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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 17, 2007

Mr. Carl Lanz, Chief, Restoration Section
Environmental Management Branch
377 MSG/CEVR
2050 Wyoming Blvd, Suite 118
Kirtland AFB, NM 87117-5270

RE: FINAL PERMIT DECISION: CLASS 3 PERMIT MODIFICATION FOR NO FURTHER ACTION STATUS FOR 16 SOLID WASTE MANAGEMENT UNITS, KIRTLAND AIR FORCE BASE EPA ID# NMD9570024423 HWB-KAFB-06-015

Dear Mr. Lanz:

This letter notifies you of a final permit decision by the New Mexico Environment Department (NMED) to modify Module IV of the Resource Conservation and Recovery Act (RCRA) Permit NMD9570024423 issued to the U.S. Department of Defense/Kirtland Air Force Base (the Permittee). The Permittee requested this modification on August 3, 2006. The modification consists of the approval of No Further Action (NFA) status for sixteen (16) Solid Waste Management Units (SWMUs) and/or Areas of Concern (AOCs) located at Kirtland Air Force Base in Albuquerque, New Mexico. The modification is effective thirty days after the date of this letter.

Enclosed is the modification in the form of changes to Tables A and B, Module IV, Appendix IV-A. Table A lists SWMUs and AOCs subject to Corrective Action, which no longer contains the subject 16 SWMUs approved for NFA status herein. Table B lists SWMUs and AOCs not requiring corrective action to which the 16 SWMUs have been moved. Attached is the list of the 16 SWMUs/AOCs approved for NFA status by this action.

In accordance with 20.4.1 NMAC, NMED provided public notice and conducted a public comment period from October 26, 2006 through December 26, 2006, regarding this modification request. Comments were received from the public during the comment period. Due to a mistake

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in the person to contact in Section I of the Fact Sheet and Statement of Basis, NMED reissued the public notice which occurred during April 11, 2007 through June 11, 2007. No comments were received during this subsequent comment period.

If you have questions regarding this action, please contact Mr. William McDonald at (505) 222-9582.

Sincerely,



Jon Goldstein
Director
Water & Waste Management Division

JG;jek(HWB)

Enclosures

cc: J. Bearzi, NMED HWB
W. Moats, NMED HWB
L. King, EPA, 6PD-N
File: KAFB 2007 and Reading
KAFB-06-015

ATTACHMENT

Solid Waste Management Units Proposed for No Further Action (Corrective Action Complete) Class 3 RCRA Permit Modification Request

	SWMU/AOC ID Number	Site Name	SWMU/AOC Name
1	SWMU 6-11	LF-044	Fill Area Southeast of Old Sewage Lagoons (Former LF-044)
2	SWMU ST-064	ST-064	Corps of Engineers (COE) Vehicle Maintenance Yard, (Former ST-337)
3	SWMU ST-108	ST-108	Abandoned JP-4 Fuel Line (ST-108)
4	SWMU SS-77	SS-77	Abandoned Railroad Spur
5	SWMU 6-32	FT-14	Manzano Fire Training Area (Former FT-14)
6	SWMU 8-35	ST-214	Waste Oil Storage Tank, Building 471 (Former ST-214)
7	SWMU 10-21-B	ST-348	Site ST-348, Building 610 Septic Tank
8	SWMU 10-21-B	ST-349	Site ST-349, Building 626 Septic Tank
9	SWMU 10-2-E	SS-063	Jet Engine Test Cell (SS-063, Former ST-336)
10	SWMU 6-22	OT-046	Lake Christian (OT-046)
11	SWMU LF-107	ST-107	Veterans Administration Demolition Debris Landfill (LF-107)
12	SWMU SS-78-B	SS-078	Water Tower Soils (WT-21871)
13	SWMU SS-78-C	SS-078	Water Tower Soils (WT-2474)
14	SWMU SS-78-D	SS-078	Water Tower Soils (ITRI WTs)
15	AOC ST-350	ST-350	600 Area Field Office Septic Tank
16	AOC ST-356	ST-356	Skeet Range Septic Tank

APPENDIX IV-A

SOLID WASTE MANAGEMENT UNIT SUMMARY

The following pages contain a list of the solid waste management units and areas of concern at Kirtland Air Force Base (KAFB):

TABLE A: Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) Requiring Corrective Action.

TABLE B: SWMUs and AOCs Not Currently Requiring Corrective Action.

CORRECTIVE ACTION TABLES

TABLE A

List of Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) Requiring Corrective Action:

SWMU/AOC	IRP SITE	DESCRIPTION
6-1	LF-001	Landfill #1
6-2	LF-002	Landfill #2
6-3	LF-007	Landfill #3
6-4	LF-008	Landfills #4,5 and 6
6-19	OT-029	EOD Range
6-24	WP-016	Manzano Sewage Treatment Facility
6-30	RW-006	Radioactive Burial 11
10-2-A	ST-325	Corrosion Control Shop Storm Drain Bldg. 482
10-2-B	ST-220	Paint Shop, Storm Drain
10-2-C	ST-220	Plating & Anodizing Bldg. 1001
10-2-D	ST-329	Propulsion Branch Floor Drain Bldg. 336
10-2-F	ST-325	H-3/H-53 Phase Dock Bldg. 1000 Floor Drains
10-2-G	ST-331	C-130 Maintenance Shop Bldg. 1009 Storm Sewer
10-2-H	ST-285	West Storm Sewer System
10-2-I	ST-286	East Storm Sewer System
10-7-V	ST-267	Oil/Water Separator Bldg. 57007
10-21-A	ST-287	Septic System Bldg. 525
	ST-288	Septic System Bldg. 614
	ST-289	Septic System Bldg. 617& 620
	ST-290	Septic System Bldg. 619
	ST-291	Septic System Bldg. 617
	ST-292	Septic System Bldg. 622
10-21-C	ST-294	Septic System Bldg. 633

	ST-295	Septic System Bldg. 638
10-21-D	ST-296	Septic System Bldg. 702
	ST-297	Septic System Bldg. 707
	ST-298	Septic System Bldg. 730 & 734
	ST-299	Septic System Bldg. 751
10-21-E	ST-300	Septic System Bldg. 20199
10-21-F	ST-301	Septic System Bldg. 20560
10-21-G	ST-302	Septic System Bldg. 20599
10-21-H	ST-303	Septic System Bldg. 20749
10-21-I	ST-304	Septic System Bldg. 20797
10-21-J	ST-305	Septic System Bldg. 28054
	ST-306	Septic System Bldg. 28054
10-21-K	ST-307	Septic System Bldg. 30101
	ST-315	Septic System Bldg. 30102
10-21-L	ST-308	Septic System Bldg. 37511
10-21-M	ST-309	Septic System Bldg. 37504
10-21-N	ST-310	Septic System Bldgs. 37507, 37508 & 37513
	ST-322	Septic System Bldgs. 37507, 37508 & 37513
10-21-O	ST-311	Septic System Plant 1 & Bldg. 37501
10-21-P	ST-312	Septic System Plant 2 & Bldg. 37503
10-21-Q	ST-313	Septic System Bldgs. 37529 & 37530
10-21-R	ST-293	Septic System Bldg. 37570
10-21-S	ST-314	Septic System Bldgs. 48056 & 48059
10-21-T	ST-316	Septic System CERF Bldgs. 57003 & 57012
	ST-317	Septic System CERF Bldg. 57011
	ST-340	Septic System CERF Bldgs. 57001 & 57002
10-21-U	ST-318	Septic System Bldg. 37200
10-21-V	ST-319	Septic System Bldg. 37541
10-21-W	ST-320	Septic System Bldg. 20149
10-21-X	ST-323	Septic System Bldg. 29042
10-21-Y	ST-324	Septic System Bldg. 29051
10-21-Z	ST-330	Septic System Bldg. 1032
10-21-AA	ST-333	Septic System SOR Bldg. 66001
	ST-342	Septic System SOR Bldg. 66029
	ST-343	Septic System SOR Bldgs. 66000 & 66008
	ST-344	Septic System SOR Bldgs. 66042
	ST-345	Septic System SOR Bldg. 66006
10-21-BB	ST-346	Trestle Site Septic Tank
ST-70-A	ST-070	Oil/Water Separator & Sediment Trap Bldgs. 333/334
ST-70-B	ST-070	Oil/Water Separator Tank & Drying Rack Bldg. 377
ST-70-C	ST-070	Oil/Water Separator Bldg. 381
ST-70-D	ST-070	Oil/Water Separators (2) Bldg. 471
ST-70-E	ST-070	Oil/Water Separator Bldgs. 481/482
ST-70-F	ST-070	Oil/Water Separator Bldg. 2637
ST-70-G	ST-070	Oil/Water Separator Bldg. 20205

ST-70-H	ST-070	Oil/Water Separator Bldg. 20375
ST-70-I	ST-070	Oil/Water Separator Bldg. 20422
ST-73	ST-073	CERF Drain
DP-088	DP-088	Trestle Site Disposal Area
WP-026	WP-026	Sewage Lagoons & Golf Course Pond
SS-102	SS-102	ARES Test Facility

**KAFB HSWA CORRECTIVE ACTION TABLES
TABLE B**

List of Solid Waste Management Units not requiring Corrective Action at this time

SWMU/AOC	IRP SITE	DESCRIPTION
6-10	LF-009	Abandoned Landfill
8-58	ST-321	Battery Storage Area, Bldg. 57007
10-3	ST-249	Waste Oil Storage Tank, Bldg. 20205
6-7	LF-018	Landfill A
6-15	LF-045	Unnamed Dump
6-16	FT-013	Kirtland Fire Training Area
8-53	ST-335	Paint Shop Floor Drain, Bldg. 20681
ST-66	ST-066	Trestle Facility Oil Water Separator and Pit
RW-68	RW-068	Radium Dump/Slag Piles and Cratering Area
SS-76	SS-076	Fuel Tank Burn Area
SS-83	SS-083	Skeet Range and Landfill Road
ST-326	ST-326	Waste Oil Storage Tank, Bldg. 20375
ST-328	ST-328	Blast Overpressure Site Cesspools
6-A1	RW-021	Radioactive Burial 7
SS-103	SS-103	Jet Engine Test Fuel Line
LF-56	LF-056	Landfill D
ST-59	ST-059	ART Drum
ST-60	ST-060	ART Pit
SS-65	SS-065	Horizontal Dipole Drum Rack
DP-067	DP-067	Three Mine Shafts
SS-082	SS-082	ALECS Facility
OT-086	OT-086	Former Small Arms Range
RW-085	RW-085	Manzano Maintenance Building
8-49	SS-061	Fuel Shop Waste Battery Storage Bldg. 20667
6-8	LF-015	Landfill B
6-29	LF-020	Manzano Landfill
6-A2-A	RW-004	Radioactive Holding Tank 4
6-A2-B	RW-005	Radioactive Holding Tank 5
6-A2-C	RW-017	Radioactive Holding Tank 6
6-A2-D	RW-019	Radioactive Holding Tank 8
6-A2-E	RW-023	Radioactive Holding Tank 9
8-13	ST-071	Bldg. 1000/1001 Oil/Water Separator
9-14	ST-270	Buried Caustic Drain Line Bldg. 617
9-15	ST-271	Neutralization Pit Bldg. 617
9-16	ST-272	Evaporation/Infiltration Pond Bldg. 617
WP-58	WP-058	East Laundry Bldg. 20451
SS-69	SS-069	Drum Storage Area
ST-341	ST-341	Condensate Tank Bldg. 1033
ST-100	ST-100	Coyote Springs Cess Pool
	ST-353	Bldg. 48057 Septic Tank
	ST-354	Sheep Grooming Septic Tank
10-7-A	ST-204	Sediment Trap Bldg. 333

	ST-205	Oil/Water Separator Bldg. 333
10-7-B	ST-206	Oil/Water Separator Bldg. 336
	ST-207	Oil/Water Separator Bldg. 336
	ST-208	Oil/Water Separator Bldg. 336
	ST-209	Catch Basin Bldg. 336
10-7-C	ST-212	Oil/Water Separator Bldg. 381
	ST-213	Area Drain Bldg. 381
10-7-D	ST-217	Oil/Water Separator Bldg. 481
10-7-E	ST-218	Oil/Water Separator Bldg. 482
10-7-F	ST-222	Oil/Water Separator Bldg. 1031
	ST-223	Sewage ejector Unit Bldg. 1031
	ST-224	Area Drain Bldg. 1031
	ST-225	Holding Tank Bldg. 1031
10-7-G	ST-226	Oil/Water Separator Bldg. 1037
	ST-227	Holding Tank Building 1037
10-7-H	ST-228	Area Drain Bldg. 1040
10-7-I	ST-229	Sewage Ejector Unit Bldg. 1043
10-7-J	ST-230	Oil/Water Separator Bldg. 1046
	ST-231	Holding Tank Bldg. 1046
	ST-232	Sewage Ejector Unit Bldg. 1046
	ST-233	Area Drain Bldg. 1046
10-7-K	ST-234	Oil/Water Separator Bldg. 1051
	ST-235	Oil/Water Separator Bldg. 1051
	ST-236	Oil/Water Separator Bldg. 1051
	ST-237	Area Drain Bldg. 1051
10-7-L	ST-238	Oil/Water Separator Bldg. 1056
	ST-239	Oil/Water Separator Bldg. 1056
10-7-M	ST-240	Holding Tank Bldg. 1058
10-7-N	ST-241	Oil/Water Separator Bldg. 1061
10-7-O	ST-244	Oil/Water Separator Bldg. 1064
	ST-245	Holding Tank Bldg. 1064
10-7-P	ST-246	Oil/Water Separator Bldg. 1070
10-7-Q	ST-254	Oil/Water Separator Bldg. 20365
10-7-R	ST-255	Oil/Water Separator Bldg. 20375
	ST-256	Oil/Water Separator Bldg. 20375
	ST-257	Oil/Water Separator Bldg. 20375
10-7-S	ST-259	Oil/Water Separator Bldg. 20422
10-7-T	ST-263	Oil/Water Separator Bldg. 23226
10-7-U	ST-264	Oil/Water Separator Bldg. 30142
6-14	ST-051	Sewage Effluent Line
8-5	ST-201	Oil/Water Separator Bldg. 255
8-6	WP-047	Silver Recovery Unit
8-26	ST-242	Oil/Water Separator Bldg. 1063
8-26	ST-243	Oil/Water Separator Bldg. 1063
8-28	ST-250	Oil/Water Separator Bldg. 20338
8-29	ST-251	Oil/Water Separator Bldg. 20344
8-31-A	ST-252	Oil/Water Separator Bldg. 20348
8-31-B	ST-253	Oil/Water Separator Bldg. 20348
8-41	ST-274	Waste Battery Storage Area Bldg. 20423
8-47	ST-261	Oil/Water Separator Bldg. 20423

8-55	ST-262	Oil/Water Separator CE Bldg. 20698
10-1-A	ST-278	Sanitary Sewer System A
10-1-B	ST-279	Sanitary Sewer System B
10-1-C	ST-280	Sanitary Sewer System C
10-1-D	ST-281	Sanitary Sewer System D
10-1-E	ST-282	Sanitary Sewer System E
10-1-F	ST-283	Sanitary Sewer System F
10-1-G	ST-284	Sanitary Sewer System G
10-1	ST-327	Manzano Sanitary Sewer System
6-31	OT-028	McCormick Ranch Range
9-14	ST-276	Waste Accumulation Area Bldg. 617
9-20	SS-062	Waste Accumulation Area Bldg. 909
10-21-B	ST-273	Septic System Bldg. 618
	ST-351	Building 635 Septic Tank
	ST-352	Building 613/614 Septic Tank
ST-72	ST-072	MWSA Security Garage Oil/Water Separator Bldg. 30146
OT-74	OT-074	Pistol Range Sites
WP-339	WP-339	Contractor Yard West of Bldg. 20423
SS-078	SS-078	Water Tower Soils
SS-079	SS-079	Building 381 Spill Site
ST-080	ST-080	Auto Hobby Shop Bldg. 30124
WP-087	WP-087	Grab Site Waste Pile
SD-090	SD-090	JATO Rocket Motor Disposal Site
OT-091	OT-091	South Coyote Firing Site
ST-347	ST-347	Building 29015 Cess Pool
6-11	LF-044	Fill Area Southwest of Old Sewage Lagoons (Former LF-044)
ST-064	ST-064	Corps of Engineers (COE) Vehicle Maintenance Yard, (Former ST-337)
ST-108	ST-108	Abandoned JP-4 Fuel Line (ST-108)
SS-77	SS-77	Abandoned Railroad Spur
6-32	FT-14	Manzano Fire Training Area (Former FT-14)
8-35	ST-214	Waste Oil Storage Tank, Building 471 (Former ST-214)
10-21-B	ST-348	Site ST-348, Building 610 Septic Tank
10-21-B	ST-349	Site ST-349, Building 626 Septic Tank
10-2-E	SS-063	Jet Engine Test Cell (SS-063, Former ST-336)
6-22	OT-046	Lake Christian (OT-046)
LF-107	ST-107	Veterans Administration Demolition Debris Landfill (LF-107)
SS-78-B	SS-078	Water Tower Soils (WT-21871)
SS-78-C	SS-078	Water Tower Soils (WT-2474)
SS-78-D	SS-078	Water Tower Soils (ITRI WTs)
		Operating Units¹
		EOD Subpart X Open Burn (OB) Treatment Unit
		EOD Subpart X Open Detonation (OD) Treatment Unit
		Hazardous Waste Container Storage Unit (CSU)
	LF-268	Active Landfill
		Areas of Concern
OT-010	OT-010 (AOC)	Radiation Training Sites 5-7
RW-075	RW-075 (AOC)	South Tijeras Radiation Trench
10-21-X	ST-350	600 Area Field Office Septic Tank [Domestic Sewage]
10-21-OO	ST-355	Riding Stables Residence [Domestic Sewage]
ST-356		Skeet Range Septic Tank [Domestic Sewage]

DP-101	DP-101	Old EOD Disposal Pits
RW-084	RW-084	Manzano Burial Site
SS-081	SS-081	Detention Pond and Yard Bldg. 907
DP-099	DP-099	Disposal Pit Bldg. 29015
FT-015	FT-015	NMERI Fire Suppression Test Area
SS-089	SS-089	Transportation Yard
AOC ST-350	ST-350	600 Area Field Office Septic Tank
AOC ST-356	ST-356	Skeet Range Septic Tank

1. The Operating Units, i.e., OB, OD and the CSU, are Hazardous Waste Management Units.

NMED Response to Public Comments on the Class 3 Modification to Remove 16 SWMUs/AOCs from KAFB's RCRA Permit July 2007

Comment Summary and Requested Action	NMED Response
Were the units listed in any Part A RCRA Application?	1) The solid waste management units requested to be removed are not listed on any Part A permit application.
Was the information required under 40 CFR 270.42(c)(iv) provided which includes information regarding protection of groundwater?	2) 20.4.1.900 NMAC, incorporating 40 CFR 270.42(c)(iv), requires applicable information be provided for 40 CFR 270.13 through 270.22, 270.62, 270.63, and 270.66. The Permittee requested a Class 3 permit modification as required by the permit for no further action for solid waste management units requiring corrective action listed on the permit. The Permittee did not request changes to the permit related to the part A or part B requirements in this section. However, through the corrective action investigation process for these units, the information provided indicates the protection of groundwater.
The public notice does not comply with RCRA public meeting requirements. The public notice needs to be revised and reissued to include a public meeting.	3) The public notice requirements for this action have been complied with in accordance with 20.4.1.901 NMAC. The commenter may be referring to requirements of 40 CFR 270.42(c)(2)(i) which is a requirement of the applicant. See response to comment #5 below.
NMED is required to comply with 40 CFR 271.14(u) for modification of permits under 40 CFR 124.5(c).	4) The NMED has adopted equivalent requirements of 40 CFR 124 found in 20.4.1.901 NMAC. The State regulations have been authorized by the U.S. EPA in accordance with the requirements of 40 CFR 271.

<p>The Notice is defective in that it fails to provide for the date, time and place of the public meeting in compliance with part 270.42(c)(2)(i). Citizen Action hereby requests that a notice for a public meeting be reissued in corrected form for the above Class 3 Permit Modification. The notice must have the time, date and location for the public meeting in the vicinity of the KAFB.</p>	<p>5) 20.4.1.900 NMAC incorporating 40 CFR 270.42(c)(2)(i), requirements apply to the permittee at the time of the permit modification request. The Permittee issued a Public Notice on August 3, 2006 informing the public of the permit modification and the August 24, 2006 public meeting in Albuquerque. The relevant requirements have been met.</p>
<p>The Notice fails to provide the location where the Administrative Record (AR) may be reviewed. The notice must give a location in the vicinity of the KAFB for the Administrative Record where the public may view it and obtain copies.</p>	<p>6) Public Notice No. 06-15 specifically states that the administrative records may be viewed at the NMED Hazardous Waste Bureau, 2905 Rodeo Park Drive East, Bldg. 1, Santa Fe, NM. The administrative record for KAFB is maintained at the NMED Hazardous Waste Bureau's Santa Fe office. There is no requirement for the administrative record to be maintained in the vicinity of KAFB.</p>
<p>The KAFB Fact Sheet/Statement of Basis is not with the Citizen Letter on the NMED website address in the October 26, 2006 notice. There appears to be a KAFB Fact Sheet/Statement of Basis in a different location on the website.</p>	<p>7) Another Fact Sheet was inadvertently posted under the KAFB Class 3 Modification notice – NMED corrected this issue. However, NMED is not required to post public notice documents on its website – this is provided as a courtesy to the public.</p>
<p>The notice lists the Government Information Department at Zimmerman Library, University of New Mexico, for providing the KAFB Modification Request, the Fact Sheet/Statement of Basis. By a telephone call on 10/30/06 to that library department, Citizen Action learned that the department has no knowledge of those documents being at the library.</p>	<p>8) The Permit Modification Request and the Fact Sheet/Statement of Basis were delivered to the Zimmerman Library for the public comment period.</p>
<p>The contact persons in the notice and the Fact Sheet/Statement of Basis are at variance.</p>	<p>9) The person to contact, John Kieling, is in the Public Notice. The Fact Sheet/Statement of Basis indicated that Carl Lanz (KAFB staff) as the contact. The Fact Sheet was corrected to indicate John Kieling as the contact. A subsequent 60-day public comment period was provided between April 11, 2007 and June 11, 2007.</p>

<p>The notice is required to include the following mandatory statement: "The permittee's compliance history during the life of the permit being modified is available from the Agency contact person." CFR 270.42 (c)(2)(vi).</p>	<p>10) 20.4.1.900, incorporating 40 CFR 270.42, is a requirement of the public notice by the Permittee at the time of the permit modification request. These requirements do not apply to NMED's public notice. The public notice requirements for NMED are found at 20.4.1.901.C NMAC.</p>
<p>The KAFB Fact Sheet/Statement of Basis is not with the Citizen Letter on the NMED website address in the October 26, 2006 notice. There appears to be a KAFB Fact Sheet/Statement of Basis in a different location on the website.</p>	<p>11) See responses to comments number 7 and 9.</p>
<p>The dates listed in the Public Participation Section [of the Fact Sheet/SOB] are very different from the dates of the October 26, 2006 Notice.</p>	<p>12) See responses to comments number 7 and 9.</p>

