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2905 Rodeo Park Drive East, Building 1
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RON CURRY
SECRETARY

CINDY PADILLA
DEPUTY SECRETARY

April 16, 2007

SUBJECT: NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO REQUEST A PUBLIC HEARING ON A DRAFT HAZARDOUS WASTE PERMIT FOR KIRTLAND AIR FORCE BASE

Dear Interested Citizen:

Enclosed is a **Public Notice** regarding the draft hazardous waste permit for Kirtland Air Force Base (KAFB). The permit applicant, KAFB, will receive a permit to perform waste treatment and conduct corrective action activities. KAFB is located south of and adjacent to the City of Albuquerque, and comprises an area of approximately 50,000 acres and employs about 20,000 people. It opened in the late 1930s as an Army Air Corps training field. In 1993, the 377th Air Base Wing (ABW) became the Base's host organization and supports more than 200 tenant organizations, including the New Mexico Air National Guard, the Department of Energy, Albuquerque Office, United States Customs, and Sandia National Laboratories. The Permittee is located at the following address: 377 ABW, 2000 Wyoming Boulevard SE, Kirtland Air Force Base, New Mexico 87117-5000. The applicant's primary contact for this action is: Mr. John Pike, Compliance Manager, 377 MSG/CEV, 2050 Wyoming Blvd SE, Suite 116, Kirtland Air Force Base, New Mexico 87117-5270.

The enclosed Public Notice provides locations where the Administrative Record, including the Permit Application, draft Permit, Fact Sheet, and supporting documentation, 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. on June 15, 2007.**

Any person seeking additional information regarding this notice may contact:

Mr. John E. Kieling, Program Manager
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505

Email: john.kieling@state.nm.us
Telephone: (505) 476-6000
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Sincerely,

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



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PUBLIC NOTICE NUMBER 07-03

NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO 87505
April 16, 2007

**NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO REQUEST A
PUBLIC HEARING ON A DRAFT HAZARDOUS WASTE PERMIT
FOR KIRTLAND AIR FORCE BASE OPEN BURN/OPEN DETONATION UNITS
EPA ID NO. NM9570024423**

The New Mexico Environment Department (NMED) proposes to issue a final Hazardous Waste Permit to Kirtland Air Force Base (KAFB), the Applicant, for hazardous waste management at the Open Burn and Open Detonation units. This Permit requires the Applicant to: 1) manage on-site and off-site generated reactive and ignitable hazardous wastes, such as bulk explosives; damaged, defective, expired, and unserviceable munitions; and explosive-contaminated wastes in two Operating Units – Open Burn (OB) Treatment Unit and the Open Detonation (OD) Treatment Unit; 2) conduct corrective action activities for solid waste management units (SWMUs) and areas of concern (AOCs); and 3) conduct tasks in accordance with schedules of compliance, pursuant to the Hazardous Waste Act (Chapter 74, Article 4 NMSA 1978) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC).

KAFB is located south of and adjacent to the City of Albuquerque in Bernalillo County, north-central New Mexico. It occupies an area of approximately 52,233 acres. The central mission of KAFB is the administration of defense programs for the U.S. Department of Defense. It opened in the late 1930s as an Army Air Corps training field. In 1939, the U.S. Army leased land east of the Albuquerque's new airport to establish a flying training Base. Albuquerque's new Army Air Base got its first Base commander in March 1941. The following month the Base got its first military aircraft. On January 1, 1993, the 377th Air Base Wing was re-established to become the Base's host organization.

The Permittee is located at: Department of the Air Force, 377 ABW, 2000 Wyoming Boulevard SE, Kirtland AFB, New Mexico 87117-5000.

NMED announces the availability of the proposed draft Permit for public comment. In addition, the NMED will consider any requests for public hearing and determine whether a public hearing will be held to consider further public comments. NMED also announces the availability of a fact sheet providing the principle basis for the Department's decision to renew the Permit and

issue a final Permit, and the significant factual, legal and policy questions considered in preparing the draft Permit. The fact sheet also explains in detail the type and quantity of wastes that are to be managed and treated at the OB and OD Units, and a summary of the basis for Permit conditions, including applicable statutory and regulatory support.

PUBLIC REVIEW OF THE DRAFT PERMIT

The Administrative Record for this proposed action consists of the draft Permit, Public Notice, Fact Sheet, KAFB Permit Application, and supporting documentation. The Administrative Record may be reviewed, with prior appointment, at the following location during the public comment period.

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

The draft Permit, Public Notice, Fact Sheet, KAFB Permit Application can be reviewed, with prior appointment, at the following location during the public comment period.

NMED - District 1 Office
5500 San Antonio Avenue, NE
Albuquerque, New Mexico 87109
Phone: (505) 222-9543
Mondays - Fridays from 8:00 a.m. to 5:00 p.m.
Contact: *Cornelius Amindyas*

A copy of the draft Permit, Public Notice, and Fact Sheet, are also available on the NMED website at www.nmenv.state.nm.us/HWB/kafbperm.html under Draft Permit. To obtain a copy of the Administrative Record or a portion thereof, please contact Ms. Pam Allen at (505) 476-6000, or at 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 **April 16, 2007**, to announce the beginning of a 60-day comment period that will end at **5:00 p.m., June 15, 2007**. Any person who wishes to comment on the draft Permit 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 before **5:00 p.m. on June 15, 2007** will be considered.

John E. Kieling, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
E-mail: john.kieling@state.nm.us
Ref: KAFB draft Permit

Written comments must be based on reasonably available information and include, to the extent practicable, all referenced factual materials. 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 draft Permit, including specific references to any Permit conditions being addressed; and (4) a statement of the issues which the commenter 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., June 15, 2007**. NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

NMED must ensure that the approved draft Permit is consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted on the draft Permit will be considered in formulating a final decision and may cause the draft Permit to be modified. The Department will respond in writing to all public comments. This response will specify which provisions, if any, of the draft Permit have been changed in the final Permit decision and the reasons for the changes; and briefly describe and respond to all public comments on the draft Permit or the Permit application raised during the public comment period. All persons presenting written comments or who requested notification in writing will be notified of the decision by mail. This response will also be posted on the Department's website.

After consideration of all the written public comments received, NMED will issue, or modify and issue, or deny the Permit. If NMED denies or modifies and issues the Permit, the applicant shall be provided by mail a written statement of the reason(s) for denial or a copy of the modified Permit and a detailed written statement of reasons for the modifications.

The Secretary of the New Mexico Environment Department will make the final Permit decision publicly available and shall notify the applicant by certified mail. The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the Hazardous Waste Act (Chapter 74, Article 4 NMSA 1978).

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 number: (505) 827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.