



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov



BUTCH TONGATE
Cabinet Secretary
J. C. BORREGO
Deputy Secretary

PUBLIC NOTICE NO. 17-12

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO
December 21, 2017**

**NOTICE OF PUBLIC COMMENT PERIOD AND INTENT TO APPROVE A PERMIT
MODIFICATION OF THE U. S. AIR FORCE'S RCRA PERMIT FOR KIRTLAND AIR
FORCE BASE, EPA ID# NM9570024423**

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, the Department intends to approve, pending public input into this decision, a modification of the RCRA Permit issued to the U. S. Air Force (Permittee) for Kirtland Air Force Base (KAFB), located in Bernalillo County, New Mexico.

KAFB occupies approximately 51,558 acres in Bernalillo County between the Sandia and Manzano mountain ranges in southeastern Albuquerque, New Mexico. It is home to the USAF Nuclear Weapons Center and its subordinate wings, the 498th Armament Systems Wing and the 377th Air Base Wing. 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. Scott Clark, Environmental Restoration, 2000 Wyoming Blvd. SE, Kirtland AFB, NM 87117-5600.

If approved, the proposed modification would grant Corrective Action Complete (CAC) status for Solid Waste Management Units (SWMUs) CW-571, OT-572, OT-573, and SS-575. Table I-3, in Appendix I of KAFB's RCRA Permit, lists SWMU/Areas of Concern (AOCs) at KAFB where corrective action is necessary to characterize and/or remediate past releases of hazardous wastes or hazardous waste constituents. While the four sites are not listed in Table I-3, the historical use and environmental investigation of these sites conducted prior to this permit modification request (PMR) warrants the addition of the four sites to the KAFB Permit. Based on public comments, it is possible that CAC status will not be approved for some or all of the SWMUs included in this PMR. If any SWMUs are not approved for CAC status, the sites will be listed on Table I-3. If this modification is approved by NMED for any of the SWMUs, the approved SWMUs will be added to either Table K-1 or Table K-2. Table K-1 lists SWMUs and AOCs for which corrective action is complete without controls. A new Table K-2 will list SWMUs and AOCs for which corrective action is complete with controls.

PUBLIC REVIEW OF THE ADMINISTRATIVE RECORD

The Administrative Record for this proposed action consists of the KAFB Fact Sheet/Statement of Basis, this Public Notice, the June 2010 Permit that contains Tables I-3 and K-1, the Class 3 Permit Modification Request dated June 2016, the draft Permit that includes the modified Tables I-3 and K-1 and proposed Table K-2, and the referenced supporting documentation. The complete 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
Monday - Friday from 8:00 a.m. to 5:00 p.m.
Contact: Pam Allen

A copy of the Statement of Basis/Fact Sheet, the Public Notice, and the June 2010 Permit that contains Table I-3 in Permit Attachment I and Table K-1 in Permit Attachment K, and the Class 3 Permit Modification Request dated June 2016 are available electronically on the NMED website at: <https://www.env.nm.gov/hazardous-waste/kafb/>. Any person seeking additional information regarding this notice or the draft permit may also contact Dave Cobrain at the address below.

To obtain a copy of the Administrative Record or a portion thereof, in addition to further information, please contact Ms. Pamela Allen at (505) 476-6000, 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 **December 21, 2017**, to announce the beginning of a 60-day comment period that will end at **5:00 p.m. MDT, February 19, 2018**. Any person who wishes to comment on this action or request a public hearing should submit, by written or electronic mail (e-mail), comment(s) with the commenter's name and address to the physical or e-mail address below. Only comments and/or hearing requests received on or before **5:00 p.m. MDT, February 19, 2018** will be considered.

Dave Cobrain, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6313
Telephone: (505) 476-6000
Fax: (505) 476-6030
Or via e-mail: dave.cobrain@state.nm.us

Ref: Proposals for CAC for 4 SWMUs at KAFB

Written comments must be based on the Administrative Record. Documents in the Administrative Record need not be re-submitted if referenced by the commenter. Requests for a public hearing must 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 comments and requests for a Public Hearing must be filed

with Mr. Dave Cobrain on or before **5:00 p.m. MDT, February 19, 2018**. NMED will provide a minimum 30-day notice of a public hearing, if scheduled.

NMED must ensure that the approved final Permit will be 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 written public comment received. 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, modify and issue, or disapprove the Permit modification. If NMED modifies 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 will 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 that provided written comments, or requested notification in writing, will be notified of the final decision by mail.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Donna Wright no less than 10 days prior to the end of the public comment period at the following address: New Mexico Environment Department, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-6110, (505) 827-9769. TDD or TDY users please access Ms. Wright's number via the New Mexico Relay Network at 1 (800) 659-8331.

NON-DISCRIMINATION 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:

Kristine Pintado, 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@state.nm.us

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.