



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 377TH AIR BASE WING (AFMC)
P 685 146 354

John Check this out.
ENTERET

377 ABW/CC
2000 Wyoming Blvd SE
Kirtland AFB NM 87117-5606

Mr Edward Horst
RCRA Program Manager
Hazardous and Radioactive Bureau
New Mexico Environment Department
Box 26110
Santa Fe NM 87502



28 JAN 1993

RE: New Mexico Environment Department (NMED) Response to Compliance Order NM9570024423, 19 Jan 93

Dear Mr Horst

There is some confusion as to what the violations should be numbered (Atch 1). You have incorrectly identified #15. It should be changed to read #9 as submitted in the letter dated, 4 January 1993 (Atch 2). Furthermore, #21 should be changed to read #15.

Per your telephone conversation with Mr Darr, 21 January 1993, he sent a letter to Mr Delmar Calhoun, University of New Mexico, requesting that New Mexico Engineering Research Institute (NMERI) respond to violation #9 and we would answer #15 (Atch 3).

In our letter 4 January 1993, I submitted sample results for violation #15 (septic tank). Also, I stated that we were investigating the possibility of handling it as a Solid Waste Management Unit (SWMU). The septic tank #15 is being added to our list of Appendix III SWMU's to be handled under our Hazardous and Solid Waste Amendments (HSWA) permit (Atch 4). The work plan is due to the Environmental Protection Agency (EPA) in April 1993 and we will provide you a copy when we submit it to EPA for review.

If you have any questions, please contact Mr Walter S. Darr III at 846-0029/0042.

Sincerely

James L. Higham
JAMES L. HIGHAM
Brigadier General, USAF
Commander

- 4 Atch
- 1. NMED Ltr, 19 Jan 93
- 2. KAFB Ltr, 4 Jan 93
- 3. NMERI Ltr, 22 Jan 93
- 4. HSWA permit





BRUCE KING
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-2850

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

January 19, 1993

Brigadier General James L. Higham
Base Commander
Kirtland Air Force Base
1606 ABW/CC
Kirtland AFB, NM 87117

**RE: Response to Compliance Order
NM9570024423**

Dear General Higham:

The New Mexico Environment Department (NMED) has received your response to the violations noted in the Compliance Order (CO) sent to you on December 11, 1992.

Based on our review of the information submitted in your response, we have determined that the violations cited in the CO have been adequately addressed in accordance with the CO, with the exception of conclusions #15 and #21 of the CO.

The corrective action taken for conclusion #15 in the CO states that "user knowledge said the bucket contained rainwater & contents were disposed of on ground". Review of photos and notes taken during the inspection note that the container was near full and was closed. These facts do not support the argument that the contents was "rainwater". Also the response from NMERI for this violation notes that the container had been used for mixing soap, but that the empty container had been placed outside of Bldg. 57001. If the empty container was placed outside, how did it accumulate nearly five gallons of rainwater if the cap was on the container as noted in the photo. Clearly, there was no verifiable documentation on the contents of this container and the previous use of the container does not explain its contents after it was placed in storage empty.

According to the NMERI response the contents was determined by a technician as not ignitable, had a neutral pH, and that crickets did not die in the presence of this liquid. This does not constitute an acceptable hazardous waste determination. The fact that the contents of this container was disposed of on the ground after the technician concluded that the contents was rainwater demonstrates that NMERI staff are not fully aware of the procedures required by Kirtlands environmental management office.

ATCH 1

General Higham
January 19, 1993
Page 2

Due to the fact that the corrective action taken by NMERI staff does not adequately address the violation, this violation is still outstanding. In order to address this violation properly at this time the following corrective action must be taken:

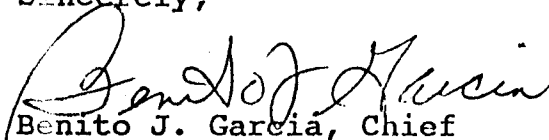
Within five (5) days after receipt of this letter, sampling of the soil at the point where the contents of the container was poured on the ground must be performed and an analysis performed on these samples. The results of the analysis must be submitted to NMED within five days after receiving the same.

Regarding the response for conclusion #21, the following corrective action must be taken:

Within five (5) days after receipt of this letter, HRMB must receive a detailed plan of corrective action to be taken for conclusion #21 in the CO regarding the contamination of the septic system at Bldg. 57001 to include but not limited to; sampling methods, numbers of samples, determination on point sources of contamination and cooperative efforts with NMERI in the correction of this violation.

The pending results of analyses from the other violations noted must be submitted, as per the CO, upon their receipt. If you have any questions, please feel free to contact Mr. John Tymkowich at (505) 827-4308 or at our address.

Sincerely,



Benito J. Garcia, Chief
Hazardous and Radioactive Materials Bureau

cc: Garth Graves, NMED District I Office
Tracy Hughes, Office of General Counsel

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

377 ABW/CC
2000 Wyoming Blvd SE
Kirtland AFB NM 87117-5606

4 Jan 93

Mr Edward Horst
RCRA Program Manager
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
Box 26110
Santa Fe NM 87502

RE: Compliance Order, (11 Dec 92) KAFB NM9570024423

Dear Mr Horst

On 24 December 1992, we received your 11 December 1992 Administrative Order Requiring Compliance (Compliance Order) from a 13-17 July 1992 Resource Conservation and Recovery Act (RCRA) inspection. Upon receipt of the Compliance Order, Mr Walter S. Darr III called you to ask for guidance on how to comply with the compliance schedule? You stated that you would make a memo for record that we had contacted you and this would satisfy the one working day requirement of the Compliance Order. You also explained that we needed to follow up the telephone call with one letter explaining all our corrective actions taken to complete the Compliance Order. No time limit was specified for the letter because you said it would take longer than one day to complete the schedule. Below are the discrepancies noted during the inspection and the corrective actions we have taken:

Compliance Order; Pages 8-11

1. Within one (1) working day from the receipt of this Order, close the container of hazardous waste at Bldg 291, US Customs, where a Safety-Kleen unit was found open with a one gallon can of solvent in the basin.

Corrective Action:

On the same day that the discrepancy was noted, the container holding the solvent was returned to the basin and the lid to the unit was closed. Also a letter was sent to all users of Safety-Kleen units (Atch 1). Furthermore the lid of the container has been marked, "PLEASE CLOSE AFTER EVERY USE". A letter is on file indicating that instruction was provided stating that the lid be closed after every use.

HTCH 2

2. Within one (1) working day from the receipt of this Order, close the container of suspect hazardous waste at Bldg 336, USAF, where a two gallon container pending analysis was found open in the storage area.

Corrective Action:

On the same day that the discrepancy was noted, the container of suspect hazardous waste was closed.

3. Within one (1) working day from the receipt of this Order, close the container of hazardous waste at Bldg 20349, USAF, where a Safety-Kleen unit was found open with a half gallon can of solvent in the basin.

Corrective Action:

On the same day that the discrepancy was noted the can holding the solvent was returned to the Safety-Kleen unit and the lid to the unit was closed. Also a letter was sent to all users of Safety-Kleen units.

4. Within one (1) working day from the receipt of this Order, close the container of hazardous waste at Bldg 20375, USAF, where a 5 gallon container was found open.

Corrective Action:

On the same day that the discrepancy was noted, the container cap was replaced closing the container. Also a new policy was implemented to improve the control of hazardous waste at this Satellite Collection Point (SAP). The new policy is as follows:

a. An empty five gallon container will be kept in the tool room and signed out for each use and returned to the tool room.

b. The tool room monitor will ensure that the contents of the container are documented in the collection log before being emptied into the SAP's container. This is the time that the collected product becomes a waste.

c. The empty five gallon container will be returned to the tool room for sign out to the next person that will use the spray booth.

5. Within one (1) working day from the receipt of this Order, close the container of hazardous waste at Bldg 734, NMERI, where a Safety-Kleen unit was found open with a one quart can of solvent in the basin.

Corrective Action:

On the same day that the discrepancy was noted, the quart can holding the solvent was returned to the Safety-Kleen unit and the lid to the unit was closed. Also a letter was sent to all users of Safety-Kleen units.

6. Within one (1) working day from the receipt of this Order, close the container of hazardous waste at Bldg 416, Room 117, Phillips Lab, where a one gallon container was found open in the storage area.

Corrective Action:

A one gallon container was closed that day. Sample #9212011450, pending results.

7. Within five (5) working days from the receipt of this Order, perform a hazardous waste determination or provide verifiable documentation on the contents of a 55 gallon container found in the storage area of Bldg 381, USAF. Within five (5) working days from the receipt of the test results, submit the results to the complainant.

Corrective Action:

The container was sampled (Sample 9207161426). Drum awaiting pickup for final disposal (Atch 2).

8. Within five (5) working days from the receipt of this Order, perform a hazardous waste determination or provide verifiable documentation on five 5 gallon containers found in the storage yard area of Bldg 734, NMERI. Within five (5) working days from the receipt of the test results, submit the results to the complainant.

Corrective Action:

User knowledge determined all five containers were hydraulic fluid products. Product has been used in operational process (Atch 3).

9. Within five (5) working days from the receipt of this Order, perform a hazardous waste determination or provide verifiable documentation on the contents of a 5 gallon container found in the storage area of Bldg 57001, NMERI, and within five (5) working days from the receipt of the test results, submit the results to the complainant.

Corrective Action:

User knowledge said the bucket contained rainwater & contents were disposed of on ground (Atch 4).

10. Within five (5) working days from the receipt of this Order, perform a hazardous waste determination or provide verifiable documentation on the contents of a 55 gallon container found in the storage area of Bldg 277, Phillips Lab, and within five (5) working days from the receipt of the test results, submit the results to the complainant.

Corrective Action:

Mr Walters, site manager, identified the drum contained oil that was eventually pumped by the base contracted service (Atch 5).

11. Within five (5) working days from the receipt of this Order, perform a hazardous waste determination or provide verifiable documentation on the contents of a 55 gallon container found outside of Bldg 418, Room 109, S-Systems, and within five (5) working days from the receipt of the test results, submit the results to the complainant.

Corrective Action:

The 55 gallon container cited was determined to contain unused vacuum pump oil. The container has been properly marked and relocated to the consolidated product storage area in the courtyard of Bldg 400 (Atch 6, para. 1).

12. Within five (5) working days from the receipt of this Order, perform a hazardous waste determination or provide verifiable documentation on the contents of three 55 gallon containers found in the storage area of Bldg 418, S-Systems, and within five (5) working days from the receipt of the test results, submit the results to the complainant.

Corrective Action:

The three 55 gallon containers cited were determined to contain unused lubricants. The contents were one drum each of lubricating fluid for diamond turning, hydraulic oil and way oil for machine tools. The drums have been properly marked and relocated to the consolidated product storage area in the courtyard of Bldg 400 (Atch 6, para 2).

13. Within five (5) working days from the receipt of this Order, perform a hazardous waste determination or provide verifiable documentation on the unknown contents of a 55 gallon container found in the storage area of Bldg 617, RDA/Logicon, and within five (5) working days from the receipt of the test results, submit the results to the complainant.



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

377 ABW/EM
2000 Wyoming Blvd SE
Kirtland AFB NM 87117-5606

22 January 1993

Mr Delmar Calhoun
Board of Regents, University of New Mexico
C/O Research Administration
231 Scholes Hall
Albuquerque NM 87130

RE: Response to Compliance Order, (19 Jan 1993) NMOS70024423 NMED

Dear Mr Calhoun

There is some confusion as to what the violations should be numbered. The New Mexico Environmental Division (NMED) has incorrectly identified #15 (Atch 1). It should, however, be changed to read #9 as submitted in the letter dated, 4 Jan 1993 (Atch 2). Furthermore, #21 should be changed to read #15.

It is the responsibility of the generator to adequately address this violation within the designated time frame. Also you received a similar letter from the NMED (Atch 3) requesting corrective action. Your continuing cooperation in this matter is appreciated. Please provide us a copy of your corrective action report when you send it to NMED, to include any sampling data.

We will submit the written response to #15 (#21 is changed to #15) thus alleviating you of this task.

If you have any questions, please call me at 846-0029/0042.

Walter S. Darr III
WALTER S. DARR III
Chief of Compliance and Assessment
Environmental Management Division

3 Atch
1. NMED Ltr, 19 Jan 93
2. KAFB Ltr, 4 Jan
3. NMERI Ltr, 19 Jan 93

Atch 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 6
HAZARDOUS WASTE PERMIT (HAZARDOUS AND SOLID WASTE AMENDMENTS, 1984)

PERMITTEE: Kirtland Air Force Base

OWNER: United States Air Force

OPERATOR: Kirtland Air Force Base

ADDRESS: 1606 Air Base Wing (MAC)
Kirtland Air Force Base
New Mexico 87117-5000

I. D. NUMBER: NM9570024423

EFFECTIVE DATE: November 14, 1990

TERMINATION DATE: November 14, 2000

Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA), as amended by the RCRA statute (42 U.S.C. 6901, et seq.), as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA), a permit is issued to Kirtland Air Force Base (hereafter called the Permittee) to operate a hazardous waste facility at the location stated above.

The Permittee must comply with all the terms and conditions of this permit. This permit consists of the conditions contained herein (including the attachments). Said conditions are needed to insure that the Permittee's hazardous waste management activities comply with all applicable Federal, statutory and regulatory requirements. Applicable requirements are those which are found in, referenced in or incorporated into that version of RCRA or the regulations promulgated to RCRA that are in effect on the date this permit is issued (see 40 CFR 270.32 (c)).

This permit is issued in part pursuant to the provisions of Sections 201, 202, 203, 206, 207, 212, 215 and 224 of HSWA which modified Sections 3004 and 3005 of RCRA. These require corrective action for all releases of hazardous waste or hazardous constituents from any solid waste management unit at a treatment, storage, or disposal facility seeking a permit, regardless of the time at which the waste was placed in such unit and provides the authority to review and modify the permit at any time. The decision to issue this permit is based on the assumption that all information contained in the permit application is accurate and that the facility will be operated as specified in the permit application. Any inaccuracies found in the application may be grounds for termination or modification of this permit (see 40 CFR 270.41, 270.42 and 270.43) and potential enforcement action.

Under Federal Law, this permit is effective on the date specified above unless a petition to the Administrator of the U.S. Environmental Protection Agency is filed in accordance with the requirements of 40 CFR 124.19.

Issued this 10th day of October, 1990

by Allyn M. Davis
Allyn M. Davis, Director
Hazardous Waste Management Division

ATCH 4