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GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
2044 Galisteo
P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-1557
Fax (505) 827-1544

my copy



MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

April 29, 1997

James R. Hartman, Ph.D., Director
Directorate of the Environment
U.S Army Air Defense Artillery Center and Fort Bliss
Attn: ATZC-DOE
Fort Bliss, Texas 79916-0058

**RE: Permit Modification for the Fort Bliss (FB) Hazardous Waste
Management Operational Permit
EPA I.D. Number: NM4213720101-01**

Dear Dr. Hartman:

The New Mexico Environment Department (NMED) Hazardous and Radioactive Materials Bureau (HRMB) received FB's request for Hazardous Waste Management Permit Modifications. The contents of your letter dated January 30, 1997 suggest that the changes you wish to effect are mainly modifications to sampling and analysis procedures.

Your letter suggests that the proposed modifications are "Class I Modifications". However, in accordance with the New Mexico Hazardous Waste Management Regulations 20 NMAC 4.1.900 incorporating 40 CFR §270.42, Appendix I.A.4.b, the HRMB has determined that the permit modifications are Class II. Your proposed changes would alter the general permit provisions to lessen sampling and analysis requirement, thereby making the permit less stringent and thus requiring a Class II modification.

The New Mexico Hazardous Waste Fee Regulations (20 NMAC 4.2) require the assessment of fees for permit modifications. Permit modifications classified as major (Class II) by 20 NMAC 4.1.900 incorporating 40 CFR §270.42(b), require extensive staff time and administrative effort to review the impact of the modifications on the permit. The Class II Modifications to amend the FB Sampling and Analysis Plan and Soil Monitoring, and associated Attachments, are subject to a fee of \$15,000.00. Enclosed is the Permit Fee Worksheet for your information.

James A. Hartman
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Please provide the specific language FB wishes to modify including strikeouts of any existing language. Please also send payment by check made out to **NMED Hazardous Waste Permit Fees**, and send by **Certified Mail** to:

N.M. Environment Department
Hazardous and Radioactive Materials Bureau
Attention: Permits Management Program
2044 Galisteo Street
P.O. Box 26110
Santa Fe, New Mexico 87502

This fee must be paid within thirty (30) calendar days from the day you receive this letter. Failure to pay the fee within this period will result in KAFB's permit modification denial. These modifications will be processed within seven (7) days after receipt of the fees.

Thank you for your continued cooperation in our permitting process. If you have any questions, please contact me or Stephen Pullen of my staff at (505) 827-1558.

Sincerely,



Robert S. (Stu) Dinwiddie, Manager
RCRA Permits Management Program
Hazardous and Radioactive Materials Bureau

cc: Benito Garcia, Chief, HRMB
David Neleigh, U.S EPA, Region VI (6PD-N)

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TRACK: FB, April 29, 1997, N/A, FB, HRMB, RE, RED 97