



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

 ENTERED

CERTIFIED RETURN-RECEIPT REQUESTED

DEC 9 11 2010

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

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 in receipt of your letter of 19 November 2010 discussing the Resource Conservation and Recovery Act ("RCRA") certification statement that must accompany corrective action documents submitted to your office. Your letter identified five (5) specific documents that were submitted to your office for review without the required certification statements. Accordingly, I have attached signed certifications for the four (4) corrective action documents dealing with the Kirtland bulk fuels release remediation effort. All future 40 CFR §270.11(a) and (b) submissions will be accompanied by the required certification.

In reviewing the four (4) documents, it has come to our attention that the *March 16, 2010 Work Plan Well Completion Report and Data Submittal, Bulk Fuels Facility Spill and Submission of Critical Data, per the NMED Letter Data August 6, 2010 (Page 26, Items 7i through ix)* reports were previously submitted to your office in August 2010 as part of the *Quarterly Remediation and Site Investigation Report*. I assume that since the installation was assessed a fee for the review of the *Quarterly Remediation and Site Investigation Report*, we will not be assessed additional, separate fees for their resubmission as separate documents.

The fifth document you identified in your 19 November 2010 letter, *Draft Site Investigation Work Plan, EOD Hill, June 2010*, is not associated with the bulk fuels facility fuels release at Sites ST-106 and SS-111. Based on previous discussions with your office concerning the perchlorate issues at EOD Hill, it was tentatively determined that Kirtland AFB would proceed with its investigation under its CERCLA authority until such time a source of the perchlorate could be determined. If the source was due to a release from a RCRA solid waste management unit, then Kirtland would then proceed under RCRA. With the investigation proceeding under this process, it would be inappropriate to submit a RCRA certification for actions pursued under CERCLA. Accordingly, the submission of a RCRA signed certification will be deferred until

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such time as our investigation identifies a perchlorate release from a RCRA solid waste management unit has occurred shifting our efforts into the RCRA arena.

As for your request for a list of all personnel permitted to sign the certifications statements, there is not a list of authorized alternative signatories. As the Installation Commander, I have retained that authority and will be signing all 40 CFR§270.11(d)(1) certifications for Kirtland AFB.

As we move forward on implementing and successfully completing the bulk fuels release remediation and the EOD Hill perchlorate investigation in compliance with DoD policy, Air Force Guidance and Federal and State law, we look forward to your input on accomplishing these projects. If you have any questions or concerns, please contact Mr. John Pike, Asset Management Branch Environmental Management Section Chief, at (505) 846-4586.

Sincerely,



ROBERT L. MANESS, Colonel, USAF
Commander

Attachments:

1. Certification Statements (4)
2. NMED HWB 19 November 2010 Letter

cc:

J. Kieling, NMED HWB
W. Moats, NMED HWB
C. Amindyas, NMED HWB
W. McDonald, NMED HWB
C. de Saillan, NMED OGC
L. Barnhart, NMED OGC
L. King, EPA-Region 6 (6PD-N)

**40 CFR 270.11
DOCUMENT CERTIFICATION
FOR**

Groundwater Travel Time from Bulk Fuels Facility, Kirtland Air Force Base, KAFB, New Mexico

Screening-level Risk Evaluation/or Petroleum Hydrocarbon Fuel Compounds in Subslab Soil Vapor -Bulk Fuels Facility, Kirtland Air Force Base

Submission of Critical Data, per the NMED Letter Dated August 6, 2010 (Page 26, Items 7. i Through ix)

March 16, 2010 Work Plan Well Completion Report and Data Submittal, Bulk Fuels Facility Spill

I certify under penalty of law that these documents and all attachments were prepared under my direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.



ROBERT L. MANESS, COLONEL, USAF
Commander, 377 ABW