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PUBLIC NOTICE NO. 03-06

NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
Santa Fe, New Mexico
June 14, 2003

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

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 No. NMD9570024423.

Kirtland Air Force Base (KAFB) is located in Bernalillo County, New Mexico south and adjacent to the City of Albuquerque. KAFB covers 52,223 acres on a high, arid mesa approximately 5 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 Sunport. 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 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 the 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 this action is Mr. Carl J. Lanz, P.G. at the Restoration Section, Environmental Branch, 377 MSG/CEVR, 2050 Wyoming Boulevard, SE, Suite 166B, Kirtland AFB, New Mexico, 87117-5270.

If approved, the proposed modification would grant No-Further-Action (NFA) status for thirteen (13) solid waste management units (SWMUs). 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. If this modification is approved by NMED, the 13 SWMUs would be transferred from Table A to Table B as SWMUs that have been approved for NFA. The 13 sites proposed for NFA in this action and justification for approval for NFA status is:

The following SWMUs are proposed for NFA because they are not known or suspected of releasing RCRA solid or hazardous wastes and/or constituents to the environment:

1. SWMU 6-10, Abandoned Landfill (LF-09)
2. SWMU 8-58, Battery Storage Area, Bldg. 57007 (ST-321)
3. SWMU 10-3, Waste Oil Storage Tank, Bldg. 20205 (ST-249)

The following SWMUs are proposed for NFA because they were characterized and/or remediated in accordance with current applicable state or federal regulations:

4. SWMU 6-7, Landfill A (LF-18)
5. SWMU 6-15, Unnamed Dump (LF-45)
6. SWMU 6-16, Kirtland Fire Training Area (FT-13)
7. SWMU 8-53, Paint Shop Floor Drain, Bldg. 20681 (ST-335)
8. SWMU ST-66, Trestle Facility Oil-Water Separator and Pits (ST-66)
9. SWMU RW-68, Radium Dump/Slag Piles and Cratering Area (RW-68)
10. SWMU SS-76, Fuel Tank Burn Area (SS-76)
11. SWMU SS-83, Skeet Range and Landfill Road (SS-83)
12. SWMU ST-326, Waste Oil Storage Tank, Bldg. 20375 (ST-326)
13. SWMU ST-328, Blast Overpressure (BOP) Site Cesspools (ST-328)

PUBLIC REVIEW OF THE ADMINISTRATIVE RECORD

The Administrative Record for this proposed action consists of the KAFB Permit Modification Request, the Fact Sheet, the Statement of Basis, the 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 locations during the public comment period:

NMED – Hazardous Waste Bureau	Albuquerque Technical Vocation Institute
2905 Rodeo Park Drive East, Building 1	Montoya Campus Library reference desk
Santa Fe, New Mexico 87505-6303	4700 Morris, NE
(505) 428-2500	Albuquerque, New Mexico 87111
<i>Monday - Friday from 8:00 a.m. to 5:00 p.m.</i>	(505) 224-3285
	<i>Monday - Friday from 7:30 a.m. to 5:00 p.m.</i>

A copy of the Fact Sheet, the Statement of Basis, the Public Notice, and the draft Permit that consists of the Proposed Tables A and B, are also available on the NMED website at www.nmenv.state.nm.us/HWB/kafbperm.html under No Further Action. To obtain further information or a copy of the Administrative Record or a portion thereof, please contact Mr. Richard Kilbury at (505) 846-0053, or at the address given below. NMED will provide members of the public with up to 80 pages of the Administrative Record free of charge. Thereafter, NMED will charge a copy fee of \$0.25 per page.

The 45-day public comment period will be conducted from **June 14, 2003** through **July 29, 2003**. 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. July 29, 2003** will be considered.

John E. Kieling, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303
Ref: Kirtland Air Force Base – No Further Action
e-mail: hazardous_waste_comment@nmenv.state.nm.us

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 Permit Modification; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing. The NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

The 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 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 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

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Cliff Hawley, NMED, Room N-4030, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, NM 87502-6110; Telephone Number (505) 827-2580. TDD or TDY users please access Mr. Hawley's number via the New Mexico Relay Network. Albuquerque users may access Mr. Hawley's number at (505) 275-7333 or 800-659-1779.