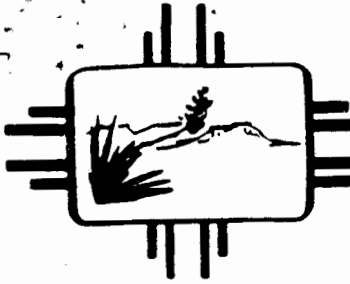


KAFB Red 1990

att 7/26/90

ENTERED

New Mexico Health and Environment Department



GARREY CARRUTHERS
Governor

DENNIS BOYD
Secretary

MICHAEL J. BURKHART
Deputy Secretary

RICHARD MITZELFELT
Director

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

July 27, 1990

Colonel Edward S. Brannum
Base Commander
1606 ABW/CC
Kirtland Air Force Base, NM 87117-5000

RE: OPERATING PERMIT
NM9570024423

Dear Colonel Brannum:

Enclosed is the operating permit required by the Resource Conservation and Recovery Act (RCRA), as amended (42 U.S.C. 6901, et seq. and the New Mexico Hazardous Waste Act (Sections 74-4-1 et seq. NMSA 1978) for the management of hazardous waste in container storage at Kirtland Air Force Base (KAFB). The Environmental Improvement Division (EID) received numerous comments from the public, the Defense Reutilization and Marketing Office, Environmental Protection Agency (EPA) and KAFB during the comment period and public hearing on the draft permit. A copy of the EID response to comments is enclosed for your information.

You are reminded of the following conditions in the operating permit which must be met before operations can begin at the new storage building: Permit Conditions I.E.12. Certification of Construction or Modification, p. I-6 and I.I. Documents to be Submitted Prior to Operation, p. I-9.

You have the right to appeal this decision in accordance with the New Mexico Hazardous Waste Act, Section 74-4-4.2.G. which reads as follows: "Any person adversely affected by a decision of the director concerning the issuance, modification, suspension or revocation of a permit may appeal the decision by filing a notice of appeal with the court of appeals within thirty days after the date the decision is made. The appeal shall be on the record made at the hearing. The appellant shall certify in his notice of appeal that arrangements have been made with the division for a sufficient number of transcripts of the record of the hearing on which the appeal (sic.) depends to support his appeal to the court, at the expense of the appellant, including one copy which he shall furnish to the division."

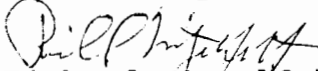
KAFB1030



The corrective action portion of the permit required by the 1984 Hazardous and Solid Waste Amendments will be issued shortly by the EPA-Region 6.

If you have any questions on the technical content of the permit, please contact Dr. A. Elizabeth Gordon on the Hazardous Waste Program staff at 827-2934. Questions of a legal nature may be addressed to Ms. Tracy Hughes of the Health and Environment Department's Office of General Counsel at 827-2854.

Yours truly,


Richard Mitzelfelt
Director

Enclosures (2)

cc: Mr. Bill Honker, EPA 6H-P, w/encls.
Mr. Garth Graves, EID District I, w/out encls.

RM/AEG/aeg