



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

8 February 2012

Ms. Diane Malone
Environmental Department Manager
Waste Regulatory and Compliance Department
Navajo Nation Environmental Protection Agency
Window Rock Bldg., Bldg. W008090
Window Rock, AZ 86515

SUBJECT: Recommendation of No Further Action (NFA) at the Leaking Underground Storage Site at the former Newcomb Trading Post, Newcomb, New Mexico (EPA ID #NAV-207)

Dear Ms. Malone:

The United States Environmental Protection Agency (EPA), Region 9 has completed our file closure review process for the former Newcomb Trading Post in Newcomb, New Mexico. Our review included the following:

- site lease and operational history;
- the underground storage tank (UST) removal report (RC Environmental, 2007); and
- the *Site Characterization/Remedial Action Report* (Bristol, 2011).

In addition, EPA discussed the closure of this site with Audrey J. Moore, from the Environmental Geology Bureau of the New Mexico Department of Transportation (NMDOT) in December 2011. Ms. Moore provided EPA a copy of the *Detailed Site Investigation Report for the US Highway 491 at MP 57 highway construction project, which was prepared by Camp Dresser and McKee Inc. in 2007.*

Site Background

A Notification Form for three USTs was submitted by R.B Foutz in April 1986 to U.S. EPA Region 9. The three USTs in the notification included one 3-K gallon gasoline UST, one 4-K gallon gasoline UST and one UST of unknown capacity. The USTs were installed around 1970 and operated until 1992. In December 1998, Mr. Foutz registered with the NNEPA, one 5K-gallon gasoline aboveground storage tank (AST). He stated in the form that there were two USTs on site and that they were last in-service around 1987. The facility sold gasoline until 2001, dispensing from the AST. When the US EPA inspected the facility in September 2002, the USTs were temporary out-of-use and the facility was cited for non-compliance with the regulations for temporary closed UST. EPA recommended to Mr. Foutz to upgrade the UST system or to permanently close the USTs. In October 2002, EPA received a copy of the bid to remove the USTs. However the store burned down in 2003 and the USTs were not removed as planned.

In August 2007 the New Mexico Department of Transportation (NMDOT) issued a *Detailed Site Investigation Report, US Highway 491 at MP 57* prepared by Camp Dresser and McKee Inc. reporting that NMDOT encountered petroleum contaminated soil (PCS) at 25-30 feet below ground surface (bgs) from the borehole drilled at the south end of bridge at Newcomb. The soil sample had gasoline range organics (GRO) level at 650 parts per million. The site investigation was done for the proposed highway construction between Shiprock and Tohatchi. It is believed that the source of this contamination is from the former Newcomb Trading Post fueling operations.

Site Assessment

In July 2007, NNEPA funded the removal of the USTs at the site and retained RC Environmental Services for the job. Two USTs, in good condition, were found north of the dispenser island. Two additional USTs, in poor condition and with holes, were discovered beneath the concrete slab east of the dispenser island. The four USTs, the associated piping, and the dispenser island were removed in July 2007. Soil samples collected after the removal indicated that GRO, diesel range organics (DRO), benzene, toluene, and xylenes remained on site. Soil contamination level was highest beneath the corroded USTs at 14 feet bgs and beneath the dispenser island at 12 feet bgs. Approximately 152 cubic yards of PCS was removed and a bio-chemical solution was applied to the excavation prior to backfilling (at ~14 feet bgs).

In July 2010, U.S. EPA retained Bristol Environmental Services to complete the site characterization and remediation activities at the former Newcomb Trading Post. Soil borings were advanced to 95 feet bgs, and no water was encountered. Soil sampling results determined that DRO, GRO, benzene, toluene, and xylene exceeded cleanup standards at 20-25 feet bgs.

In December 2010, following the July 2010 site characterization activities, over 2,000 cubic yards of PCS were removed at the site. Petroleum impacted soil still remained at the site to the east; however, no contamination remained onsite at depths shallower than 5 feet bgs.

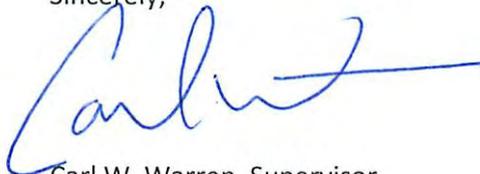
Justification for No Further Action

- Contamination remaining at the site is at a depth deep enough to prevent impacts to human and ecological receptors by direct exposure and/or ingestion.
- Groundwater occurs at depths greater than 100 feet and contamination does not extend past depths of 65 feet; therefore, groundwater contamination is not a concern. Two drinking wells are in the vicinity of the site; however, the depth of the wells (1,140 feet and 1,440 feet) eliminates the potential of contamination to drinking water.
- Based on the May 2011 *Site Characterization/Final Remedial Action Report* prepared by Bristol, soil contamination has not migrated to Captain Tom Wash, the nearest surface water. Therefore, potential impacts to surface waters are not a concern for this site.
- With regards to the impact on the NMDOT construction on Highway 491, Ms. Moore stated that their agency evaluates sites prior to construction (as they did in 2007) and any contamination within their project boundary is excavated and disposed of according to all environmental regulations. NMDOT will not seek partnership with other regulatory agencies nor will they seek reimbursement for any 'cleanup' they do, per their standard operating procedures. (Note: The NMDOT highway construction project between Tohatchi and Shiprock was successfully completed in 2011.)

During a meeting with EPA and NNEPA in October 2011, Mr. Haven recommended that this site be closed without additional action. EPA concurs with the NNEPA recommendation based on the above information. On February 1, 2012 NNEPA submitted a letter to EPA concurring with EPA's issuance of a NFA letter at the former Newcomb Trading Post.

However, if additional information becomes available in the future regarding hydrocarbon contamination in soil and/or groundwater at this site, EPA or the NNEPA may reopen this site and require additional site assessment and/or corrective action. If you have any questions regarding this letter, please contact Christy Leonard of EPA's contract support staff at (916) 557-7234 or me at 415-972-3355.

Sincerely,



Carl W. Warren, Supervisor
Tribal Underground Storage Tanks Program Office

Cc: Henry Haven, NNEPA
Audrey Moore, NMDOT
Randy Sells Navajo Nation Shiprock RBDO
Scott Ruth, Bristol Environmental