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GOVERNOR

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ENVIRONMENT DEPARTMENT

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PETER MAGGIORE
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PAUL R. RITZMA
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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

October 20, 2000

Howard E. Moffitt, Deputy Base Engineer
49 CES/CD
550 Tabosa Avenue
Holloman Air Force Base, NM 88330-8458

**SUBJECT: HOLLOWAN AIR FORCE BASE APPEAL OF ADDITION OF
UNITS TO TABLE A.2 IN THE 1999 ANNUAL UNIT AUDIT
EPA ID NO. NM6572124422
TASK NO. HWB-HAFB-00-003**

Dear Mr. Moffitt:

This letter clarifies and documents the agreement arrived at during my meeting with Jose Gallegos of your Environmental Restoration Program on October 4, 2000. The meeting was in reference to Holloman Air Force Base's (HAFB's) Appeal of the above-referenced Annual Unit Audit (AUA) and the addition of 12 Areas of Concern (AOCs) to Table A.2 attached to the AUA invoice.

Hazardous Waste Bureau (HWB) agrees to remove the 12 AOCs from the Table A.2 used for the AUA invoice. However, the 12 AOCs will be included in the Table A.2 attached to HAFB's RCRA operating Permit (**the Permit**).

As I explained to Mr. Gallegos, Table A.2, consists of the Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) that do not pose a concern at this time and therefore do not need corrective action work; sites which have been through the RCRA process and have a designation of no further action; or sites identified and require additional evaluation to determine if corrective action activities are to proceed. The

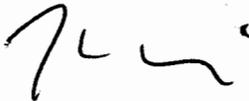
Mr. Howard Moffitt
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The sites listed on Table A.2 are not included in calculation of the Permit's HSWA Module Fee calculation or the Annual Hazardous Waste Management Business Fee. However, all the 12 SWMUs and AOCs are listed in Volume III, Section 7, Pages 2 through 67, of the RCRA Facility Assessment Report developed by the EPA in 1988, and for that reason they will be included in the Permit that is currently being renewed.

Further, since your appeal is not invoice or fee-related as specified in NMED's Hazardous Waste Management Fee Regulations 20.4.2.302.1 NMAC, we ask that HAFB withdraw their appeal.

If you have any questions regarding this matter please contact me or Cornelius Amindyas, at (505) 827-1557, or at the above address.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: John Kieling, Manager, HWB< NMED
Robert (Stu) Dinwiddie, RCRA Adviser, HWB NMED
Cornelius Amindyas, HWB NMED
Steve Hattenbach, OGC NMED
John Poland, Chief, Environmental Flight, HAFB
Jose Gallegos, HAFB