

CAFB 8003



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RON CURRY
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DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

January 28, 2003

Colonel Robert Yates
Commander
100 S. DL Ingram Blvd Suite 108
Cannon AFB, New Mexico 88103-5214

RE: EXTENSION REQUEST OF JANUARY 27, 2003
RCRA PERMIT APPLICATION - PART A & PART B
CANNON AIR FORCE BASE
EPA ID NO. NM7572124454
CAFB-99-005

Dear Colonel Yates:

In reply to your extension request of January 27, 2003 the New Mexico Environment Department (NMED) has determined that granting Cannon Air Force Base (CAFB) additional time to respond to our Notice of Deficiency of December 9, 2002 would not be appropriate without additional justification by CAFB. NMED's determination is based on the following: (1) members of my staff visited with your staff September 26-27, 2002 to discuss these Waste Analysis Plan (WAP) issues after providing them with NMED's draft comments on these issues on September 11, 2002; (2) NMED verbally requested that CAFB indicate which comments would be problematic within two weeks (a request to which CAFB did not respond); and, (3) Holloman and Kirtland AFBs have already responded to similar comments addressing deficiencies in their WAPs within the allotted 45 calendar days.

You indicate in your extension request letter that there are many issues that can be addressed quickly, but that there are numerous other issues that will require extensive time to address. CAFB is required, pursuant to 20.4.1.900 NMAC, incorporating 40 CFR 270.14(b)(3) and

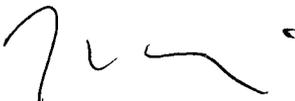
Colonel Yates
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20.4.1.500 NMAC, incorporating 40 CFR 264.13(b), to revise its WAP to address these issues to the Department's satisfaction.

NMED will grant CAFB an additional ten (10) working days from the date that you receive this letter, whether by Certified Mail or by fax, to respond in writing to our NOD comments of December 9, 2002. CAFB must provide a written response to each NOD Comment that specifies how much work has already been completed on revising its WAP and how much time will be required to address the remaining requirements to demonstrate that you have made a good faith effort to respond to our NOD in a timely manner. Based on this additional information, NMED will determine how much additional time, if any, to grant to CAFB to complete a revised WAP. In any case, 180 days to complete a WAP is excessive and will not be granted.

Failure to satisfactorily address this letter may result in the issuance of a formal Compliance Order or other enforcement action. NMED will not grant any extension to your due date if CAFB cannot demonstrate that they have already made a good faith effort to revise their WAP in accordance with the NOD. Please contact Mr. Glenn von Gonten of my staff at 505-428-2551 if you have any questions.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:gvjg
[CAFB-99-005]

cc: D. Cobrain, NMED HWB
J. Kieling, NMED HWB
P. Allen, NMED HWB
G. von Gonten, NMED HWB
S. Pullen, NMED HWB
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Laurie King, EPA 6PD-N

Reading File and CAFB Red File [CAFB-99-005]