



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 377TH AIR BASE WING (AFMC)

COPY

AUG 13 2010

Colonel Robert L. Maness
377 ABW/CC
2000 Wyoming Blvd SE
Kirtland AFB NM 87117-5000

Mr. James Bearzi
Chief, Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505



Dear Mr. Bearzi

I am writing in response to the 15 July 2010 Final Order and Hazardous Waste Treatment Facility Operating Permit, EPA ID No. NM9570024423, issued to Kirtland Air Force Base (AFB) for the Open Detonation Unit.

Kirtland AFB recognizes the New Mexico Environment Department's (NMED) authority to issue and regulate hazardous waste permits under the Resource Conservation and Recovery Act (RCRA) and the New Mexico Hazardous Waste Act (HWA). We also share your desire to minimize environmental contamination. However, the proposed final RCRA/HWA Hazardous Waste Treatment Facility Operation Permit imposes significant practical and fiscal requirements that make implementation infeasible. Accordingly, Kirtland AFB hereby withdraws its renewal application for the Open Detonation (OD) Unit effective immediately. In concert with this withdrawal, Kirtland AFB has closed the OD Unit for all treatment activities effective 13 August 2010. As required by the terms of the existing permit and 40 CFR 264.112(c)(3), Kirtland AFB will submit a written request for a permit modification and an amended closure plan for your review and approval within sixty (60) days.

Although Kirtland AFB shares your desire to minimize environmental contamination, we want to make you aware that under the existing permit Kirtland AFB received waste materials and waste munitions from on-site agencies, including the Department of Energy/National Nuclear Security Administration and Sandia National Laboratories, which presented extraordinary unique training opportunities for seasoned EOD personnel to train on the size and type of materials found in combat areas to which they will deploy around the globe. While we will be able to meet and maintain minimum training requirements for explosive ordnance disposal (EOD) forces via RCRA's Military Munitions Rule exemption (40 CFR Part 266, Subpart M) at other test and training ranges on Kirtland AFB, the inability to provide our service

members with specialized training on materials received from other sources is significant. We must also note that the loss of the OD Unit may necessitate the transportation of unstable hazardous waste off base, which could present a danger to others and the community.

Kirtland AFB anticipates working closely with NMED on these and other issues in the coming months and years. We look forward to a continuing, positive relationship.

Respectfully,

A handwritten signature in black ink, reading "Robert L. Maness". The signature is written in a cursive style with a large initial "R" and "M".

ROBERT L. MANESS, Colonel, USAF
Installation Commander

cc:

H. Scott, Brig Gen (ret), Director, NM Office of Military Base Planning

R. J. Berry, Mayor, City of Albuquerque, NM

R. Curry, Secretary, NMED

J. E. Kieling, Manager, Permits Management Program, NMED/HWB

Karen L. Boardman, Director, DOE/NNSA Service Center

M. Patrice Wagner, Director, Sandia Site Office

John Garcia, Chair, Kirtland Partnership Committee

Stuart Purviance, Executive Director, Kirtland Partnership Committee