

**STATE OF NEW MEXICO
ENVIRONMENT DEPARTMENT**

In the matter or)	
FORT WINGATE DEPOT ACTIVITY)	No. HWB FWDA-11(P)
)	
Permit Modification to add a Corrective)	
Action Management Unit to the Hazardous)	
Waste Facility Permit under the New Mexico)	
Hazardous Waste Act)	
<u>EPA No. NM6213820974</u>)	

FINAL ORDER

1. This matter comes before the Secretary of Environment through a permit modification to add a Corrective Action Management Unit (“CAMU”) to the Hazardous Waste Facility Permit for Fort Wingate Depot Activity (“FWDA”), in McKinley County, which the U.S. Department of the Army (the Permittee) originally submitted to the New Mexico Environment Department (“Department”) on June 4, 2009 under the New Mexico Hazardous Waste Act (the “Act”), NMSA 1978, §§ 74-4-1 to 74-4-14.

2. Pursuant to the Act, NMSA 1978, § 74-4-4.2(H), the Department has provided an opportunity for a public hearing on the draft permit. The Department issued a draft permit on March 10, 2011, and allowed a period of sixty days for the public, including the applicant, to submit written comments to the Department on the draft permit and to request a public hearing. The comment period ended on May 9, 2011. Timely comments were received from the U.S. Environmental Protection Agency during the comment period. The Department revised the draft permit in response to the comments.

The Department has responded to each of the comments in writing.

IT IS THEREFORE ORDERED:

1. The modified Hazardous Waste Facility Permit for FWDA, attached hereto, is hereby issued.

2. The modified permit shall remain in effect in accordance with section 20.4.1.900 NMAC, incorporating 40 C.F.R. § 270.50(a), unless the permit is modified, suspended or revoked under the Act, NMSA 1978, § 74-4-4.2, or under section 20.4.1.901 NMAC, or section 20.4.1.900 NMAC, incorporating 40 C.F.R. § 270.41, § 270.42, and § 270.43.

4. The Permittee shall comply with all terms and conditions of this modified Hazardous Waste Permit. This modified Permit consists of all the terms and conditions therein including those in the Attachments 1 through 15.

5. The modified Hazardous Waste Permit for FWDA will become effective on July 27, 2011 under 20.4.1.901.A(10) NMAC.


DAVID MARTIN
Secretary, Environment Department

6-27-11
Date