



GARY E. JOHNSON
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



MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 7, 1997

Mr. Terry Cooper, Director, Compliance
Environmental Management Division
Kirtland Air Force Base: 377ABW/EMC
2000 Wyoming Blvd. SE
Albuquerque, New Mexico 87117-5659

**RE: Class II Modifications for Kirtland Air Force Base (KAFB)
Container Storage Unit Permit:
EPA Permit ID No. NM9570024423**

Dear Mr Cooper:

This letter is written with reference to your letter of August 19, 1996, which you faxed to HRMB on February 4, 1997. In that letter, you requested Class I Permit Modifications to your existing Container Storage Permit issued on July 24, 1990. However, the New Mexico Environment Department (NMED) Hazardous and Radioactive Materials Bureau (HRMB) determined that the changes you requested were Class II modifications. HRMB assessed and received the \$16,000.00 Class II Permit Modification fees.

In your letter of August 19, 1996, you explained that the request for Permit modification was based on your review of applicable regulations, and an inspection by the Defense Reutilization and Marketing Service.

Before the NMED makes a final decision on the subject draft permit modifications, the public is required to participate in the permitting process as specified in the New Mexico Hazardous Waste Management Regulations 20 NMAC 4.1, Subpart IX.

Pursuant to the New Mexico Hazardous Waste Management Regulations 20 NMAC 4.1.900 incorporating 40 CFR §270.42(b)(2), KAFB is required to send a notice of modification request to all persons on the enclosed facility mailing list as specified in 40 CFR §124.10(c)(ix). In addition, Kirtland must publish this notice in a major local newspaper of general circulation.

KAFB1857



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This notice must be mailed and published within seven (7) calendar days from the date you receive this letter. In addition, KAFB must provide to the New Mexico Environment Department evidence of the mailing and publication.

Please send a copy of the notice as published in the newspaper, with a certificate of the date published to:

Robert S. (Stu) Dinwiddie, Ph.D., Manager
RCRA Permits Management Program
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044 Galisteo Street
Santa Fe, New Mexico, 87505

The public notice must include:

- (1) The announcement of a 60-day public comment period, including the start and end dates;
- (2) The location where copies of the permit, proposed modification requests and supporting documents can be viewed and copied. This location should be at a site accessible to the public in the vicinity of the permitted facility;
- (3) Announcement of a date, time, and place for a public meeting on the modification request, in accordance with §270.42(b)(2)(ii). Kirtland must hold a public meeting no earlier than 15 days after the publication of the notice, and no later than 15 days before the close of the 60-day comment period. The meeting must be held to the extent practicable in the vicinity of the permitted facility in accordance with §270.42(b)(4 and 5);
- (4) The following statement: "KAFB's compliance history during the life of the permit being modified is available from the NMED contact person."
- (5) Name, telephone number of KAFB's contact person; and
- (6) The name, address, and telephone number of New Mexico Environment Department Hazardous and Radioactive Materials Bureau contact person:

Cornelius Amindyas, Environmental Specialist
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044 Galisteo Street
P.O. Box 26110
Santa Fe, New Mexico, 87502
(505) 827-1563

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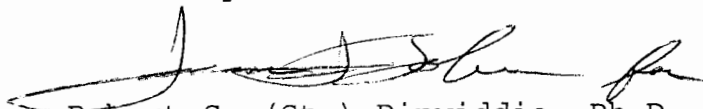
Any person who wishes to comment upon the draft permit modifications or to request a public hearing should submit written comments and requests, along with the commentor's name and address, to the NMED contact person. Requests for a public hearing shall state the nature of the issues proposed to be raised in the hearing and the name and address of the commentor. Only comments and/or requests received by HRMB during the 60-day public comment period will be considered. the NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

After the conclusion of the 60-day comment period, the NMED will respond to the public comments received. All written comments submitted on the draft permit modifications will be considered in formulating a final decision. The NMED may modify the proposed permits based on the comments received. The NMED will notify KAFB and each person who submitted a written comment (during the public comment period) about the final decision.

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

Enclosed are copies of the proposed modifications for public review. If you have any questions regarding the modifications, please call me or Cornelius Amindyas at (505) 827-1563.

Sincerely,



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

Enclosures

cc: Benito Garcia, Chief HRMB (w/o encl.)
David Neleigh, Chief, RCRA Permits EPA Region VI [6PD-N]
(w/o encl.)

~~FILE~~
TRACK: KAFB, 5/7/97, KAFB, HRMB, Class II Permit Modification