

FB 94

Reading



State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-2850

ENTIRE

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

BRUCE KING
GOVERNOR

October 14, 1994

Captain Jeffrey T. Walker
Environmental law Attorney
U.S. Army Air Defense Artillery Center and Fort Bliss
Fort Bliss, Texas 79916-0058

RE: Extension of Public Notice Period

Dear Captain Walker:

This is to acknowledge receipt of your letter to the New Mexico Environment Department (NMED), Hazardous and Radioactive Materials Bureau (HRMB) dated October 11, 1994. The purpose of your letter was to request a 30 day extension of the Public Notice Period for the Army's Open Burn/Open Detonation draft Permit that NMED proposes to grant that facility. In your letter you explained that Fort Bliss is still compiling data from the U.S. Department of Defense records, and that the 30 days is necessary for the Army to obtain the needed information and properly analyze it before submitting the findings and comments to HRMB.

In light of the above reason, HRMB hereby grants the U.S. Army Fort Bliss a 30 day extension. This extension period takes effect from October 17, 1994 through November 16, 1994. NMED requires that by the end of the 30 days the Army would have gotten all the required information together, and submitted it to HRMB. If you have any questions on this matter you may call me or Cornelius Amindyas at (505) 827-4308.

Sincerely,

Barbara Hoditschek
Barbara Hoditschek, Manager
RCRA Permits Program
Hazardous and Radioactive Materials Bureau

cc: Benito Garcia, Chief, HRMB
David Neleigh, Chief, EPA Region 6
File Red, 94



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LEGAL NOTICE # 73

NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS AND RADIOACTIVE MATERIALS BUREAU
Santa Fe, New Mexico 87502

October 14, 1994

**NOTICE OF INTENT TO EXTEND THE PUBLIC COMMENT PERIOD FOR AN OPEN
BURN/OPEN DETONATION UNIT AT FORT BLISS**

The State of New Mexico is authorized to operate a hazardous waste management program in lieu of the Federal program for those portions of the Resource Conservation and Recovery Act (RCRA) in effect prior to the enactment of the Hazardous and Solid Waste Amendments of 1984 (HSWA). The HSWA impose additional requirements on hazardous waste management facilities which will be administered by the U.S. Environmental Protection Agency (EPA) until the State of New Mexico receives additional authorization for those requirements.

Under authority of the New Mexico Hazardous Waste Act NMSA 1978 §74-4-1 et. seq. (Repl.Pamp. 1993) as amended, 1989, and the New Mexico Hazardous Waste Management Regulations (HWMR-7), the New Mexico Environment Department (NMED) can approve or deny permit applications. NMED has received a permit application submitted by the **U.S. Army Air Defense Artillery Center (USAADACENFB), Fort Bliss, EPA I.D. Number NM4213720101-01**, for an Open Burn/Open Detonation Unit.

USAADACENFB is a contractor-operated Open Burn/Open Detonation facility located in the McGregor Range, 50 miles east of Las Cruces, Otero County, New Mexico.

The Administrative Record for this permit application consists of the permit application, a fact sheet, and related correspondence.

The administrative record may be reviewed at:

**NMED Hazardous and
Radioactive Materials Bureau,
525 Camino de los Marquez,
Suite # 4, P.O. Box 26110
Santa Fe, New Mexico 87502
Monday through Friday from
8:00 am to 5:00 pm**

**El Paso Public Library
501 North Oregon Street
El Paso, Texas 79901
Monday through Thursday
from 8:30 am to 9:00 pm,
Fridays and Saturdays from
8:30 am to 5:30 pm.**

The administrative record may also be viewed at:

Thomas Branigan Memorial Library
200 East Picacho Avenue
Las Cruces, New Mexico 88001
Mondays through Thursdays from
10:00 am to 9:00 pm, Fridays and
Saturdays from 10:00 am to 6:00 pm.

To obtain a copy of the Administrative Record or any part thereof, at 35 cents per page, please contact Mr. Cornelius Amindyas at the above Santa Fe address or call (505) 827-4308.

Any person who wishes to comment upon the draft permit or to request a public hearing should submit written comments and requests, along with the commentor's name and address, to the Santa Fe address. Requests for a public hearing shall state the nature of the issues proposed to be raised in the hearing and the name and address of the commenter. Only comments and/or requests received by **November 16, 1994** will be considered. NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

NMED must ensure that the approved draft permit is consistent with the New Mexico Hazardous Waste Management Regulations for permits. NMED is extending this public notice period as a result of a request from the U.S. Army, Fort Bliss.

All written comments submitted on the draft permit will be considered in formulating a final decision. NMED may modify the draft permit based on the comments received. NMED will notify USAADACENFB and each person who submitted a written comment during the public comment period of the final decision.

After consideration of all written comments received, NMED will approve, or modify and approve the draft permit. If NMED modifies and approves the draft permit, then NMED shall provide USAADACENFB with a detailed written statement of reasons for the modification and the modified draft permit will become the approved permit. A copy of the modified permit with a detailed statement of the reasons for the modifications will be mailed to USAADACENFB.