



DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 1606TH AIR BASE WING (MAC)
KIRTLAND AIR FORCE BASE, NEW MEXICO 87117-5000

Brannum
RECEIVED
MAR 26 1991

EID DIRECTOR'S OFFICE

26 MAR 1991

ENTERED

Mr Richard Mitzelfelt, Director
New Mexico Environmental Improvement Division
1190 St Francis Dr
Santa Fe, NM 87503

CERTIFIED MAIL
RETURN RECEIPT

RE: PERMIT NO NM 9570024423-1 MODIFICATION REQUEST

Dear Mr Mitzelfelt

Kirtland Air Force Base's (KAFB) original request to file a permit modification, dated 29 Jan 1991, was an effort to resolve the problems in the RCRA permit that are currently in litigation in a more expeditious and economic manner. It is commonly estimated that cases before the Court of Appeals may take as long as two years to be decided.

However, your 15 Feb 1991 response to us, which grants the request to file a permit modification, also states that a review of the permit modification must wait until all interim status facilities are permitted, which would be 1992 or later. In view of the fact that the review could take up to two years or longer, there no longer appears to be any advantage in pursuing a permit modification that could save both our organizations significant amounts in litigation costs. Therefore, KAFB hereby withdraws its request to file a permit modification.

Sincerely

Edward S Brannum

EDWARD S. BRANNUM, Col, USAF
Commander

cc: Tracy Hughes
Assistant General Counsel

MAR 28 1991

KAFB1110