



PUBLIC NOTICE NO. 23-01

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO
February 24, 2023**

**NOTICE OF PUBLIC COMMENT PERIOD AND INTENT TO APPROVE A CORRECTIVE MEASURES
PERMIT MODIFICATION TO THE UNITED STATES AIR FORCE/HOLLOMAN AIR FORCE BASE'S
RESOURCE CONSERVATION AND RECOVERY ACT PERMIT
EPA ID# NM6572124422**

Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 et seq., NMSA 1978, as amended) 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 Class 3 permit modification to the Resource Conservation and Recovery Act (RCRA) Facility Permit (the Permit) issued to the United States Air Force/Holloman Air Force Base (the Permittee) to change the status of two Solid Waste Management Units from Corrective Action Required to Corrective Action Complete.

Holloman Air Force Base (HAFB) is located in south central New Mexico, in the north-central part of Otero County, approximately 75 miles north-northeast of El Paso, Texas. HAFB has a population of approximately 3,500 (U.S. Census, 2020) and occupies approximately 59,830 acres. The U.S. Army's White Sands Missile Range testing facilities and White Sands National Monument occupy additional land extending north and west from the base. Private and publicly owned lands border the remainder of HAFB. The major highway servicing HAFB is U.S. Highway 70, which runs southwest from the town of Alamogordo and separates HAFB from publicly owned lands to the south. The City of Alamogordo is located approximately 7 miles east of the base.

HAFB was first established in 1942 as Alamogordo Army Air Field (AAF). From 1942 through 1945, Alamogordo AAF served as the training grounds for over 20 different flight groups, flying primarily B-17s, B-24s, and B-29s. In 1947, Air Materiel Command announced the air field would be its primary site for the testing and development of un-manned aircraft, guided missiles, and other research programs. On January 13, 1948, the Alamogordo installation was renamed Holloman Air Force Base. In 1968, the 49th Tactical Fighter Wing arrived at HAFB and has remained to the present. Today, HAFB also serves as a training location for the German Air Force Tactical Training Center.

The Permittee is located at the following address: Department of the Air Force, Headquarters, 49th Wing, Holloman Air Force Base, New Mexico, 88330. The Permittee's primary contact for

the action is: Mr. Adam Kusmak, Chief, Installation Management Flight, 49 CES/CEI, 550 Tabosa Avenue, Holloman AFB, NM, 88330.

If approved, a proposed Class 3 permit modification would grant CAC without controls status for one SWMU and move this site from Table A to Table B. It would also grant CAC with controls status for one SWMU and move this site from Table A to Table C.

PUBLIC REVIEW OF THE ADMINISTRATIVE RECORD

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

NMED – Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
(505) 476-6000
Contact: Naomi Gonzalez

A copy of the Statement of Basis, the Public Notice, and the draft Permit, that consists of the proposed Tables A, B and C, are also available electronically on the NMED website at: <https://www.env.nm.gov/hazardous-waste/hafb> under No Further Action/Corrective Action Complete. To obtain a copy of the Administrative Record or a portion thereof, in addition to further information, please contact Naomi Gonzalez at (505) 476-6064, or at the Santa Fe 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 **February 24, 2023** to announce the beginning of a 60-day comment period that will end at **5:00 p.m., April 25, 2023**. 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 address below. Only comments and/or requests received on or before **5:00 p.m., April 25, 2023** will be considered.

The NMED contact to submit comments/requests or for additional information is:

Dave Cobrain, Program Manager
NMED – Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Or via e-mail: dave.cobrain@env.nm.gov
Ref: Holloman AFB – Proposal for CAC for 2 Sites (dated March 2022)

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 propose to raise for consideration at the hearing. Written comment and requests for Public Hearing must be filed with Mr. Dave Cobrain on or before **5:00 p.m., April 25, 2023**. 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 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 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.F, *Hearings*.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability and requiring assistance or auxiliary aid to participate in this process should contact Sadie Valdez, NMED, Room S-4303, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-6110. TDD or TDY users please access Ms. Valdez' number via the New Mexico Relay Network at 1-800-659-8331.

NONDISCRIMINATION STATEMENT

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age

Discrimination Act of 1975; Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact:

Kathryn Becker, Non-Discrimination Coordinator
New Mexico Environment Department
1190 St. Francis Dr., Suite N4050
P.O. Box 5469
Santa Fe, NM 87502
(505) 827-2855
NMED.NDC@env.nm.gov

If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.