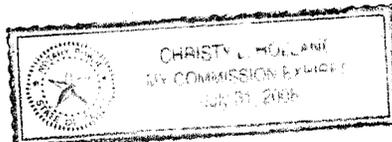
Subscribed and sworn to before me this the 2nd day

of March, 2006.

Christy Y. Holland

Notary in and for

Tarrant County, Texas



FINAL PAGE

ADMINISTRATIVE RECORD

FINAL PAGE