State of New Mexico
ENVIRONMENT DEPARTMENT

Office of the Secretary

SUSANA MARTINEZ
Governor

JOHN A. SANCHEZ
Lieutenant Governor

Harold Runnels Building
1190 Saint Francis Drive, PO Box 5469
Santa Fe, NM 87502-5469
Telephone (505) 827-2855 Fax (505) 827-2836
www.env.nm.gov

RYAN FLYNN
Cabinet Secretary

BUTCH TONGATE
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

December 2, 2015

Colonel Eric H. Froehlich
Base Commander
377 ABW/CC
2000 Wyoming Blvd. SE
Kirtland AFB, NM 87117-5606

John Pike
Director, Environmental Management Services
377 MSG
2050 Wyoming Blvd. SE Suite 116
Kirtland AFB, NM 87117-5270

Re: WITHDRAWAL OF NOTICE OF VIOLATION (NOV)

Dear Colonel Froehlich and Mr. Pike:

This letter serves as notification to the United States Air Force (USAF or Permittee), that the New Mexico Environment Department (NMED) is withdrawing the Notice of Violation (NOV) it issued on January 15, 2015.

KAFB has dramatically increased its efforts to address the Bulk Fuels Facility (BFF) fuel spill. The installation of 20 monitoring wells and three extraction wells over the past year have helped to better define the vertical and lateral extent of the plume and the commencement of interim measures for the initial extraction of contaminated groundwater were essential to address the migration of the fuel plume while the long-term corrective action remedies are evaluated. Additionally, the USAF has agreed to a Cooperative Agreement (Agreement) with NMED. This Agreement will provide funding to NMED's Hazardous Waste Bureau (HWB) to support document review, attend meetings, participate on technical teams and conduct public outreach while reducing impacts on HWB's current resources.

Finally, NMED has determined that the Permittee has successfully completed all actions necessary per the August 1, 2014 Groundwater Extraction Pilot Implementation Plan, the Additional Plume Characterization Work Plan and its Addendum, dated October 9, 2014.

Please be aware that withdrawal of the NOV does not relieve the USAF of its obligation to comply with any and all other applicable laws and regulations.

Please do not hesitate to contact me should you have any questions.

Sincerely,

Kathryn Roberts
Resource Protection Division Director
New Mexico Environment Department

Cc: Sec. R. Flynn, NMED
Dep. Sec. B. Tongate, NMED
J. Kendall, NMED-OGC
D. McQuillan, NMED
J. Kieling, NMED-HWB
D. Agnew, NMED-HWB
K. Lynnes, KAFB
Col. T. Haught, KAFB
L. Bitner, KAFB
A. Bodour, AFCEC
B. Gallegos, AEHD
F. Shean, ABCWUA
L. King, EPA-Region 6 (6PD-N)

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