



NEW MEXICO
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

Phone (505) 476-6000 Fax (505) 476-6030

www.nmenv.state.nm.us

BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

RON CURRY
Secretary

CINDY PADILLA
Deputy Secretary

November 8, 2007

**SUBJECT: NOTICE OF PUBLIC COMMENT PERIOD AND INTENT TO APPROVE
A CLASS 3 PERMIT MODIFICATION TO RCRA PERMIT FOR
KIRTLAND AIR FORCE BASE**

Dear Interested Citizen:

Enclosed is a **Public Notice** regarding the intent to approve a proposed Class 3 permit modification to the United States Air Force/Kirtland Air Force Base's (**Permittee**) Resource Conservation and Recovery Act Permit. The U.S. Air Force is owner and operator of Kirtland Air Force Base. The Permittee is located at the following addresses: Kirtland Air Force Base, 2000 Wyoming Blvd., SE, Kirtland AFB, NM, 87117-5000.

The enclosed Public Notice provides locations where the administrative record, including the Permit Modification Request, Fact Sheet/Statement of Basis, and related documents for this action can be reviewed, and provides procedures for submitting comments and requesting a Public Hearing. Comments and requests for Public Hearing will be received through **5:00 p.m. MST, January 7, 2008.**

Any person seeking additional information regarding this notice or the draft permit may contact:

Mr. John E. Kieling
NMED – Hazardous Waste Bureau
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, NM 87505-6303

E-mail: john.kieling@state.nm.us
Telephone: (505) 476-6000
Fax: (505) 476-6030

Sincerely,

John E. Kieling
Program Manager
Permits Management Program
Hazardous Waste Bureau



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PUBLIC NOTICE NO. 07-21

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
Santa Fe, New Mexico
November 8, 2007**

**NOTICE OF PUBLIC COMMENT PERIOD AND INTENT TO APPROVE A PERMIT
MODIFICATION TO THE UNITED STATES AIR FORCE/KIRTLAND AIR FORCE
BASE'S RCRA PERMIT**

Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 *et seq.*, NMSA 1978, as amended, 1992) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC), the New Mexico Environment Department (NMED) can approve or deny hazardous waste permits, closure plans, permit modifications, and amendments. Under this authority, NMED intends to approve, pending public input into this decision, a modification to the RCRA permit issued to the United States Air Force/Kirtland Air Force Base (Permittee), New Mexico, EPA ID# NMD9570024423.

Kirtland Air Force Base (KAFB) is located in Bernalillo County, New Mexico, south and adjacent to the City of Albuquerque. KAFB cover 52,223 acres on a high, arid mesa approximately five miles east of the Rio Grande. KAFB is bounded on the north and northwest by the City of Albuquerque, on the east by the Cibola National Forest, on the south by the Pueblo of Isleta, and on the west by land owned by the State of New Mexico and the Albuquerque International Airport. KAFB was originally named Oxnard Field and began operation in 1928. In 1981 KAFB began the Installation Restoration Program (IRP) that completed a Phase I Records search of potential contaminated sites. A Resource Conservation and Recovery Act (RCRA) Part B operating permit was issued to KAFB on October 10, 1990. As a result of the facility's operations and from approximately 1944 to present, KAFB has generated, treated, stored, disposed of, and otherwise handled solid wastes, hazardous wastes, hazardous waste constituents, and radioactive wastes. Today, KAFB continues this mission and is one of the nation's leading research, development, test, and evaluation facilities and is home to the 377th Air Base Wing, KAFB's host organization.

The Permittee is located at the following address: Kirtland Air Force Base, 2000 Wyoming Blvd., SE, Kirtland AFB, NM, 87117-5000. The Permittee's primary contact for the action is:

Mr. Carl J. Lanz, Chief, Restoration Section, Environmental Management Branch, 377 MSG/CEV, 2050 Wyoming Blvd., Suite 118, Albuquerque, New Mexico 87117-5270.

If approved, the proposed modification would grant No-Further-Action (NFA) status for twenty four (24) solid waste management units/areas of concern (SWMUs/AOCs). Table A, Module IV of KAFB's RCRA Permit, lists SWMUs at the KAFB facility where corrective action may be necessary to characterize and/or remediate past releases of hazardous wastes or hazardous waste constituents. Two SWMUs/AOCs, RW-068 and DP-067, shall be removed from Table B and relisted on Table A due to the discovery of additional solid wastes at or near these sites.

NMED's approval of the 24 SWMUs/AOCs proposed for NFA by the Permittee is on the basis that the SWMU has been never been used for the management (that is, generation, treatment, storage, or disposal) of RCRA solid or hazardous wastes and/or constituents or other Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) hazardous substances (Criterion 2), or that the SWMU has been characterized or remediated in accordance with current applicable state and/or federal regulations, and the available data indicate that contaminants pose an acceptable level of risk under current and projected future land use (Criterion 5).

SWMUs that are proposed for NFA include: 1) 10-21-A (ST-287), Building 525 Septic System; 2) 10-21-B (ST-290), Building 619 Septic System; 3) 10-21-B (ST-292), Building 622 Septic System; 4) 10-21-C (ST-295), Building 638 Septic System; 5) 10-21-D (ST-296), Building 702 Septic System; 6) 10-21-D (ST-297), Building 707 Septic System; 7) 10-21-E (ST-300), Building 20199 Septic System; 8) 10-21-F (ST-301), Building 20560 Septic System; 9) 10-21-G (ST-302), Building 20599 Septic System; 10) 10-21-H (ST-303), Building 20749 Septic System; 11) 10-21-I (ST-304), Building 20797 Septic System; 12) 10-21-J (ST-305), Building 28054 Septic System; 13) 10-21-J (ST-306), Building 28050 Septic System; 14) 10-21-K (ST-307), Building 30101 Septic System; 15) 10-21-L (ST-308), Building 37511 Septic System; 16) 10-21-K (ST-315), Building 30102 Septic System; 17) 10-21-T (ST-317), Building 57011 Septic System; 18) 10-21-W (ST-320), Building 20149 Septic System; 19) 10-21-X (ST-323), Building 29042 Septic System; 20) 10-21-Y (ST-324), Building 29051 Septic System; 21) 10-21-AA (ST-342), SOR Building 66029 Septic System; 22) 10-21-AA (ST-345), SOR Building 66006 Septic System; 23) 10-21-BB (ST-346), Trestle Site Septic System; and 24) 6-3 (LF-007), Landfill 3

PUBLIC REVIEW OF THE ADMINISTRATIVE RECORD

The Administrative Record for this proposed action consists of the KAFB Permit Modification Request, Fact Sheet/Statement of Basis, this Public Notice, the draft Permit that consists of the proposed Tables A and B, and the referenced supporting documentation. The Administrative Record may be reviewed at the following location during the public comment period with prior appointment.

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
(505) 476-6000
Monday - Friday from 8:00 a.m. to 5:00 p.m.
Contact: Pam Allen (505) 476-6000

The KAFB Permit Modification Request, the Fact Sheet/Statement of Basis, the Public Notice, and the draft Permit may be reviewed at the following locations during the public comment period:

NMED-District 1 Albuquerque Office
5500 San Antonio NE
Albuquerque, New Mexico 87109
(505) 222-9500
Monday - Friday from 8:00 a.m. to 5:00 p.m.
Contact: William McDonald (505) 222-9582

A copy of the Fact Sheet/Statement of Basis, the Public Notice, and the draft Permit that consists of the proposed Tables A and B are also available electronically on the NMED website at: www.nmenv.state.nm.us/HWB/kafbperm.html under No Further Action. To obtain a copy of the Administrative Record or a portion thereof, in addition to further information please contact Ms. Pam Allen at (505) 476-6000, or at the address given above. NMED will provide copies, or portions thereof, of the administrative record at a cost to the requestor.

NMED issues this public notice on **November 8, 2007**, to announce the beginning of a 60-day comment period that will end at **5:00 p.m. MST, January 7, 2008**. Any person who wishes to comment on this action or request a public hearing should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the respective address below. Only comments and/or requests received on or before **5:00 p.m. MST, January 7, 2008**, will be considered.

John E. Kieling, Program Manager
NMED – Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Or via e-mail: john.kieling@state.nm.us
Ref: KAFB – No Further Actions

Written comments must be based on the administrative record. Documents in the administrative record need not be re-submitted if expressly referenced by the commenter. Requests for a public hearing shall provide: (1) a clear and concise factual statement of the nature and scope of the interest of the person requesting the hearing; (2) the name and address of all persons whom the requestor represents; (3) a statement of any objections to the proposed action, including specific references; and (4) a statement of the issues which such persons proposes to raise for consideration at the hearing. Written comment and requests for Public Hearing must be filed

with Mr. John Kieling on or before **5:00 p.m. MST, January 7, 2008**. The NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

The NMED must ensure that the approved final Permit is consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted on the draft Permit will become part of the administrative record, will be considered in formulating a final decision, and may cause the draft Permit to be modified. NMED will respond in writing to all significant public comment. The response will specify which provisions, if any, of the draft Permit have been changed in the final Permit decision, and the reasons for the change. This response will also be posted on the NMED website in addition to NMED notifying all persons providing written comments.

After consideration of all written public comments received, NMED will issue, or modify and issue, the Permit. If NMED modifies and issues the Permit, the Permittee shall be provided by mail a copy of the modified Permit and a detailed written statement of reasons for the modifications. The NMED Secretary will make the final Permit decision publicly available and shall notify the Permittee by certified mail. The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the Hazardous Waste Act. All persons on the mailing list, or that provided written comments, or who requested notification in writing, will be notified of the final decision by mail.

The final decision will become effective thirty days after service of the decision, unless a later date is specified or review is requested under the New Mexico Hazardous Waste Management Regulations, 20.4.1 NMAC, Section 901.E., *Hearings*.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Persons having a disability and requiring assistance or auxiliary aid to participate in this process should contact Judy Bentley at the New Mexico Environment Department, Personnel Services Bureau, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.