



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

Certified Mail - Return Receipt Requested

July 01, 2026

Ms. Amanda Skarsgard
NASA Environmental Compliance Manager
National Aeronautics and Space Administration
White Sands Test Facility
P.O. Box 20
Las Cruces, New Mexico 88004-0020
amanda.g.skarsgard@nasa.gov

Attention of: RE-26-048, RE-25-089, RE-24-044, RE-24-147, and RE-24-166

**RE: APPROVAL OF THE RCRA CLASS 3 PERMIT MODIFICATION
CORRECTIVE ACTION COMPLETE (CAC) STATUS FOR
SOLID WASTE MANAGEMENT UNITS (SWMUs) 21-27, 30 AND 31
NASA WHITE SANDS TEST FACILITY, NEW MEXICO
EPA ID #NM8800019434
HWB-NASA-24-018**

Dear Ms. Skarsgard,

The New Mexico Environment Department (NMED) hereby approves the Class 3 modification for the Resource Conservation and Recovery Act Hazardous Waste Permit for post-closure care (the Permit) issued to NASA White Sands Test Facility (the Permittee) in March 2023, pursuant to the New Mexico Hazardous Waste Act (HWA), NMSA 1978, §§ 74-4-1 through 74-4-14, and in accordance with the New Mexico Hazardous Waste Management Regulations (HWMR) 20.4.1 NMAC. The Permit requires the Permittee to conduct post-closure care and corrective action at the facility located at the White Sands Test Facility located in Doña Ana County, Las Cruces, New Mexico.

The Permit, with all its attachments, constitutes the full RCRA Permit for this Facility. The Permittee must comply with all terms and conditions of this Permit and with any additional requirements that apply pursuant to section 20.4.1.900 NMAC, incorporating 40 CFR § 270.4(a)(1).

A 60-day public comment period was held from February 19, 2026 to April 22, 2026 in accordance with section 20.4.1.901 NMAC. Three comments were received, two from the Permittee, and they are addressed in this approval letter. The Modified Permit and NMED's response to

comments received during the public comment period are available at the NMED Hazardous Waste Bureau facility website: <https://www.env.nm.gov/hazardous-waste/nasa/>.

This permit modification consists of approval of Corrective Action Complete status for nine Solid Waste Management Units (SWMUs 21-27, 30 and 31), based on a revised permit modification request submitted by the Permittee on October 23, 2024. The status of the nine SWMUs (21-27; 30-31) has been changed from Corrective Action Required to Corrective Action Complete without Controls. The unit listings in Permit Attachment 4 have been moved from Permit Table 4-1 (SWMUs and AOCs Requiring Corrective Action) to Table 4-3 (SWMUs and AOCs with Corrective Action Complete without Controls). Minor typographical revisions have been made for clarity. Additional information relevant to this permit modification is provided below.

Clarification for Units that were not listed on Table 4-1 of the Permit

The Permittee submitted a petition for Corrective Action Complete without Controls for nine SWMUs and seven ancillary septic tanks: 1) 250 Area Septic Tank, 2) 200 Area Septic Tank at Building 272, 3) 400 Area Septic Tank at Building T463, 4) 400 Area Septic Tank at Building 447, 5) 600 Area Septic Tank at Building 650, 6) 800 Area Septic Tank at Buildings 802/803, and 7) STGT Facility Septic Tank. Initially, NMED included the seven ancillary septic tanks in the Draft Permit Modification in Table 4-3, SWMUs and AOCs with Corrective Action Complete without Controls, based on the determination that these sites did not pose an unacceptable risk to human health or the environment. However, based on additional information provided by the Permittee, NMED determined that the seven ancillary septic tanks were never included in previous Permits, and were never assigned SWMU or AOC identification numbers. The septic tanks never managed hazardous waste and were never listed on Table 4-1, requiring corrective action. These units pose no risk to human health or the environment. Therefore, the seven ancillary septic tank sites have been removed from the Permit Table 4-3 and are addressed solely within this approval letter.

SWMUs and AOCs Requiring Corrective Action with Work Plan Submittal Dates tied to Closure (Table 4-1)

The Permittee submitted a comment regarding the Work Plan submittal dates listed in Table 4-1 of the Draft Permit Modification for SWMUs 11, 12, 18, 20, 48, 52, and 53. Specifically, the Permittee noted that these units had “60 or 90 days prior to closure” identified as the Work Plan submittal deadline. The terms “closure” and “post-closure,” however, are RCRA terms applicable to the closure of hazardous waste management units (HWMUs) and are not appropriate for describing Work Plan submittal requirements for SWMUs/AOCs under corrective action. NMED agrees with this clarification. The Permittee requested that the Work Plan submittal date be revised to “90 days prior to the start of corrective action.” Accordingly, the text for SWMUs 11, 12, 18, 20, 48, 52, and 53 in the Final Permit modification has been revised to the statement, “90 days prior to initiation of corrective action.”

SWMU 13 (400 Area Aspirator Discharge Pipe), Table 4-1

SWMU 13 (400 Area Aspirator Discharge Pipe) was part of a water-driven aspirator system in use around 1980. The aspirator discharge pipes (ADPs) were approximately two inches in diameter and did not discharge hazardous waste or hazardous substances. In the Notice of Disapproval for the 400 Area Closure Investigation Work Plan dated September 21, 2011, NMED acknowledged that the 400 Area ADP had been mischaracterized in the 1980s. NMED further stated that the ADP was not a SWMU or any other unit requiring investigation or corrective action.

The Permittee recommended removal of the 400 Area ADP as a SWMU in the 2019 RCRA permit renewal application, consistent with the findings of the 400 Area Closure Investigation Work Plan. Despite this acknowledgement, NMED listed SWMU 13 in the final 2013 permit in Table 4-1 as "Removed from Permit." In the 2026 Final Permit Modification, NMED subsequently moved SWMU 13 to Table 4-3: SWMUs and AOCs with Corrective Action Complete without Controls.

Section 3.5 Cleanup Levels

In the draft permit modification, a paragraph was included describing per- and polyfluoroalkyl substances (PFAS) cleanup levels using EPA's Regional Screening Levels (RSLs), which are based on a target excess lifetime cancer risk of 10^{-6} . During review, NMED determined that cleanup levels for PFAS compounds will continue to be established using the 10^{-5} risk level applied to other carcinogenic contaminants under current NMED guidance. Accordingly, the PFAS-specific paragraph from the draft permit modification has been removed, and PFAS cleanup levels will be evaluated using the risk methodology consistently applied across the permit.

This Permit modification approval is based on the premise that the information submitted by the Permittee in their Petition for Corrective Action Complete Status, subsequent revisions and supplemental information, are complete and accurate. Any inaccuracies found in this information or information submitted as required by this Permit may be grounds for termination or modification of this Permit in accordance with section 20.4.1.900 NMAC incorporating 40 CFR § 270.41, § 270.42, or § 270.43, and/or grounds for potential enforcement action(s).

In accordance with 20.4.1.901.A(10) NMAC, the **effective date of this Permit Modification is July 31, 2026**, thirty (30) days after issuance of this notice of permit modification.

Should you have any questions, please contact Melissa Milner at (505) 690-5760.

Sincerely

JohnDavid Nance

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JohnDavid Nance

Chief

Hazardous Waste Bureau

Ms. Skarsgard

July 01, 2026

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Enclosures:

Redline and clean copies of modified 2023 Permit, including Attachments, and Responses to public comments

cc: N. Dhawan, NMED HWB
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