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DCN 06280.160.ID.002

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Hazardous Waste Bureau
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Reference: Work Assignment No. 06280.160; State of New Mexico Environment Department, Santa Fe, New Mexico; DOD Facility Support; Organization of Non-Technical Public Comments Submitted on Draft Permit for the Kirtland Air Force Base, Draft Comment Matrix.

Dear Mr. Cobrain:

Enclosed please find TechLaw's draft deliverable for the above referenced work assignment. This deliverable organizes the non-technical public comments which were received by the New Mexico Environment Department (NMED) in response to the draft permit issued for the Kirtland Air Force Base. This deliverable has been formatted in Microsoft Word.

This deliverable was emailed to you on October 1 2007 at David.Cobrain@state.nm.us and to Mr. Cornelius Amindyas at Cornelius.amindyas@state.nm.us. A formalized hard (paper) copy of this deliverable will be sent via mail. If you have any questions, please call me at (770) 752-7585, extension 105.

Sincerely,

Sincerely,
Jasmine Schliesmann-Merkle
Vice President

Enclosure

cc: Mr. Cornelius Amindyas, NMED
TechLaw Files

NMED's Response to Non-Technical Public Comments Submitted on Revised Draft Permit

Note: Commentors may appear in more than one comment subject depending on the number of issues addressed by the commentor. Those names appearing in more than one comment subject are marked by an asterisk (*).

| Comment No. | Page No. | Section No. | SubSection No. | Commentator's Name | Summary of Comment | New Comment ? Y/N | NMED Response |
|-------------|----------|-------------|----------------|--------------------|--|----------------------|---------------|
| 1. | | Global | | KIRTLAND AFB | <p>As written, the Permit is hard to read and confusing. The combining of requirements for Kirtland AFB (KAFB) restoration activities with the requirements for the OB and OD Treatment Units makes for an extremely convoluted permit , which creates substantial compliance difficulties for the Permittee by impeding clear interpretation of requirements. Thereby creating a significant risk for non-compliance and the unintentional failure of providing protection of human health and the environment.</p> <p>If it is the intent of the NMED to include additional requirements for KAFB Restoration/Cleanup activities in this draft permit, then KAFB recommends separating the OB and OD Treatment Units requirements from all corrective action requirements for sites outside of the OB and OD Treatment Units. The corrective action site requirements should have their own independent section within the permit. Thereby creating a Permit that has 2 sections, one dealing with only the OB and OD treatment units requirements and the other dealing with only the non-OB and OD treatment units corrective action requirements. Sections 4.0 - 6.0 would be included in the non-OB-OD Treatment Units section.</p> <p>Alternatively, the existing HSWA Module from the previous RCRA Hazardous Waste Storage permit could be modified to address all NMED concerns.</p> | | |

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| | | | | | The HSWA module may act as a stand-alone document with enforceable regulatory compliance guaranteed until the NMED confirms all existing restoration sites are fully addressed and validated for closure. | | |
| 2. | | Global | | KIRTLAND AFB | Responsibilities for the Operating Permit and for the Corrective Action portion of the Permit would appear to be divided among CEVR, CEVC, and EOD at the base. There does not seem to be one logical Point of Contact for all aspects for the Permit. This will require close coordination among all three groups to ensure compliance with all of the Permit requirements. Additionally NMED will need to carefully understand the roles and responsibilities of different function groups. It may be more streamlined to separate the OB/OD and Corrective Action portions of the permit into separate documents. Currently there is a potential for confusion as to which requirements apply to the OB/OD area, the corrective action units, or both. | | |
| 3. | | Global | | KIRTLAND AFB | Use of capitals varies in the Table of Contents and the Report Headers, making it somewhat confusing as to what sections are parallel to others. | | |
| 4. | | Global | | KIRTLAND AFB | Suggest using A, B, and C instead of 1, 2, and 3 for the Permit Attachments to avoid duplication of Section numbers within the document. As it exists now, it is somewhat confusing for citations. | | |
| 5. | | Global | | KIRTLAND AFB | In general, the Permit does not appear to recognize either the size (greater than 52,000 acres) or complexity of the operations at Kirtland AFB. Statements such as "all" and "every" are difficult to apply universally to a very large facility | | |

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| | | | | | with numerous tenants and missions. Furthermore, the Permit does not appear to recognize the amount of active site work that occurs at Kirtland AFB on a regular basis. Broad requirements such as NMED being notified of "all field activities", "all data quality exceptions", approving all "waste disposal" activities, etc. would be a very large administrative burden on Kirtland AFB and NMED to coordinate and process all such notifications and document approvals. | | |
| 6. | | Global | | KIRTLAND AFB | It is imperative that the NMED commit to review and approval timeframes for work plan documents and other "approvals" Kirtland AFB is required to receive under this draft Permit. Historically timely review and receiving documentation of such from the NMED has been an issue. If there is not a mechanism to require timely review and approval of work planning documents and/or provide a mechanism for Kirtland AFB to move forward without approval, investigation progress for the Restoration program will slow dramatically. | | |
| 7. | | Global | | KIRTLAND AFB | Regulatory requirements under established regulatory documents do not need to be re-stated verbatim within the Permit document. Permit writers should identify requirements by citation only thereby decreasing the confusion inherent in such a verbose document. Other OB and OD permits from many other states with sound regulatory programs accomplish the same regulatory control with significantly shorter permits thereby enhancing potential for Permittee compliance. | | |
| 8. | | Global | | KIRTLAND AFB | References to Air Quality and Air Emissions requirements are not the regulatory responsibility of the NMED within Bernalillo | | |

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| | | | | | County. Enforcement of these regulatory requirements are the responsibility of the Albuquerque Environmental Health Department, which holds the delegated authority to oversee the regulations. Placing these and other similar type regulatory requirements into the proposed permit could provide the Department with the opportunity to "double penalize" KAFB in the event of a non-compliance action based on permit language. | | |
| 9. | | Global | | KIRTLAND AFB | Reference to "Facility" in permit language needs to be appropriate to the permit intent and should be changed to "OB and OD Treatment Units" when in agreement with General Comment 1. | | |
| 10. | 1 | Cover Fact Sheet | Header | KIRTLAND AFB Excel/Peak TCI Comments | The document title on the cover page does not match the title in the document header. Verify and correct as needed EPA ID number used on cover (NM9570042243) and headers in the permit (NM9570024423). EPA ID number on the cover is not the same as in the headers in the report body Recommend changing both to read: "Draft Open Burning and Open Detonation Treatment Units Operating Permit - EPA ID No. NM 9570024423." | | |
| 11. | 1 | 1.0 | Introduction | Excel/Peak TCI Comments | Specify that the permit conditions apply to the Open Burn and Open Detonation " <i>miscellaneous units.</i> " | | |
| 12. | 1 | 1.0 | | KIRTLAND AFB | Permit Part 1 as written only applies to the OB/OD units and as such, all regulatory language pertaining to activities outside of the OB/OD units (including corrective action, treatment processes, and associated lands) should be removed from Permit Part 1. | | |
| 13. | 1 | 1.1 | | KIRTLAND AFB | Recommend changing language to read: ". . . issues this Permit to Kirtland Air Force Base, hereafter . . ." | | |

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| 14. | 1 | 1.1 | | KIRTLAND AFB | Direct regulatory citations should be verbatim and not paraphrased, unless specified, and should include a complete regulatory citation. Please include a correct citation to RCRA. | | |
| 15. | 1 | 1.2 | Paragraph 1 | KIRTLAND AFB | The chapter is titled " General Permit Conditions " and should represent the conditions for the OB and OD Treatment Units for which the permit application was intended and written. The first paragraph of this chapter 1.0 INTRODUCTION properly states the purpose of this Part, but then subsequent writings state requirements not pertinent to the Part. | | |
| 16. | 1 | 1.2 | Permitted Activity | Excel/Peak TCI Comments | Specify that the permitted units are " <i>miscellaneous units</i> " used to treat hazardous waste rather than more traditional "treatment units." | | |
| 17. | 1 | 1.2 | Item a | KIRTLAND AFB | Recommend changing language to read: "One Thermal Treatment Unit composed of an explosive ordnance treatment unit used for open detonation/destruction of hazardous wastes and is identified as the OD Unit." Purpose of treatment of explosive wastes is previously identified in the first part of the paragraph and does not warrant restatement. | | |
| 18. | 1 | 1.2 | Item b | KIRTLAND AFB | Recommend changing language to read: "One Thermal Treatment Unit composed on an explosive ordnance treatment unit used for open burning/destruction of hazardous wastes and identified as the OB Unit." Purpose of treatment of explosive wastes is previously identified in the first part of the paragraph and does not warrant restatement. | | |
| 19. | 1 | 1.2 | | KIRTLAND AFB | Lines 7-9 should be changed to read: "This permit also establishes standards for closure and post-closure care of the OB-OD treatment units pursuant to the HWA and the HWMR." | | |
| 20. | 1 | 1.2 | | KIRTLAND AFB | Lines 15-17 should read: "This permit authorizes | | |

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| | | | | | the treatment of hazardous wastes, including explosive wastes, only at the Open Burn and Open Detonation Units located at the EOD Range and at no other locations at the Facility." | | |
| 21. | 1 | 1.2 | | KIRTLAND AFB | Open burn/Open detonation of firearms has been a critical support function provided by KAFB to surrounding government agencies and departments including Bernalillo County Sheriffs, City of Albuquerque Police, Drug Enforcement Agency, and other DoD departments. All agencies have noted that such services provide a significant savings in their limited budgets and should be considered in line with destruction of Ordnance disposal/treatment. The loss of such services will negatively impact all agencies identified above. The activity poses little or no environmental impact when performed. Thus, recommend changing last sentence to read: "This Permit also establishes standards for closure and post-closure requirements of the OB and OD Treatment Units, pursuant to the HWA and the HWMR." | | |
| 22. | 1 | 1.2 | Permitted Activity | Excel/Peak TCI Comments EOD Comments for Subpart X Permit/EPA write ups/Excel file | The last paragraph of this section poses the condition that OB or OD "of firearms or contraband that are not reactive or ignitable hazardous waste" is not authorized. Section 5.1.1 of Permit Attachment 5 states that "Non-hazardous wastes (e.g., contraband, firearms) are also treated at the Open Burn Unit and Open Detonation Unit as a service in support of the various agencies listed in Table 5-1". This important service to the community should remain allowable; therefore, delete the last paragraph of Permit Part 1 Section 1.2. We currently dispose of weapons for various agencies that would be affected by this rule. | | |
| 23. | 2 | 1.2.1 | | KIRTLAND AFB | Please insert the statutory/regulatory citation of the self-regulating provisions. If this statement refers to Table 2 of 40 CFR 271.1, then | | |

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| | | | | | it appears that 40 CFR 271 is not adopted in accordance with NMAC 20.4.1. | | |
| 24. | 2 | 1.2.1 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Remove "The Permittee must also comply...imposed by statute or rule" It isn't EPA's place to govern self-implementing rules that are out of their purview. This would give them grounds to fine us on anything we are doing above and beyond the permit. | | |
| 25. | 2 | 1.2.2 | Effect of Inaccuracies in Permit Application | Excel/Peak TCI Comments | The Part B permit application, Revision 1.0, is dated December 2005, not November 2005, as indicated in the first sentence. Revise for accuracy. | | |
| 26. | 2 | 1.3 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | The way we read this title NMED only has to state the federal regulations but can fine us on New Mexico regulations without having to print them. All regulatory guidance should be in the permit. | | |
| 27. | 4 | 1.6 | Facility | KIRTLAND AFB | <p>The definition of Kirtland AFB or "Facility" appears to include <u>all</u> land under the control of the owner or operator. This statement could be inferred to include all tenant organizations such as Sandia National Laboratories (SNL) and could make Kirtland AFB liable for RCRA permit violations on SNL operated facilities and any other facilities. The only area that might be excluded in NMED's definition is SNL Technical Area III (Figure 1-1), Permit Attachment 1. See Comment 9.</p> <p>Recommend changing the language to read: "... means Kirtland Air Force Base (KAFB), including all contiguous land, structures, other appurtenances and improvements on the land under the control of the owner or operator seeking this permit under the HWA (See Map 1-1 in Permit Attachment 1, General Facility Information)."</p> | | |
| 28. | 5 | 1.6 | Hazardous Waste | KIRTLAND AFB | delete last sentence of the definition for hazardous waste. | | |
| 29. | 5 | 1.6 | Permit | KIRTLAND AFB | Recommend changing language to read: "... means this permit, issued to the | | |

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| | | | | | Permittee, pursuant to the HWA and the New Mexico Hazardous Waste Management Regulations to operate the open burn and open detonation hazardous waste treatment units (OB Unit and OD Unit) at KAFB, EPA ID No. . . ." | | |
| 30. | 5 | 1.6 | Permittee | KIRTLAND AFB | Recommend changing language to read: ". . . means United States Air Force, Kirtland Air Force Base, a military service within the Department of Defense." | | |
| 31. | 4& 5 | 1.6 | SWMU | KIRTLAND AFB EOD Comments for Subpart X Permit/EPA write ups/Excel file | Definition of "SWMU" appears to apply at <u>any</u> area of the Facility: The definition of Kirtland AFB or "Facility" appears to include all land under the control of the owner or operator. This statement could be inferred to include all tenant organizations such as Sandia National Laboratories (SNL) and could make Kirtland AFB liable for RCRA permit violations on SNL operated facilities and any other facilities. The only area that might be excluded in NMED's definition is SNL Technical Area III (Figure 1-1), Permit Attachment 1. NMED needs to revise the definition of Facility to more accurately describe Kirtland AFB with regard to the draft permit. This definition may also apply to areas such as SNL and their SWMUs which appear to be included in this OB/OD permit. The definition of SWMU needs to be revised to reflect this. May need legal comments from JA on the inter-relation of SNL and Kirtland AFB SWMUs. "Facility"--Identifying all of Kirtland as the facility would make us responsible for all agencies external to the Range complex This permit should be governing our methods in the waste disposal process and the range. | | |
| 32. | 5 | 1.6 | Last Paragraph | KIRTLAND AFB | As written, KAFB could be held out of compliance based on new definitions inserted into the permit without its knowledge. Recommend changing the last paragraph of | | |

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| | | | | | section to read: "If, . . . to this Permit. If the Department determines that such a change is needed, it will notify the Permittee in writing of this change prior to applying the new definition to the Permit." | | |
| 33. | 5 | 1.7 | The Complete Permit | Excel/Peak TCI Comments | The first sentence indicates the complete permit consists of . . . Permit Parts 1 through 5 . . . There are 6 Parts listed. Revise for accuracy. Under Part 3, the listed title of this part is incomplete. It should read "Open Burn and Open Detonation Treatment Units". | | |
| 34. | 6 | 1.7 | Part 2 | KIRTLAND AFB | Recommend changing language to read: "General OB and OD Treatment Unit Conditions". | | |
| 35. | 6 | 1.7 | Attach 1 | KIRTLAND AFB | Recommend changing language to read: "General OB and OD Treatment Unit Information". | | |
| 36. | 6 | 1.7 | Attach 3 | KIRTLAND AFB | Delete. | | |
| 37. | 7 | 1.10 | | KIRTLAND AFB | Since the draft RCRA permit applies to the OB/OD units only, the requirement for a permit modification for a land transfer anywhere on the "Facility" is not valid. | | |
| 38. | 7 | 1.10 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | This paragraph while loosely pertains to the EOD complex, largely refers to areas not associated with the EOD complex and needs to be removed from our permit. | | |
| 39. | 8 | 1.14 | Permit Review | Excel/Peak TCI Comments | Except for permits that are for land disposal facilities (40 CFR § 270.50(d)), RCRA regulations do not include a required mid-point regulator review of a TSDF permit nor does such a review address a required activity of the Permittee. The OB/OD units are not land disposal units. Furthermore, 40 CFR § 270.41 authorizes modification or revocation/reissuance for "cause" or at Permittee request. The permit condition as written exceeds NMED authority. Delete this permit condition. | | |
| 40. | 9 | 1.19 | Duty to Provide Information | Excel/Peak TCI Comments | The second paragraph states "This Permit Condition (1.20) . . ." Revise for accuracy to read (1.19). | | |

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| 41. | 9 | 1.19 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Define "reasonable time" and "relevant information". | | |
| 42. | 9 | 1.20 | | KIRTLAND AFB | "IINSPECTION" should read "INSPECTION" | | |
| 43. | 9 | 1.20 | | KIRTLAND AFB | NMED has access to the AR/IR, which contains the records/data requested | | |
| 44. | 10 | 1.20 | Inspection and Entry | KIRTLAND AFB/Excel Peak TCI Comments | Last paragraph references Permit Condition 1.21 – should be changed to 1.20. The last paragraph of this section states "This Permit Condition (1.21) . . ." Revise for accuracy to read (1.20). | | |
| 45. | 10 | 1.20 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Define what "equipment (including monitoring and control equipment)" is. | | |
| 46. | 10 | 1.21.1 | | KIRTLAND AFB EOD Comments for Subpart X Permit/EPA write ups/Excel file | Representative sampling should focus on what is applicable to military munitions, which do not present a safe opportunity for sampling. Most waste characterization is based on "Acceptable Knowledge" for this type of waste because any attempt to sample is both cost prohibitive and dangerous. Again by combining restoration activities for the rest of Kirtland AFB with requirements for the OB and OD Treatment Units, substantial confusion is introduced. The first sentence refers to "representative samples and measurements" - Please insert regulatory citation for this requirement and identify and insert the required sampling frequencies. General Revision. We don't and can't sample munitions. | | |
| 47. | 10 | 1.21.1 | | KIRTLAND AFB | Kirtland AFB does not store hazardous waste at the OB/OD Units and word "store" should be deleted from the last sentence of this paragraph. | | |
| 48. | 10 | 1.21.2 | | KIRTLAND AFB | Because of the attempt to combine restoration and OB and OD Treatment Unit activities into a single permit, many of the records/documents specified do not apply to an OB and OD Treatment Unit permit and should be | | |

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| | | | | | deleted to conform with Comment 1. Recommend changing 1 st sentence to read: "The Permittee shall retain the following OB and OD records until completion of closure. . ." | | |
| 49. | 10 | 1.21.2 | Bullet 1 | KIRTLAND AFB | Kirtland AFB does not collect or maintain any calibration, maintenance records or strip chart recordings for continuous monitoring instrumentation because no regulatory requirement for such instrumentation exists for the Units. | | |
| 50. | 11 | 1.21.2 | | KIRTLAND AFB | Language in last bullet is too broad and undefined. Recommend changing to read: "All other corrective action reports, work plans and associated documents related to actions required by this Permit." | | |
| 51. | 10 | 1.21.2 | Record Retention | Excel/Peak TCI Comments EOD Comments for Subpart X Permit/EPA write ups/Excel file | The list of records exceeds the requirements for recording and reporting of monitoring results specified in 40 CFR § 270.31, the operating record requirements of 40 CFR § 264.73(b), and the closure plan requirements of 40 CFR § 264.112(b). None of these requirements make sense from a munition disposal standpoint. Revise this permit condition to reflect RCRA requirements. | | |
| 52. | 11 | 1.21.3 | 2/ Monitoring Records Contents 5 | KIRTLAND AFB/Excel Peak TCI Comments | Qualifications of individuals performing sampling and/or measurements is not currently documented in each monitoring round. 40 CFR 270.30(j)(3) does not require documenting the qualifications of such individuals. Pursuant to 40 CFR 270.30(j)(3), monitoring information is only required to have the (i) date, exact place, and time of sampling or measurement; (ii) the individual(s) who performed the sampling or measurements; (iii) the date(s) the analyses were performed; (iv) the individual(s) who performed the analyses; (v) the analytical techniques or methods used; and (vi) the results of such analyses. | | |

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| | | | | | <p>The names and qualifications of the analytical chemists for off-site laboratories are not typically provided in standard laboratory data packages for site investigation analyses. 40 CFR 270.30(j)(3) does not require documenting the qualifications of such individuals. Recommend changing the language to read: "The names of the individuals who performed the analyses, if the sample is used for waste characterization and disposal purposes."</p> <p>Recommend changing the language to read: "The names of the individuals who performed the sampling or measurements."</p> <p>40 CFR § 270.30(j) requires items 1, 2, and 4-7 (except that the "qualifications" of the individuals performing sampling, measurements, or analyses are not required by RCRA). Items 8-12 are not required by 40 § CFR 270.30(j). Delete the items listed that are not RCRA requirements.</p> | | |
| 53. | 11 | 1.21.3 | 12 | KIRTLAND AFB | Data used for waste management and disposal is usually not validated. Usually, only quality control, detection limits, and data qualifiers are evaluated. Data validation is usually performed when evaluating the nature and extent of contamination studies. Recommend changing the language to read: "12. Data validation results, for data used to evaluate nature and extent of environmental contamination." | | |
| 54. | 11 | 1.21.3 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | What are we monitoring? | | |
| 55. | 12 | 1.24 | | KIRTLAND AFB | Section 1.24 states that "If any permitted unit is modified, the Permittee shall not treat or store hazardous waste in the modified portion of the permitted unit, unless the following conditions have been satisfied". However, 40 CFR | | |

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| | | | | | <p>270.30(l)(2) adds the text "except as provided in 40 CFR 270.42". This allows the agency to issue temporary authorizations to protect human health and the environment (see 40 CFR 270.42[e]).</p> <p>Recommend changing the language to read: "If any permitted unit is modified, the Permittee shall not treat or store hazardous waste in the modified portion of the permitted unit, except as provided in 40 CFR 270.42, unless the following conditions have been satisfied."</p> | | |
| 56. | 12 | 1.24 | | KIRTLAND AFB | <p>What is the definition of "independent" with regards to professional engineer? 40 CFR 270.30(l)(2) only specifies that the professional engineer be licensed. An engineering company contracted by Kirtland AFB to do construction or modification work on a permitted unit will provide professional engineering services as specified in a contract. Would this qualify as independent?</p> | | |
| 57. | 12-14 | 1.25 | 1 | KIRTLAND AFB | <p>This subsection requires submission of information not specified in 40 CFR 270.30(l)(i and ii). List should be changed to comply with CFR. (i.e. Requirements IAW the regulatory citation for Oral Reports does not include the stated requirement in the draft permit language for 1.b.i or 1.b.ix. The requirements for Oral Reporting should only reflect those stated in the regulations 40 CFR 270.30(l)(6).</p> | | |
| 58. | 12-14 | 1.25 | 2 | KIRTLAND AFB | <p>This subsection requires submission of information not specified in 40 CFR 270.30(l)(i and ii). List should be changed to comply with CFR. (i.e. Request the NMED consider submittal of any written report required from this citation within 15 days (as allowed by the regulation) as opposed to 5 days which is insufficient time to generate and gain approval for such a submission.)</p> | | |
| 59. | 12 | 1.25.1 | Twenty-Four Hour and Subsequent Reporting | Excel/ Peak TCI Comments | <p>In Item 1.b, replace "a" before fire in the second line with "an unplanned".</p> | | |

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| 60. | 13 | 1.25.2 | | Excel/ Peak TCI Comments | In the "Written Report" paragraph, change "become" to "becomes". In Item 2.b, replace "a" before fire in the second line with "an unplanned". | | |
| 61. | 14 | 1.26 | | KIRTLAND AFB | Delete from Part 1 of permit. OB and OB treatment units are subject to the attached closure plan. | | |
| 62. | 14 | 1.27 | | KIRTLAND AFB | KAFB will not waive its right to raise any and/or all objections in an administrative or judicial action/proceeding. Section must be deleted or reworded to preserve that right. | | |
| 63. | 14 | 1.28 | | KIRTLAND AFB | Recommend changing language to read: "... all instances of OB and OD non-compliance not otherwise ..." | | |
| 64. | 14 | 1.28 | Other Noncompliance | KIRTLAND AFB/Excel Peak TCI Comments | It appears the reference to Permit Condition 1.26 should actually be a reference to 1.25. Should the Permit Condition 1.26 in the third line actually read Permit Condition 1.25? | | |
| 65. | 14 | 1.29 | Signatory and Certification Requirements | Excel Peak TCI Comments | Revise this sentence by inserting "other" after the first "or" and by inserting "requested by the Secretary" after "information", per 40 CFR § 270.11(b). | | |
| 66. | 15 | 1.32 | | KIRTLAND AFB | Kirtland AFB established an IR/AR for restoration activities on the facility prior to the request in this draft permit and it is applicable to those restoration activities and not the active OB and OD Treatment Units. Recommend moving this Section to the recommend Corrective Action Section of the Permit. | | |
| 67. | 16 | 1.33 | Table 1-1 (Other Submittals / Reports) | KIRTLAND AFB/Excel Peak TCI Comments | Facility Submission Requirements column-- change to read "OB and OD Treatment Units Submission Requirements"; numerous entries cite an improper permit "Part" including those for "Non-Compliance Oral Report", "Non-Compliance Written Report", and "Certificate of Construction or Modification"; Biennial Reports -- add space between Part and 2; | | |

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| | | | | | <p>The parts referenced for Non-Compliance Oral Report, Non-Compliance Written Report, and Certification of Construction or Modification appear to be incorrect and should be revised. The Notification and Certification Statements requirement should read "One-Time Notices and Certifications". It should also reference the appropriate tables in Permit Attachment 5.</p> <p>Other Submittals/Reports – Certification of Constructions or Modification should reference Section 1.24, not Section 1.25; and</p> <p>Facility Submission Requirements – Well Completion Report due date should be changed to 90 days, in that 30 days is not a sufficient time period to obtain the well record, boring logs, laboratory data, etc.;</p> <p>Facility Submission Requirements – Corrective Action items need to be removed from Part 1 and inserted into a Corrective Action Section not pertaining to the OB and OD Treatment Units Section (i.e. "Human Risk Screening ----", "General Facility Information", "Reports of Potential Receptors", "Surface Water and ----", "Air Contamination Report", "Subsurface Gas Report", "CMS Work Plan ----", "CMS Report: ----", and "Military Munitions Assessment Report"). See Comment 1.</p> | | |
| 68. | 16-7 | Table 1-1 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Add agency(ies) that is responsible for actions. The "Permittee" is a broad term. | | |
| 69. | 17 | Table 1-1 | | Excel/Peak TCI Comments | The "Human Risk screening exceedances of SSLs" should have caps for "Screening" and "Exceedances". Under General Facility Information, should the referenced section read Part 4, Section 4.2.1? For due date of CMS Work Plan where it says "Upon Department request", Permit Part 5, Section 5.1.1 states within 180 | | |

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| | | | | | days after effective date. Under Military Munitions Assessment Report, in Permit Part 5, Section 5.1.2, it is called a Military Range Assessment Report. Revise as appropriate for consistency. | | |
| 70. | 17-18 | 1.34 | | KIRTLAND AFB | All requirements not specific to the OB and OD Treatment Units should be removed from this section. See Comment 1. Also, please insert a NMED document review and approval schedule for reviewing and approving submitted KAFB documents, including work plan approvals. | | |
| 71. | 18 | 1.34 | Bullet 8 | KIRTLAND AFB | Delete. The requirement cited applies to "certain waste piles" or "surface impoundments for which the permittee intends to remove or decon the hazardous waste at partial or final closure. The OB and OD Treatment Units do not treat waste in waste piles or surface impoundments. Therefore this requirement, as cited in 40 CFR 264.112(a), should not be applicable. | | |
| 72. | 18 | 1.35 | | KIRTLAND AFB | Please provide the definition of "inadequate". This statement is very arbitrary and subjective in nature and leaves the Permittee at the mercy of NMED personnel who might not have the technical background nor are qualified to ascertain whether a submittal is "inadequate". Suggest striking the term "inadequate". NMED sends out Notices of Deficiency not Notices of Inadequacy. | | |
| 73. | 21 | Part 2 | | KIRTLAND AFB | Title should read: "Permit Part 2: General OB and OD Treatment Units Conditions" See Comment 1. | | |
| 74. | 21 | 2.0 | | KIRTLAND AFB | Recommend changing language to read: "Permit . . . applicable to the OB and OD Treatment Units." | | |
| 75. | 21 | 2.1 | Paragraph 1 | KIRTLAND AFB | Heading should read "Operation of the OB and OD Treatment Units. Recommend changing the 2 nd and 3 rd sentence to read: "The Permittee may store hazardous wastes elsewhere on KAFB, as provided in 40 CFR § 262, Standards Applicable to Generators of Hazardous Waste." Delete last sentence of paragraph, in that KAFB does not store hazardous waste at the OB and OD | | |

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| | | | | | Treatment Units. See Comment 1. | | |
| 76. | 21 | 2.1 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | If a situation arises that a det or burn cannot be completed the City gives us 2 wks- Why only 24 hrs from EPA? Do they have jurisdiction regarding such event? | | |
| 77. | 21 | 2.1 | Operation of the Facility | Excel Peak TCI Comments | In the second paragraph, insert "unplanned" between "any" and "sudden" in the second line. | | |
| 78. | 21 | 2.2 | | KIRTLAND AFB | Heading should read "General OB and OD Treatment Unit Standards" | | |
| 79. | 21-22 | 2.2.3 | | KIRTLAND AFB EOD Comments for Subpart X Permit/EPA write ups/Excel file | This requirement, while regulatorially driven, places a tremendous burden on the permittee because of the specified requirement for "names" of all individuals filling positions within the OB/OD activity. The high operations tempo and frequent personnel rotation within the EOD organization would in effect force the permittee to file multiple Class 3 permit modifications each year in order to remain compliant. Class 3 permit modifications currently are billed by NMED at a minimal rate of \$1000 per request which adds a significant financial burden to the facility. Suggest the regulatory officials look at the intent of this requirement, ensuring proper training and accountability, as opposed to the letter of the regulation, in order to minimize an unforeseen and egregious effect of the regulation. | | |
| 80. | 22 | 2.2.3 | Personnel Training | Excel Peak TCI Comments | 40 CFR 264.16(d) requires that these records be maintained at the facility. KAFB maintains these records at the facility for OB/OD Unit personnel in accordance with the Personnel Training Plan. Delete the paragraph at the top of page 22 from the permit. | | |
| 81. | 22 | 2.2.4 | Location | Excel Peak TCI Comments | There is no discussion that KAFB meets the seismic standards in 40 CFR § 264.18(a). Text should be added, as this section addresses both the seismic and floodplain standard. | | |
| 82. | 22 | 2.3.1 | | KIRTLAND AFB | Recommend changing the language to read: ". . . shall maintain equipment as specified in Table 8-2 at the OB and OD Treatment Units and/or in vehicles used to access the units when in | | |

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| | | | | | operation. Additional equipment as identified in Table 8-3 and required by the Contingency Plan shall be maintained and available for use as necessary to implement the Plan as required . . ." | | |
| 83. | 22 | 2.3.4 | | KIRTLAND AFB | This section is irrelevant to the OB and OT Treatment Unit, which is an outdoor facility with confined space limitations. | | |
| 84. | 23 | 2.4.2 | Copies of the Plan | Excel/Peak TCI Comments EOD Comments for Subpart X Permit/EPA write ups/Excel file | The Part B Permit application indicated that copies of the Contingency Plan would be kept at the EM Branch Office and in the vehicle driven to the EOD Range on the day of each treatment. Maintaining a copy at the EOD Range bunker is not ideal, as rodents sometimes gain entrance to this building and the copy could be contaminated with rodent droppings. Revise this permit requirement to reflect the information provided in the application. | | |
| 85. | 23 | 2.4.4 | Emergency Coordinator | Excel/Peak TCI Comments | 40 CFR § 264.52(d) does not require office and home addresses, it only requires office and home phone numbers. | | |
| 86. | 26 | 2.5.4.1 | | KIRTLAND AFB | 1 st Sentence – change to read "Re-evaluation shall be performed once every three years to verify . . ." | | |
| 87. | 28 | 2.5.6 | Records of Waste Characterization | Excel/Peak TCI Comments | In the fifth line, replace "notification" with "notices", replace "certification" with "certifications", and delete "statements". | | |
| 88. | 29 | 2.6.2 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | How does this apply to us? | | |
| 89. | 30 | 2.6.6 | | KIRTLAND AFB | Delete 2 nd sentence, in that 40 CFR Part 264 SubPart BB, Air Emission Standards for Equipment Leaks, is inapplicable for the OB-OD Treatment Units. | | |
| 90. | 30 44 | 2.6.6 3.7 | Air Emissions Organic Air Emissions | Excel/Peak TCI Comments Kirtland AFB | In the fourth line, it states the "Permittee shall comply with the applicable requirements of 40 CFR Part 264, Subpart BB." This subpart is Air Emission Standards for Equipment Leaks, and applies to pumps in light liquid service; compressors; pressure relief devices in gas/vapor | | |

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| | | | | | service; sampling connection systems; open-ended valves or lines; valves in gas/vapor service or in light liquid service; pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors; and closed-vent systems and control devices. The OB unit does not have any of these types of equipment associated with it. In addition, the OB unit itself would not contain or contact hazardous waste with an organic concentration of at least 10 percent by weight for more than 300 hours per calendar year. Thus, per 40 CFR § 264.1050(f), the OB unit is excluded from the requirements of §§ 264.1052 through 264.1060 if it is identified, as required in §264.1064(g)(6) of Subpart BB. Thus, the only applicable Subpart BB requirement for the OB unit is 40 CFR § 264.1064(g)(6). Revise. | | |
| 91. | 30 | 2.6.6-2.6.7 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | These sections, Air Emissions & Off-site shipment, are city governed and does not apply, respectively. | | |
| 92. | 31 | 2.7.1 | Facility Map | Excel/Peak TCI Comments | Inclusion of an oversized facility map in the permit is not required. Item 1 calls for showing tanks on the map. KAFB does not have RCRA storage or treatment tanks. Item 3 calls for providing correct locations of the OB and OD units on Figures E-1, F-1, F-2, I-1, and I-2. There are no such figures numbers in the draft permit. If NMED is referring to these figures in the permit renewal application, the "correct" locations of the units are already shown on these figures. Item 14, coordinate grid system, is not required by 40 CFR § 270.(b)(19). | | |
| 93. | 31 | 2.7.1 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | A map was submitted with application. Facility mean KAFB, do they want an updated map of that. It would make more sense to update a map with the OB/OD unit only? | | |
| 94. | Throughout | i.e., 2.7.4 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Responsibilities need to be clearer. The "Permittee" is the DoD, is every DoD entity responsible to submit documentation? Understandable tasks need to be laid out. | | |

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| 95. | 32 | 2.7.5 | Personnel and Telephone Number Changes | Excel/Peak TCI Comments | RCRA regulations do not require notifications for phone number changes for individuals with these job titles. Delete this permit condition. | | |
| 96. | 32 | 2.7.6 | Notification and Certifications | Excel/Peak TCI Comments | Add a period at the end of the sentence. | | |
| 97. | 34 | 2.8.2.2 | Paragraph 1 | KIRTLAND AFB | 4 th Sentence – please define "may potentially become contaminated in the future." This is vague and open to interpretation. | | |
| 98. | 35 | 2.9.1 & 2.9.2 | Post-Closure Plan | Excel/Peak TCI Comments | In 2.9.1, the plan is called a Contingent Post-Closure Plan. In 2.9.2, the plan is called a Contingent Post-Closure Care Plan. To be consistent, delete "Care" throughout 2.9.2. | | |
| 99. | 37 | 3.1 | Maximum Quantity | Excel/Peak TCI Comments | The quantities listed are incorrect, per the permit renewal application. For the OB unit, the amount per treatment event is 1,500 pounds net explosive weight (NEW) [emphasis added] uncased explosives or 200 pounds cased munitions and 5,000 pounds hazardous and nonhazardous waste combined, per calendar year is 80,000 pounds NEW , and 800,000 pounds NEW for the term of the permit. For the OD unit, the amount per treatment event is the same as for the OB unit, and per calendar year is 100,000 pounds NEW and 1,000 000 Pounds NEW for the term of the permit. (See Part A page 6 of 7 and Part B Sections 2.1, B.1.3, and G.2.1 of the permit renewal application.) The "Fact Sheet" had the correct quantities. | | |
| | | | Paragraph 1 | KIRTLAND AFB | Line 4 - change to read: "... event, 100,000 pounds per calendar year or 1,000,000 pounds for the term of the Permit." | | |
| 100. | 37 | 3.1 | Table 3-1 | KIRTLAND AFB | Open Detonation – Maximum Quantity: change values to read 100,000 lbs per year and 1,000,000 lbs total over Permit term | | |
| 101. | 37 | Table 3-1 | | Excel/Peak TCI Comments | Under Open Burn, D007 and D018 were not listed in Table B-2 of the permit renewal application. Add NEW after both "lbs" entries in right-hand column. Under Open Detonation, Figure G-2 of the permit application shows the unit diameter to | | |

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| | | | | | be approximately 1500 feet. Add Reactive Wastes in center column, and add NEW after both "lbs" entries in the right-hand column. Correct the quantities as indicated in comment regarding Section 3.1. | | |
| 102. | Throughout | i.e., 3.1 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | OB unit = 3,000 lbs IAW base site plan (80,000 annual is ok) OD unit = (1,500 lbs is ok) 100,000 lbs annual (not 18,000 lbs) and 1,000,000 lbs for Permit term not 180,000. | | |
| 103. | Throughout | i.e., 3.1 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Take out "200 lbs cased munitions" requirement, this was an old self-imposed rule and may be waived as experience dictates proper disposal methods. | | |
| 104. | 38 | 3.2.1 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | It is impossible to cover or create a secondary containment system for the OD unit. | | |
| 105. | 38 | 3.2.1 | General Requirements | Excel/Peak TCI Comments | 4th paragraph. The OD unit does not have a cover nor a secondary containment system. Delete "and Open Detonation Unit" from this paragraph. | | |
| 106. | 38 | 3.2.2 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Same as previous, we cannot prevent precipitation from entering OD unit at any time or control OB unit 24 hours after an operation. | | |
| 107. | 39 | | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | How can EPA govern these actions-no citation. These are AF/self-imposed safety features. | | |
| 108. | 39 | 3.2.3.2 | Weather Conditions | Excel/Peak TCI Comments | 1st paragraph. Per Section G.2.1 of the application, operations at the OB unit are not conducted if wind speeds exceed 15 mph, and operations at the OD unit are not conducted if wind speeds exceed 20 mph. 2nd paragraph. Per Section G.2.1 of the application, there is no procedure limiting operations from being conducted when a thunderstorm is imminent or within 10 miles. There <i>is</i> a procedure limiting operations from being conducted if lightning is within 5 miles or when extreme fire hazard conditions exist <i>and</i> wind speeds exceed 10 mph (emphasis added). 3rd paragraph. Per Section G.2.1 of the application, only OD operations are | | |

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| | | | | | not conducted during a snowstorm. 4th paragraph. Per Section G.2.1 of the application, only OD operations are not conducted during a dust storm or sand storm. Correct these permit conditions. | | |
| 109. | 39 | 3.2.3.4 | Other Restrictions | Excel/Peak TCI Comments | The term "Range Control" is used. Change to "EOD Shop". | | |
| 110. | 39 | 3.2.4.1 | Personnel Safety | Excel/Peak TCI Comments | 2nd paragraph. In the second line, replace "Leader" with "Chief". | | |
| 111. | 40 | 3.2.5.1 | Accumulated Precipitation | Excel/Peak TCI Comments | The draft permit condition requires the removal of accumulated precipitation within 24 hours after a precipitation event. Permit Attachment 2 (Section 2.1.1, p. 138) acknowledges that "during inclement weather ..., accumulated precipitation in the OD (<i>NOTE: should move this to the OD Unit description in 2.1.2</i>) Unit cannot be prevented, and road conditions do not allow access to the Unit." Therefore, the imposition of a 24-hour removal requirement is unrealistic in some circumstances. Change 24-hours to "as soon as practicable." | | |
| 112. | 40 | 3.2.5.2 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Take out "24 hour" rule for cleaning the burn pan, this is an almost impossible task. Suggestion would be adding the "reasonable time" word. Who collects and samples waste. | | |
| 113. | 40 | 3.2.5.3 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | There is no inner fence around the OD/OB unit. Take out requirement after each detonation to clear entire Pad, rather make it an annual requirement. Manning doesn't allow for such an operation post-operation. | | |
| 114. | 40 | 3.2.5.4 | Open Burn Container | Excel/Peak TCI Comments | The inspection plan requires a <i>pre-burn</i> inspection of the burn container and surrounding walls. Revise this permit condition or delete. | | |
| 115. | 40 | 3.3.2 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Whose responsible? | | |
| 116. | 41 | 3.4 | | KIRTLAND AFB | Delete 1 st and 2 nd Paragraphs. The City of Albuquerque does not require KAFB to do any | | |

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| | | | | | <p>routine air monitoring. The City itself runs air monitoring stations throughout Bernalillo County and is the regulatory authority. 40 CFR 264.401(c)(5) states only that we will prevent releases into the air of hazardous constituents that might impact human health or the environment, and that we will consider "the existing quality of the air, including other sources of contamination and their impact on the air". There is no Federal requirement that monitoring be performed before, during, and after operations. KAFB has performed air dispersion modeling to evaluate impacts of hazardous constituents both as part of the RCRA Subpart X application, as well as our Title V permit application; this dispersion modeling takes into account other sources of emissions, including ambient pollutant levels. We apply for event permits from the City of Albuquerque, the regulatory authority in this case, and we estimate emissions monthly based on amounts burned/detonated. Annually, these emissions are reported to the City of Albuquerque because they hold primacy for regulation, not NMED. On the day of the event, we are not approved to proceed with the event if meteorological conditions or ambient air quality levels (as provided by the City of Albuquerque) are not acceptable. Doing real-time monitoring before, during, and after each operation would be resource prohibitive and difficult to implement to achieve any meaningful data.</p> | | |
| 117. | 42 | 3.6.1 | | KIRTLAND AFB | <p>What is the rationale for requiring at least three down-gradient monitoring wells? This practice is utilized to determine the groundwater flow direction. Since the groundwater flow direction is known in this area, then requiring at least three down gradient wells is an excessive cost of the Government. Recommend 2 down-gradient wells.</p> | | |
| 118. | 42 | 3.6.1 | | KIRTLAND AFB | <p>90-day requirement for a monitoring well installation plan is too stringent for Department of</p> | | |

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| | | | | | Defense budgeting purposes. As it stands, it will automatically create a permit violation through no fault of the Permittee. Recommend at least a 12-18 month submission period. | | |
| 119. | 42 | 3.6.2 | | KIRTLAND AFB | Recommend changing language to read: "The Permittee shall submit to the Department groundwater sampling and analysis data, subject to and in compliance with, 40 CFR § 264.98, which is incorporated herein by reference. The Permittee shall submit: . . ." | | |
| 120. | 43 | 3.6.2 | Table 3-2 | KIRTLAND AFB | Recommend establishing ground water monitoring parameters consistent with the KAFB Long-Term Groundwater Monitoring Plan (Rev 1/1997), which is used for establishing baseline and performing detection monitoring events and has been in place since 1996. | | |
| 121. | 45 | 4.1.1 | | KIRTLAND AFB | Delete this section. KAFB is not authorized to act as an agent for NMED. | | |
| 122. | 45 | 4.1.2 | | KIRTLAND AFB | What are defined field activities? Schedules within the Permit work and sampling plans should suffice for adequate notice. | | |
| 123. | 45 | 4.1.2 | | KIRTLAND AFB | What is the regulatory driver for the 15-day minimum notice? If Kirtland AFB is sampling groundwater, does the Base notify HWB or the GWQB? Are personnel from HWB qualified to take split samples? The HWB hasn't taken samples for years and hasn't had the budget to do so. Therefore is this requirement simply an attempt to impose further requirements that HWB has no intent on participating in? Regulation cannot be by policy nor be arbitrary and capricious. | | |
| 124. | 45 | 4.1.4 | Releases | Excel/Peak TCI Comments | In the second line, insert "that" after "and". | | |
| 125. | 45-120 | Part 4-6 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Take out except where specifically related to the treatment of hazardous waste at the OB/OD unit. | | |
| 126. | 46 | 4.1.5 | | KIRTLAND AFB | Recommend changing language to read: "All OB and OD corrective action-related . . . for review and approval." | | |
| 127. | 46 | 4.1.5 | | KIRTLAND AFB | Does NMED intend on reviewing the Quarterly | | |

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| | | | | | Reports? It appears that the reports submitted are not being reviewed as evidenced by a 47% error rate in Table 4-2. If Kirtland AFB is being charged for the review of these documents, it would be appreciated if NMED reviews them. | | |
| 128. | 46 | 4.1.5 | Work Plans, etc. | Excel/Peak TCI Comments | Should Section 1.35 read 1.34? | | |
| 129. | 46 | 4.1.7 | Paragraph 1 | KIRTLAND AFB | Paragraph indicates that Corrective Action is required for all SWMU's and AOC's identified in Table 4-2. Table 4-2 contains sites that do not appear appropriate for inclusion under a RCRA corrective action program (i.e. sewage treatment facilities, storm sewers and septic systems) and should be deleted from the table. | | |
| 130. | 46 | 4.1.7 | Paragraph 2 | KIRTLAND AFB | Delete Paragraph 2, in that New Mexico has adopted the Military Munitions Rule and newly discovered SWMU's, AOC's and releases are covered in Section 4.1.8. The Military Munitions Rule specifically addresses munitions used in testing and training activities and excludes them from the definition of solid waste. | | |
| 131. | 46 | 4.1.7 | List of SWMUs | Excel/Peak TCI Comments | There is no Figure 4-1 in the draft permit. | | |
| 132. | 46 | 4.1.8 | | KIRTLAND AFB | How can a SWMU be both, an AOC or release or other? | | |
| 133. | 46 | 4.1.8 | | KIRTLAND AFB | 30 days other than 15 days as indicated in the last paragraph | | |
| 134. | 46 | 4.1.8 | Paragraph 4 | KIRTLAND AFB | The 15 day written report requirement is a repeat from Para 1 of the section. Please define the criteria for instigating further investigation and/or an RFI | | |
| 135. | 47 | 4.1.9 | | KIRTLAND AFB | "based upon review of the Permittee's request for a permit modification..." NMED should be subject to review (i.e. 30 days). | | |
| 136. | 47 | 4.1.9 | Paragraph 3 | KIRTLAND AFB | Delete – same as paragraph 4. | | |
| 137. | 47 | 4.1.9 | | KIRTLAND AFB | Insert: "Permittee may petition NMED for a No Further Action on sites where long-term monitoring and maintenance will be continued (i.e. landfills)." | | |
| 138. | 48-49 | 4.1.10 | | KIRTLAND AFB | Delete Section 4.1.10. A Health and Safety Plan is not required under RCRA or the HMA; it is | | |

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| | | | | | require by Occupational Safety and Health (OSH) regulations. As a result, this Plan is modified to reflect new OSH requirements, not waste management requirements. There is no regulatory authority to have the requirement for a Health and Safety Plan in the hazardous waste permit. Having it in the hazardous waste permit requires additional recordkeeping unrelated to safety and health. It appears that this reference may be a relic from a very early permit. For example, the 1985 NIOSH guidance referenced in this section was eventually promulgated at 29 CFR 1910.120; the EPA Orders listed also are very old. | | |
| 139. | 49 | 4.1.11 | 3 | KIRTLAND AFB | Delete this item. KAFB's public repository and reading room (AR/IR) is already complete and is available at the CNM Montoya Campus. | | |
| 140. | 49 | 4.1.11 | 5 & 7 | KIRTLAND AFB | Delete subsection 5. Public tours of the KIRTLAND AFB, OD treatment units, SWMU's and the corrective action process are not practical due to security and safety issues. | | |
| 141. | 49-50 | 4.1.12 | | KIRTLAND AFB | What is the name of EPA's pilot institutional controls data base and tracking system? | | |
| 142. | 50 | 4.1.13 | | KIRTLAND AFB | Delete section. This is regulated under NMED's Liquid Waste Disposal System Regulations and does not fall under the purview of the HWA or HWMR. | | |
| 143. | 50-51, 53, 55, 57 | 4.2, 4.2.3, 4.3.2.2, 4.3.2.7, 4.3.4.2 | Title | KIRTLAND AFB | Please define "Special Information" and the underlying regulatory drivers (citations). If required, more than 90-days will be required for submittals due to the Department of Defense budgeting process. Programming and budgeting is typically completed in the spring for funding in late Q1 or early Q2 of the next Federal FY. | | |
| 144. | 50 | 4.2.1 | | KIRTLAND AFB | Delete. This information has been previously submitted to NMED in corrective action documents and well completion reports. The information is also maintained by and available from the NM State Engineer. Some of the requested information is already contained in the | | |

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| | | | | | Draft Permit Application (i.e. Figure 4-1 showing locations of SWMU's and AOC's). If retained, the 30-day reporting period is unreasonable and should be extended to at least 90-120 days, and this requirement should be deleted for SWMU's and AOC's without identified lateral boundaries, in that site investigations need to be completed (Table 4-2 should be appropriately modified). | | |
| 145. | 50 | 4.2.2 | | KIRTLAND AFB | Need to specify a submission date/time-frame. | | |
| 146. | 50 | 4.2.2 | 1(b) | KIRTLAND AFB | This information is maintained by and available from the NM State Engineer. | | |
| 147. | 50 | 4.2.2 | Potential Receptors | Excel/Peak TCI Comments | Table 1-1 of Part 1 requires this report within 30 days of the effective date. This requirement should be included in this section if this permit condition remains in the permit. | | |
| 148. | 50 | 4.2.2 | 2 | KIRTLAND AFB | For consistency with the other requirements in 4.2.2, recommend changing the language to read: "... waters adjacent to the Facility." | | |
| 149. | 51 | 4.2.4 | | KIRTLAND AFB | Is this requirement for corrective action or for the OB-OD Treatment Units? Does the required information pertain to sites undergoing corrective action or to the particulate/gaseous effluent being emitted by the facility as a whole? This section is vague and would be difficult to know how to comply with. Remediation areas that actively generate air emission streams (such as SVE units), do track this type of information and should already be reported in the context of the amount of contamination removed. Most other types of remediation do not generate air emissions in regulated quantities, and we do not maintain this type of information, again because the City of Albuquerque does not require such activity through their permits. | | |
| 150. | 52 | 4.2.4 | 3 | KIRTLAND AFB | delete "radiological" in that RCRA does not regulate radiological constituents. | | |
| 151. | 52 | 4.2.4 | | KIRTLAND AFB | Need to specify a submission date/time-frame. | | |

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| 152. | 51 | 4.2.4 | Air Contamination | Excel/Peak TCI Comments | Table 1-1 of Part 1 requires this report within 30 days of the effective date. This requirement should be included in this section if this permit condition remains in the permit. | | |
| 153. | 52 | 4.2.5 | | KIRTLAND AFB | Delete section. This requested information is documented in applicable individual site reports. | | |
| 154. | 52 | 4.2.5 | Subsurface Gas | Excel/Peak TCI Comments | Table 1-1 of Part 1 requires this report within 30 days of the effective date. This requirement should be included in this section if this permit condition remains in the permit. | | |
| 155. | 52 | 4.3 | | KIRTLAND AFB | Recommend changing the 2 nd sentence to read: "If there has been a release of hazardous waste or hazardous constituents into the environment and corrective action is necessary to protect human health or the environment from the release, corrective measures will be conducted at the contaminated site to remove or isolate the contaminants that pose the human health or environmental contamination risk." | | |
| 156. | 52 | 4.3.1 | | KIRTLAND AFB | Numerous sites listed in Table 4.2 are already in NFA status and need to be deleted from the Table. Recommend changing the language to read: "The Permittee shall conduct a site investigation, in accordance with the provisions of 4.3.1.1, for each SWMU or AOC listed on Table 4.2 of this Permit, excluding those listed sites with an unexecuted approved work plan or a filed petition for NFA status. The Department . . . is needed, it will notify the Permittee in writing within 45 days of receiving the Permittee's site investigation report." | | |
| 157. | 52 | 4.3.1.1 | | KIRTLAND AFB | Why would an AOC need an RFI? If an AOC warrants further investigation under RCRA wouldn't it become a SWMU? Recommend changing the language to read: ". . . for each SWMU needing further investigation, excluding those listed in Table 4-2 of this Part (4) with an unexecuted approved work plan or a filed petition for NFA status. An individual RFI Work Plan may cover several SWMU's. The RFI Work Plan . . . | | |

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| | | | | | RFI Report for background information. " | | |
| 158. | 52 | 4.3.1.2 | | KIRTLAND AFB | Delete this section, in that it should be moved to and discussed in Section 4.3.1 of the same title. | | |
| 159. | 53 | 4.3.2.3 | | KIRTLAND AFB | Incorporate footnote into section. Recommend changing language to read: ". . .selecting a remedy, which may encompass several separate actions." | | |
| 160. | 54 | 4.3.2.5.2 | Implement-Ability | KIRTLAND AFB | What if this is not supported by public comment? | | |
| 161. | 55 | 4.3.2.6 | | KIRTLAND AFB | Section 4.3.2.6 does not include language about Department approval of the CMS report. Suggest adding language stating this. | | |
| 162. | 55 | 4.3.2.6 | | KIRTLAND AFB | Selection of a remedy should include Permittee input. Recommend changing 2 nd sentence to read: "If the Department proposes a different remedy from that recommended by the Permittee in the CMS Report, the Permittee and Department will mutually develop a remedy satisfactory to both." and the 5 th sentence to read: "As provided in 20.4.1.901(A)(5)(a)-(c), the Department will provide. . ." | | |
| 163. | 55 | 4.3.2.7 | CMI Work Plan | Excel/Peak TCI Comments | 1st paragraph, 5th line. Should Section 1.35 read 1.34? | | |
| 164. | | | | | | | |
| 165. | 55 | 4.3.2.7 | | KIRTLAND AFB | The first sentence references "ninety (90) days" whereas previous sections only list "90 days". Reformat "permit" to be consistent. | | |
| 166. | 56 | 4.3.2.10 | | KIRTLAND AFB | The first sentence references "ninety (90) days" whereas previous sections only list "90 days". Reformat "permit" to be consistent. Recommend changing report submission date from 90 days to 120 days. | | |
| 167. | 56-57 | 4.3.3.1 | | KIRTLAND AFB | Section 4.3.3.1 states that the Permittee may implement an Accelerated Corrective Measures in lieu of the process stated in Section 4.3.2. If this is the case then why are CMI reports (Section 4.3.2) required to be submitted as required in Section 4.3.3.3? | | |
| 168. | 56 | 4.3.3.2 | | KIRTLAND AFB | Section 4.3.3.2 refers to Part 1, Section 1.34 for ACM report disapproval. In accordance with the | | |

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| | | | | | permit language in Part 1, Part 1 only refers to the OB/OD units and not corrective action. What is the required review and approval schedule for an ACM work plan? | | |
| 169. | 57 | 4.3.3.3 | | KIRTLAND AFB | Why is the reference to CMI reports in this section? It should be discussed in Section 4.3.2.7. | | |
| 170. | 58, 61 | 4.4, 4.5.3 | Cleanup Levels | KIRTLAND AFB Excel/Peak TCI Comments | Section 4.4 contains a reference to Section 4.3 for cleanup. This should be changed to Section 4.4. Should (4.3) read (4.4)? | | |
| 171. | 58 | 4.4.1 | | KIRTLAND AFB | Recommend changing the language to read: "... Safe Drinking Water Act (42 U.S.C. §§ 300f to 300j-26). In those circumstances where the groundwater background concentrations exceed the established WQCC or EPA concentration levels, the groundwater background concentration shall become the established concentration level for terms of the Permit." | | |
| 172. | 58 | 4.4.1 | | KIRTLAND AFB | Recommend changing KAFB's clean-up level to an industrial standard, in that there is no foreseeable change in KAFB's mission, activities or BRAC related closures. | | |
| 173. | 58 | 4.4.2 | | KIRTLAND AFB | Change to read "24 µg/L (ppb)," as per EPA's 26 Jan 2006 "Assessment Guidance for Perchlorate" memorandum. That memo established 24.5 µg/L (ppb) as the preliminary recommended remediation goal for perchlorate, and the guidance in Section 4.4.1 above. Under current DoD policy, DoD samples for perchlorate as required by the National Contingency Plan (NCP). Where sampling indicates perchlorate concentrations in water exceed the level of concern (24 µg/L) DoD components are directed to conduct site-specific risk assessments in accordance with CERCLA, | | |

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| | | | | | <p>the Defense Environmental Restoration Program (DERP), and/or the NCP to evaluate the extent of actual or potential exposures. If a site specific risk assessment indicates perchlorate concentrations could potentially result in adverse health effects, DoD components will prioritize the site for appropriate risk management.</p> <p>While New Mexico has listed perchlorate as a toxic pollutant (§ 20.6.2.7(WW) NMAC), it has failed to promulgate an applicable concentration standard for contamination (§ 20.6.2.3103 NMAC). Therefore, KAFB believes the DoD policy and EPA's concentration standard of 24 µg/L to be more than adequate.</p> <p>Additionally, before using 4 µg/L as the State perchlorate concentration standard for permits, NMED must follow the rulemaking procedures set forth in the New Mexico Administrative Procedures Act, (§§ 12-8-1 to 12-8-25 NMSA, 1978).</p> | | |
| 174. | 58-59 | 4.4.3 | | KIRTLAND AFB | Recommend changing KAFB's clean-up level to an industrial standard consistent with its past, present, and future industrial land use. There are no foreseeable change in KAFB's mission, activities or BRAC related closures. | | |
| 175. | 59 | 4.4.4 | | KIRTLAND AFB | This section requires KAFB to propose PCB cleanup levels based on a residential land use scenario. This is contrary to AF Performance Based Cleanup Policy for basing cleanup decisions based on current and reasonable anticipated or realistic future land use (ref: SAF/IEE ltr, 27 Oct 04). Recommend changing KAFB's clean-up level to an industrial standard consistent with its past, present, and future industrial land use. The Department's use of a policy paper, <i>Risk-based Remediation of Polychlorinated Biphenyls at RCRA Corrective Action Sites</i> , to set contaminant concentration | | |

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| | | | | | levels does not comport with NMSA § 12-8-3 (1978). | | |
| 176. | 59 | 4.4.5 | | KIRTLAND AFB | Since the OB and OD units, SWMU's and AOC's are not residential property or child occupied sites, 400 mg/kg is inappropriate. Recommend 1200 µg/g (ppm) as a concentration level (see 40 CFR Part 745). | | |
| 177. | 59 | 4.4.6 | | KIRTLAND AFB | Delete this section. Surface waters are regulated by the WQCC. | | |
| 178. | 59 | 4.4.7 | | KIRTLAND AFB | Recommend clarifying that ecological risk be evaluated at SWMUs or AOCs only when there is a potential for ecological receptors | | |
| 179. | 59 | 4.4.8 | | KIRTLAND AFB | Recommend changing the language to read: "... If a WQCC standard is involved, the Permittee may request an alternative abatement standard from the NMED Groundwater Quality Control Board in accordance ..." | | |
| 180. | 60 | 4.5 | Line 7 | KIRTLAND AFB | Since the Department already reviews all submissions for compliance, delete sentence: " All work plans and reports shall be prepared with technical and regulatory input from the Department." | | |
| 181. | 60 | 4.5 | 1 & 8 | KIRTLAND AFB | Delete this item. The required laboratory data summaries would be an excessive amount of material included in the quarterly report. Furthermore, data summaries are presented in association with site reports. Data should not have to be further summarized and reported in the quarterly report document. | | |
| 182. | 60 | 4.4 | 6 | KIRTLAND AFB | KAFB does not currently include discussions of project personnel in the quarterly report. | | |
| 183. | 60-61 | 4.5.2 | | KIRTLAND AFB | How does the general discussion of the RFI work plan requirements relate to the NMED suggested format for previously issued RFI work plans? Also, figures and tables should be included with the text of the document, not separated into its own section. | | |
| 184. | 62-63 | 4.5.4 | | KIRTLAND AFB | Please specify if the periodic monitoring report is for the OB and OD Treatment Units, specific SWMU's or AOC's, or is a facility wide report. | | |

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| | | | | | What monitoring and reporting frequency is required? | | |
| 185. | 63 | 4.5.5 | | KIRTLAND AFB | Line No. 2-Consistency? 4.5.2-Executive Summary vs. 4.5.3-Executive Summary (Abstract). | | |
| 186. | 63 | 4.5.5 | | KIRTLAND AFB | Recommend removing the requirement that "page numbers" be included for references citing other reports or clarify that specific citation details can be presented in a formal reference section of the document. | | |
| 187. | 65 | 4.5.7 | CMS Report | KIRTLAND AFB Excel/Peak TCI Comments | Section 4.5.7 twice refers to Section 4.2.2.4, which does not exist. First Item 10 and second Item 12. There is no Section 4.2.2.4. | | |
| 188. | 66 | 4.5.8 | | KIRTLAND AFB | Sentence 1 – change "CMS" to "CMI" | | |
| 189. | | 4.5.8 | CMI Work Plan | Excel/Peak TCI Comments | Item 5 reads "construction and construction". Correct as appropriate. | | |
| 190. | 67 | 4.5.11 | | KIRTLAND AFB | Insert citation: "40 CFR 270.11(d)(1)" | | |
| 191. | 68 | 4.6 | | KIRTLAND AFB | Since NMAC § 20.4.2 identifies both NFA's and "corrective action complete without Controls," please clarify on Table 4-3. | | |
| 192. | 69 | Table 4-1 | Annual Reports | KIRTLAND AFB | Delete Annual Report | | |
| 193. | 69 | Table 4-1 | Quarterly Reports | KIRTLAND AFB | Delete Qtrly Perchlorate Screening Report – There is no regulatory requirement for this report. | | |
| 194. | 69 | Table 4-1 | | Excel/Peak TCI Comments | Under Quarterly Perchlorate Screening Reports, change 5.14 to 5.1.4. | | |
| 195. | 69-71 | Table 4-1 | | KIRTLAND AFB | Please increase the submission dates for all reports that do not have a 90 day submission period | | |
| 196. | 69 | Table 4-1 | Other Reports | KIRTLAND AFB | delete "Offsite Access" Report. | | |
| 197. | 69 | Table 4-1 | Other Reports | KIRTLAND AFB | Field Sampling Activities – change 2 nd column to read: "Within 24 hours or as soon as practical after release discovery." | | |
| 198. | 70 | Table 4-1 | | Excel/Peak TCI Comments | Under CMS Work Plan, should this read 4.3.2.2? Under Accelerated Corrective Measures, is this a Work Plan? | | |

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| 199. | 70 | Table 4-1 | Other Reports | KIRTLAND AFB | Risk Assessment Report – this can also be submitted with the RFI as stated in Section 4.5.5. | | |
| 200. | 70 | Table 4-1 | Other Reports | KIRTLAND AFB | CMI Work Plan - The 90 day timeframe may not be met; a fund request must be submitted after the final remedy is selected that could require up to a year to be funded. | | |
| 201. | 70 | Table 4-1 | Other Reports | KIRTLAND AFB | The 60 day timeframe may not be met; a fund request must be submitted after notification is received that could require up to a year to be funded. | | |
| 202. | 70 | Table 4-1 | Other Reports | KIRTLAND AFB | Change all 60 and 90 day submission periods to 120 days (9 of them). | | |
| 203. | 70 | Table 4-1 | Other Reports | KIRTLAND AFB | There appears to be no difference between the CMI, ACM, ACM CMI, IM and EIM reports – please clarify the differences. | | |
| 204. | 71 | Table 4-1 | Other Reports | KIRTLAND AFB | <p>Delete first three table items on this page: The CMI Report for Landfills LF-001, LF-002 and LF-008 were previously submitted to NMED for review. The CMI Report for LF-008 was approved by NMED in a letter dated May 4, 2006 from James Bearzi. CMI Reports for LF-001 and LF-002 were submitted to NMED for review on August 10, 2006, and February 28, 2007 respectively. The current requirement for CMI report submissions is 180-days from the completion of the CMI. The landfill CMIs were submitted to NMED within 180-days. As Table 4-1 (page 71 of 236) specifies 90-days for CMI submission, NMED appears to want this requirement to be retroactive. This portion of Table 4-1 should be deleted since it is not applicable.</p> <p>The CMI Qtrly Progress Reports are inapplicable in that the 3 landfill CMI's are completed.</p> <p>The Long Term Monitoring and Maintenance Plan was submitted to NMED on 3 November 2006.</p> | | |
| 205. | 71 | Table 4-1 | Closure Report | KIRTLAND AFB Excel/Peak TCI Comments | Change 60 day submission period to 120 days. First entry, per Section 5.2.1 of Part 5, 90 days | | |

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| | | | | | should be 180 days. | | |
| 206. | 72 | Table 4-2 | SWMU 6-1 | KIRTLAND AFB | SWMU 6-1, LF-001, Landfill # 1, the required submittal, Remedy Completion Report (Corrective Measures Implementation Report), due 6/13/06, has already been submitted, the Corrective Measures Implementation (CMI) Report, Aug-06, AR Docs # 3037 & 3038. Please delete this submission requirement. | | |
| 207. | 72 | Table 4-2 | SWMU 6-1 | KIRTLAND AFB | SWMU 6-1, LF-001, Landfill # 1, the required submittal, Long Term Monitoring and Maintenance Plans, due 180 days after Remedy Completion Report approved, has already been submitted, the Long Term Maintenance (LTM) Plan, LF-001, LF-002, LF-008, Nov-06, AR Doc #3095. Please delete this submission requirement. | | |
| 208. | 72 | Table 4-2 | SWMU 6-1 | KIRTLAND AFB | The SWMU 6-1 the Quarterly Progress Reports were previously submitted and the CMI remedy is completed. Please delete this submission requirement. | | |
| 209. | 72 | Table 4-2 | SWMU 6-2 | KIRTLAND AFB | SWMU 6-2, LF-002, Landfill # 2, the required submittal, Long Term Monitoring and Maintenance Plans, due 9/7/06, has already been submitted, the CMI Report, Feb-07, AR Docs # 3127 & 3128. Please delete this submission requirement. | | |
| 210. | 72 | Table 4-2 | SWMU 6-2 | KIRTLAND AFB | SWMU 6-2, LF-002, Landfill # 2, the required submittal, Long Term Monitoring and Maintenance Plans, due 180 days after Remedy Completion Report approved, has already been submitted, the LTM Plan, LF-001, LF-002, LF-008, Nov-06, AR Doc #3095. Please delete this submission requirement. | | |
| 211. | 72 | Table 4-2 | SWMU 6-2 | KIRTLAND AFB | The SWMU 6-2 the Quarterly Progress Reports were previously submitted and the CMI remedy is completed. Please delete this submission requirement. | | |
| 212. | 72 | Table 4-2 | SWMU 6-3 | KIRTLAND AFB | SWMU 6-3, LF-007, Landfill # 3, the required submittal, Remedy Completion Report (Corrective Measures Implementation Report), due 12/31/07, | | |

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| | | | | | has already been submitted and in Response to KAFB Corrective Measures Implementation (CMI) Report, Sep-06, a No Further Action Approval letter, 5-Jan-07, AR Doc #3118 was received from NMED. Please delete this submission requirement. | | |
| 213. | 73 | Table 4-2 | SWMU 6-4 | KIRTLAND AFB | SWMU 6-4, LF-008, Landfills 4, 5, and 6, the required submittal, Remedy Completion Report (Corrective Measures Implementation Report), due 3/31/07, has already been submitted, CMI Report, LF-008, 5-Jan-06, AR Doc #3025; NMED Approval of Report, 4-May-06, AR Doc # 2985. Please delete this submission requirement. | | |
| 214. | 73 | Table 4-2 | SWMU 6-4 | KIRTLAND AFB | SWMU 6-4, LF-008, Landfills 4, 5, and 6, the required submittal, Long Term Monitoring and Maintenance Plan, due 180 days after Remedy Completion Report approved, has already been submitted, Nov-06, AR Doc #3095. Please delete this submission requirement. | | |
| 215. | 73 | Table 4-2 | SWMU 6-4 | KIRTLAND AFB | In addition to the due dates for the Selenium Investigation Plan and Reports having past, the Plan and report are not necessary - selenium concentrations in both the perched and regional aquifers have been below the UTL determined for SWMU 6-4 in the KAFB Long-Term Groundwater Plan and the MCL from September 2002 to the most recent monitoring event, September 2006. Please delete these 2 submission requirements. | | |
| 216. | 73 | Table 4-2 | SWMU 6-11 | KIRTLAND AFB | SWMU 6-11, LF-044, Fill Area SE of Sewage Lagoons. The required submittal Remedy Completion Report, due 12/31/07, has already been submitted, 16-Mar-06. NMED Approved of KAFB's VCM Imp Report, LF-044, 23-Sep-05, AR Doc #2925; NMED NFA'd, 26-Oct-06, AR Doc #3093. Please delete this submission requirement. | | |
| 217. | 73 | Table 4-2 | SWMU 6-19 | KIRTLAND AFB | SWMU 6-19, OT-029 EOD Range, for the required submittal, Investigation Report, due 12/28/07, one 3-Aug-06, KAFB's Request for Class 3 Mod for 16 SWMUs, OT-29 was | | |

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| | | | | | requested to be administratively removed from Table A, AR Doc #3040 - it is an active site not a SWMU . Please delete this submission requirement. | | |
| 218. | 73 | Table 4-2 | SWMU 6-22 | KIRTLAND AFB | For SWMU 6-22, OT-046, the required Remedy Completion Report, due 12/31/07, on 27-Jul-06, AR Doc #3012, NMED Approved the VCM, OT-046, May-06; NMED NFA'd OT-046 on 26-Oct-06, AR Doc #3093. Please delete this submission requirement. | | |
| 219. | 73 | Table 4-2 | SWMU MGB | KIRTLAND AFB | VCM Work Plan to investigate TCE in the Manzano Base area was submitted in April 2006. The report is scheduled for June 2007, as outlined in the Work Plan. | | |
| 220. | 73 | Table 4-2 | SWMU 6-24 | KIRTLAND AFB | A RCRA Facility Investigation (RFI) was submitted to NMED on June 13, 2006 and approved by NMED on July 27, 2006. Why is there a requirement for an additional RFI? Nothing in the July 27, 2006 letter to Kirtland AFB mentions a need for more RFIs. The agreed to plan for WP-16 was to initially install one monitoring well and sample it for Appendix IX constituents. If the results dictated the need for an additional monitoring well(s) then the location of the additional well would be determined. Nothing in the new monitoring well nor an existing monitoring well indicate the need for more wells. Please delete this submission requirement. | | |
| 221. | 73-74, 76 | Table 4-2 | SMWU 10-2-C SWMU 10-2-D SMWU ST-295 SMWU 10-21-D SWMU ST-297 SWMU 10-21-E SWMU 10-21-F SWMU 10-21-G SWMU 10-21-H SWMU 10-21-I SWMU 10-21-J SWMU ST-287 | KIRTLAND AFB | The required Investigation Report, due 12/31/09, was submitted as a Request for NFA, 5-Feb-07, AR Doc #3122. Please delete these submission requirements | | |

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| | | | SWMU ST-290 SWMU ST-292 SWMU ST-342 SWMU ST-346 | | | | |
| 222. | 75 | Table 4-2 | SWMU ST-307 SWMU ST-315 SWMU ST-308 SWMU ST-317 SWMU ST-320 SWMU ST-323 SWMU ST-324 | KIRTLAND AFB | The required Investigation Report, due 12/31/09, was submitted as a Request for NFA, 5-Feb-07, AR Doc #3122. Please delete these submission requirements. | | |
| 223. | 75 | Table 4-2 | SWMU ST-340 | KIRTLAND AFB | KAFB has sent a letter to NMED requesting NFA for this site. | | |
| 224. | 76 | Table 4-2 | SWMU ST-70-I SWMU ST-73 SWMU ST-106 SWMU DP-088 SWMU WP-026 | KIRTLAND AFB | These projects are regulated by the Groundwater Quality Bureau and are not subject to the KAFB RCRA permit. Please delete these submission requirements. | | |
| 225. | 76 | Table 4-2 | SWMU ST-70-E | KIRTLAND AFB | The due date is in conflict with previous direction from NMED. An Interim Corrective Measure workplan is being developed in compliance with a November 7, 2006 NMED approval of a response to a Notice of Deficiency. The approval does not have a compliance date. | | |
| 226. | 76 | Table 4-2 | SWMU ST-70 AD-D and F-1 | KIRTLAND AFB | A VCM report was submitted on 1 Sep 2006 that addressed investigation of ST 70 A-I with the exception of ST-70 E. The due date is in conflict with previous direction from NMED. An Interim Corrective Measure workplan is being developed in compliance with a November 7, 2006 NMED approval of a response to a Notice of Deficiency. The approval does not have a compliance date. | | |
| 227. | 76 | Table 4-2 | SWMU WP-26 | KIRTLAND AFB | Unclear as to what the workplan should address. A Combined RFI report, addressing both the Sewage Lagoons and the Golf Course Main Pond will be submitted by 1 Aug 07, as approved by NMED. The report will require review by NMED prior to determination of whether or not an Investigation Workplan is required for further | | |

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| | | | | | investigation. Due date for the report cannot be established until NMED completes the review of the Combined RFI report to determine if an Investigation Workplan and Report are required. | | |
| 228. | 77 | Table 4-2 | SWMU 8-35 SWMU ST-64 SWMU ST-108 | KIRTLAND AFB | These submissions have been completed and NMED has deemed them appropriate for NFA, which is currently pending. | | |
| 229. | 77 | Table 4-2 | SWMU TAG | KIRTLAND AFB | CME should be corrected to CMS, based on Section 5.1.3.1 of draft permit. No basis for CMS due date; NMED has not responded to the TAG Investigation Report submitted in November 2005, which will be the basis for the CMS. | | |
| 230. | 77 | Table 4-2 | SWMU SS-78-B SWMU SS-78-C SWMU SS-78-D SWMU ST-64 | KIRTLAND AFB | In a April 11, 2007 ltr from NMED/HWB, Mr. John Kieling issued the public for an intent to Approve the sites for an NFA. Please delete the submission requirement. | | |
| 231. | 77 | Table 4-2 | SWMU 6-32 | KIRTLAND AFB | For SWMU 6-32 FT-014 Manzano Fire Training Area , required Investigation Report due 12/31/10, NMED Approved of KAFB's VCM Imp Report, FT-014, Sep-05, AR Doc #3153; NMED NFA'd the site on 26-Oct-06, AR Doc #3093. Please delete the submission requirement. | | |
| 232. | 77 | Table 4-2 | SWMU 10-2-E | KIRTLAND AFB | For SWMU 10-2-E, SS-063 Jet Engine Test Cell, required Investigation Report due 12/31/10, KAFB submitted a RFI, Nov-05, AR Doc #2898 and NMED Approved the RFI and found the site Suitable for NFA, 27-Jul-06, AR Doc # 3010; NMED NFA'd the site on 26-Oct-06, AR Doc #3093. Please delete this submission requirement | | |
| 233. | 77 | Table 4-2 | SWMU ST-348 | KIRTLAND AFB | For SWMU ST-348 Building 610 Septic Tank, required Investigation Report due 12/31/10, on 1-Nov-05, NMED's Resp to the KAFB 20-May-05 Resp, 23-Feb-05 RSI 23-Nov-04 Resp to RSI Release Assessment Report (SAR), NMED approved No Further Action petitions for ST-347, ST-348, ST-349, ST-350, ST-351, ST-352, ST-353, ST-354, ST-355, ST-356, AR Doc #2785; NMED NFA'd the site on 26-Oct-06, AR Doc | | |

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| | | | | | #3093. Please delete this submission requirement. | | |
| 234. | 77 | Table 4-2 | SWMU ST-349 | KIRTLAND AFB | For SWMU ST-349 Building 626 Septic Tank, required Investigation Report due 12/31/10, on 1-Nov-05, NMED's Resp to the KAFB 20-May-05 Resp, 23-Feb-05 RSI 23-Nov-04 Resp to RSI Release Assessment Report (SAR), NMED approved No Further Action petitions for ST-347, ST-348, ST-349, ST-350, ST-351, ST-352, ST-353, ST-354, ST-355, ST-356, AR Doc #2785; NMED NFA'd the site on 26-Oct-06, AR Doc #3093. Please delete this submission requirement. | | |
| 235. | 77 | Table 4-2 | SWMU SS-077 | KIRTLAND AFB | For SWMU SS-077 Abandoned Railroad Spur, required Investigation Report due 12/31/10, on KAFB NFA Proposal, Jan-01, AR Doc #191; NMED Approved the NFA Proposal, 25-Jul-06, AR Doc # 3004; NMED NFA'd the site on 26-Oct-06, AR Doc #3093. Please delete this submission requirement. | | |
| 236. | 77 | Table 4-2 | SWMU ST-107 | KIRTLAND AFB | For SWMU ST-107 Hospital Demolition Debris, required Investigation Report due 12/31/10, on 21-Oct-05, NMED found the site suitable for NFA in Response to 15-Feb-05 Resp to 17-Dec-04 RSI, 7-Oct-04 Resp to 13-Jul-04 ST-64 VCM Apr-03 AR Doc #2781; NMED NFA'd the site on 26-Oct-06, AR Doc #3093. Please delete this submission requirement. | | |
| 237. | 77 | Table 4-2 | SWMU ST-108 | KIRTLAND AFB | For SWMU ST-108 Abandoned JP-4 Fuel Line (ST-108) required Investigation Report due 12/31/10, on 1-Nov-05, NMED Resp to KAFB 8-Sep-05 to 11-May-05 RSI: Supp RFI Report, ST-108, Jan-05, AR Doc #2786; NMED NFA'd the site on 26-Oct-06, AR Doc #3093. Please delete this submission requirement. | | |
| 238. | 77 | Table 4-2 | SWMU ST-356 | KIRTLAND AFB | For SWMU ST-356 Skeet Range Septic Tank (Domestic Sewage), required Investigation Report due 12/31/10, on 1-Nov-05, NMED's Resp to the KAFB 20-May-05 Resp, 23-Feb-05 RSI 23-Nov-04 Resp to RSI Release Assessment Report | | |

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| | | | | | (SAR), NMED approved No Further Action petitions for ST-347, ST-348, ST-349, ST-350, ST-351, ST-352, ST-353, ST-354, ST-355, ST-356, AR Doc #2785; NMED NFA'd the site on 26-Oct-06, AR Doc #3093. Please delete this submission requirement. | | |
| 239. | 78 | Table 4-3 | Comments | KIRTLAND AFB | Why is there a reference to the 2004 AUA? Is Table 4-3 an old table? | | |
| 240. | 78 | Table 4-3 | Table Heading | KIRTLAND AFB | Please change to read: "... is Complete Without Controls (i.e. NFA)" | | |
| 241. | 78 | Table 4-3 | SWMU 6-8 SWMU 6-14 SWMU 6-22 SWMU 6-29 SWMU 6-31 | KIRTLAND AFB | These sites has been deemed appropriate for NFA, which is still pending. The VCM Completion report that addresses remedy completion was submitted in May 2006. NMED has determined, that based on the report, they are appropriate for NFA. | | |
| 242. | 79 | Table 4-3 | SWMU 10-1-F | KIRTLAND AFB | SWMU 10-1-F ST-283 Sanitary Sewer System F is missing. Please add this site to the table. | | |
| 243. | 79, 90 | Table 4-3, 5.2.4 | SWMU 10-1-G | KIRTLAND AFB | SWMU 10-1-G ST-284 Sanitary Sewer System is mislabeled as 10-1-F. Please correct. | | |
| 244. | 79 | Table 4-3 | SWIMU 10-1-H | KIRTLAND AFB | SWMU 10-1-H ST-327 Manzano Sanitary Sewer System is mislabeled as 10-1-G. Please correct. | | |
| 245. | 81 | Table 4-3 | LF-268 | KIRTLAND AFB | Inclusion in table is incorrect. The site is an active C&D Landfill and corrective action has not been implemented. | | |
| 246. | 82 | Table 4-3 | SWMU ST-072 | KIRTLAND AFB | SWMU ST-072, the site named is listed incorrectly as 30146. Please correct it to MWSA Security Garage Oil/Water Separator Bldg. 30146). | | |
| 247. | 84 | 5.0 | | KIRTLAND AFB | For any remaining landfills that would require a CMS, the 180 day timeframe for submittal of the CMS may not be met; a fund request must be submitted that could require up to a year to be funded. | | |
| 248. | 84 | 5.1.1 | | KIRTLAND AFB | Section 5.1.1 references Section 4.2.2.2. There is no Section 4.2.2.2. Section also states that Permittee has 180 days after the effective date to submit a CMS workplan for each landfill. Does | | |

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| | | | | | this mean current closed landfills or future landfills? CMS workplans have already been submitted and corrective actions have been taken at current landfills. Please delete last sentence. | | |
| 249. | 84 | 5.1.2 | | KIRTLAND AFB | Please delete this Section. Military munitions on KAFB's ranges that are used for their intended purposes fall under the Military Munitions Rule, as adopted by New Mexico, and are not 'discarded.' Therefore, they are not solid waste as defined in § 74-4-3(M) NMSA 1978; 40 CFR §§ 261.2 and 266.202. The MMRP is a CERCLA program and does not fall under the regulatory authority of the NMED/HWB. The MMRP Comprehensive Site Evaluation Phase I document (which contains substantial portions of Section 5.1.2) is complete and has been offered to HWB for their review. To date, there has been little interest in the document by HWB. HWB indicates it will not officially review it since they have no fee mechanism in place for the MMRP. | | |
| 250. | 85 | 5.1.3 | | KIRTLAND AFB | What technical criteria was used in establishing that the listed sites have the potential to contaminate ground water? Groundwater investigations for the Manzano Storage Complex have not led to the determination that an impact has occurred at that site. Thus it is necessary to understand how the NMED is defining "potential to contaminate groundwater." It is also important to have this information to property design RFI's where appropriate. | | |
| 251. | 85-86 | 5.1.3, % 1.3.3, 5.1.3.4 | 3 | KIRTLAND AFB | Manzano landfill LF-020 (SWMU 6-29) was approved for NFA status by NMED on 21 September 2005. Submittal has been completed. A VCM workplan to investigate TCE in the Manzano Base area was submitted to NMED in April 2006. NMED has not responded to the proposed workplan. The plan has been | | |

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| | | | | | implemented and the report is scheduled for June 2007, as outlined in the workplan. The VCM Completion report that addresses remedy completion was submitted in May 2006. NMED has determined that OT-046 is appropriate for NFA based on the report. Additionally, the concentrations of TCE have remained below the MCL since September 1999. Please delete this item. | | |
| 252. | 85 | 5.1.3 | 5 | KIRTLAND AFB | Delete | | |
| 253. | 85 | 5.1.3 | 6 | KIRTLAND AFB | Delete. This well is not KAFB's responsibility. | | |
| 254. | 86 | 5.1.3.1 | 2 nd Paragraph | KIRTLAND AFB | What specific actions does ". . . Permittee shall cooperate with Sandia National laboratories and the Department. . ." require KAFB to perform? This a overly broad. Also, there is no basis for requiring KAFB to submit this CMS Report. NMED has not responded to the TAG investigation report submitted in November 2006, which will be the basis for a CMS. | | |
| 255. | 86 | 5.1.3.2 | | KIRTLAND AFB | This Section is not necessary. Selenium is being monitored as part of the KAFB Long-Term Groundwater Plan (LTM). Concentrations of selenium in both the perched and regional aquifers have been below the UTL determined for SWMU 6-4 in the LTM and the MCL from September 2002 to the most recent monitoring event, September 2006. Characterization of TCE is also not necessary. TCE is being monitored as part of the LTM and has been detected in the perched aquifer since monitoring was initiated in 1996. All of the detections have been below the MCL; the greatest detections of TCE have occurred in the up-gradient well (TJA-2) indicating an up-gradient source (evaluation of the detections of TCE at SWMU 6-4 has been reported in the KAFB LTM). TCE was detected one time (2004) in the regional aquifer; the detection was considered the results of mixing of the perched and regional aquifer that | | |

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| | | | | | merge in this area. The TAG Investigation report submitted to NMED in November 2005 addressed the detections of TCE at SWMU 6-4. Due date inaccurate. KAFB/SNL TAG Investigation Report submitted to NMED in November 2005. | | |
| 256. | 86-87 | 5.1.3.5 | | KIRTLAND AFB | <p>Delete this Section. KAFB is already complying with a path forward on this site per communication with HWB (Bill McDonald). Several monitoring wells have been installed and sampled for Appendix IX constituents in and around WP-16 (SWMU 6-24). To date there are no indications of groundwater contamination in the area of WP-16 (SWMU 6-24). Therefore, the requirement to conduct another RFI (several have been conducted already) and install more monitoring wells is arbitrary and has no scientific basis for spending more taxpayer money on the site. Funding will not be provided by Air Staff for a project that has no scientific merit. Geologists and Scientists from several prominent local engineering companies have reviewed all WP-16 (SWMU 6-24) data and have come to the conclusion that the site is not a contributor to groundwater contamination and therefore does not warrant further investigation. HWB appears to ignore any recommendations.</p> <p>The soil at WP-16 (SWMU 6-24) has been sampled to a depth of 18-feet with little or no contamination present.</p> | | |
| 257. | 87 | 5.1.3.6 | | KIRTLAND AFB | Please delete this Section. Monitoring well WYO-4 is a Sandia National Laboratories (SNL) well and should be included SNL's permit. | | |
| 258. | 87-88 | 5.1.3.7 | | KIRTLAND AFB | Delete this section. Since the Department has indicated that the nitrate plume originates from up-gradient wells off of KAFB and has deemed SWMU OT-28 suitable for NFA., KAFB should not have to address this issue in its nitrate abatement plan. Also, this site is not a SWMU and does not fall under NMED regulatory authority. This | | |

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| | | | | | incident has no connection to the Nitrate groundwater plume. | | |
| 259. | 88 | 5.1.4 | | KIRTLAND AFB | <p>Amend to read 24 µg/L (ppb), as per EPA's 26 Jan 2006 "Assessment Guidance for Perchlorate" memorandum. That memo established 24.5 µg/L (ppb) as the preliminary recommended remediation goal for perchlorate,</p> <p>Under current DoD policy, DoD samples for perchlorate as required by the National Contingency Plan (NCP). Where sampling indicates perchlorate concentrations in water exceed the level of concern (24 µg/L) DoD components are directed to conduct site-specific risk assessments in accordance with CERCLA, the Defense Environmental Restoration Program (DERP), and/or the NCP to evaluate the extent of actual or potential exposures. If a site specific risk assessment indicates perchlorate concentrations could potentially result in adverse health effects, DoD components will prioritize the site for appropriate risk management.</p> <p>While New Mexico has listed perchlorate as a toxic pollutant (§ 20.6.2.7(WW) NMAC), it has failed to promulgate an applicable concentration standard for contamination (§ 20.6.2.3103 NMAC). Therefore, KAFB believes the DoD policy and EPA's concentration standard of 24 µg/L to be more than adequate.</p> <p>Additionally, before using 4 µg/L as the State perchlorate concentration standard for permits, NMED must follow the rulemaking procedures set forth in the New Mexico Administrative Procedures Act, (§§ 12-8-1 to 12-8-25 NMSA, 1978).</p> <p>Change this requirement to read that newly installed monitoring wells will be sampled for</p> | | |

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| | | | | | perchlorate for one event. In addition, delete wells KAFB-1001, 1002,1003,1004,1005, and KAFB-1901, 1903. Perchlorate sampling has been conducted 2 different time periods in LTM wells (most recently in 2006) with minimal or no exceedances of 4 ug/L. Wells listed are no longer able to be sampled. | | |
| 260. | 88 | 5.2.1 | 1, 2, 3, and 5 | KIRTLAND AFB | Delete items 1, 2, 3 and 5. The CMI report has already been completed for LF-001, LF-002, and LF-008 and the CMI completion report for SWMU 6-4 was submitted to NMED in January 2006. Samples can no longer be collected from groundwater monitor wells KAFBs-1001-1005 (McCormick Ranch/Range) due to declining groundwater levels and from KAFB-1903 (Lake Christian) as the well has been removed. | | |
| 261. | 89 | 5.2.1 | 4 | KIRTLAND AFB | Delete this item. Groundwater monitoring data collected during implementation of the CMI was submitted as part of the Groundwater Monitoring System (NMED-GWQB) and Long-Term Groundwater Plans (NMED-HWB). | | |
| 262. | 89 | 5.2.1 | | KIRTLAND AFB | The LF-002 sanitary sewer line is owned by the City of Albuquerque. Therefore, any demand to remove the sanitary sewer line shall be directed to the City of Albuquerque. Also, studies have been completed by engineering companies that support leaving the LF-002 sanitary sewer line in place with appropriate leak detection devices in place. NMED/HWB does not have the engineering expertise on staff to determine whether the sanitary sewer line needs to be removed. It is constructed of vitrified clay pipe which is stronger and not susceptible to crowning corrosion like concrete pipe. Delete this provision. | | |
| 263. | 89 | 5.2.2 | | KIRTLAND AFB | Delete this Section. Since construction at the 3 landfills is complete and in the M&M Phase, progress reports are not longer needed. | | |
| 264. | 89-90 | 5.2.3 | | KIRTLAND AFB | Delete this Section. The LTM&M Plan was submitted to the NMED on November 3, 2006. | | |
| 265. | | Paragraph | | Albuquerque Bernalillo | The Water Utility Authority commits to regularly | | |

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| | | 5.2.4 (Sanitary Sewer Line) | | County Water Utility Authority | inspect the sewer line and make repairs to identified defects that may cause leakage. | | |
| 266. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority | The sewer line does not contact the landfill. This is because the landfill was removed during construction within the sewer pipe trench and the trench was replaced with clean fill. | | |
| 267. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority | The sewer system and the system performance are regulated under the Clean Water Act through EPA Region 6. | | |
| 268. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority | We appreciated the opportunity on July 12, 2007 to hear the NMED presentation to the Water Quality Protection Advisory Board. It was helpful to finally hear a discussion of the reasons for NMED's position. We continue to welcome and request further discussion with NMED. A compliance schedule may be a part of these further discussions. | | |
| 269. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority | We request the opportunity to review and make copies of the various documents acquired by NMED that support the requirement to move the sewer. We specifically request any engineering studies acquired by NMED. | | |
| 270. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority | We will be pleased to assist in the relocation of the sewer if the NMED funds this work. | | |
| 271. | 90 | 5.2.4 | | Bruce Thompson (Chair, Albuquerque Bernalillo County Water Utility Quality Protection Advisory Board (WQPAB)) | That the comment period for this section be extended to the end of August, 2007. | | |
| 272. | 90 | 5.2.4 | | Bruce Thompson (Chair, Albuquerque Bernalillo County WQPAB) | That NMED respond to the Utility's concerns and present this information to our Board. | | |
| 273. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority (Douglas S. Dailey, P.E., Wastewater Utilities Division) | The existing Interceptor is in excellent condition. a) Based on closed circuit television (CCTV) inspections, there are no indications of current problems with the pipe line, leakage or otherwise. The | | |

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| | | | | | <p>Interceptor has been independently inspected twice in the last four years and no defects have been found. Both inspections were performed by an independent consultant contracted to KAFB.</p> <p>b) We recognize the concern caused by failures in downstream portions of the Tijeras Interceptor. These failures were in the concrete portion of our sewer system and were caused by biologically occurring sulfuric acid that reacts with and destroys concrete pipe.</p> <p>c) The Tijeras Interceptor Phase II was constructed with Vitrified Clay Pipe (VCP), a different pipe material that is impervious to sulfuric acid corrosion.</p> <p>d) We recognize the impact sulfuric acid corrosion has on our system and are working diligently to rehabilitate the concrete pipe portion of our system, preferably before collapse.</p> | | |
| 274. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority (Douglas S. Dailey, P.E., Wastewater Utilities Division) | The sewer was carefully studied by an independent consultant contracted by KAFB. The recommendation was to "leave the existing 21-inch VCP in place and continuing to monitor for future signs of distress." | | |
| 275. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority (Douglas S. Dailey, P.E., Wastewater Utilities Division) | <p>This Interceptor is anticipated to have an extremely long useful life. Useful life is based on the performance of the asset and the condition of the asset, and is not based on an arbitrary number of years the asset has been in service.</p> <p>a. This concept of "useful life" is promoted by the USEPA in their training entitled, "Advancing Asset Management in Your Utility: A "Hands-On Workshop." This</p> | | |

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| | | | | | <p>training is presented across the country and has been presented for many years. Recently, the ABCWUA was the sponsor for this two-day workshop in Albuquerque.</p> <p>b. In this Workshop, the USEPA contends that an asset's life is not dictated by a specific "design life" in terms of years.</p> <ul style="list-style-type: none"> i. As an alternative, the asset has reached the end of its useful life when it has failed via one of four mechanisms, as follows: ii. Capacity – The asset no longer has the physical size; the asset is not capable of meeting the capacity demands (may occur due to growth) iii. Level of Service – The asset is not able to provide the requirements the system places on it (may occur if the noise, odor, or other conditions are not acceptable) iv. Mortality – The consumption of the asset reduces the performance below an acceptable minimum level (may occur due to physical degradation) v. Efficiency – The performance of the asset may be fine, but the cost of operation exceeds that of other alternatives (may | | |

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| | | | | | <p>occur if the cost of repair exceeds the cost of a new asset)</p> <ul style="list-style-type: none"> c. As long as the asset has not deteriorated due to one of the conditions above, the asset is considered to be within its useful life and should remain in service. d. To determine if the asset has met any of the failure mechanisms above, the asset is periodically reviewed in terms of performance and periodic condition inspection. The condition can be plotted on an anticipated "asset decay curve" to estimate how much useful life the asset has. Where the asset is on the decay curve is not based on the age of the asset, but rather the condition of the asset. e. Theoretically, if a Facility shows no significant deterioration approaching failure and none of the other three failure mechanisms have occurred or approaching occurrence, the Facility will remain in service infinitely. | | |
| 276. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority (Douglas S. Dailey, P.E., Wastewater Utilities Division) | <p>The Interceptor pipe material and construction methods are the best available.</p> <ul style="list-style-type: none"> a. The landfill was recognized at the time of design and the design accounted for the landfill. <ul style="list-style-type: none"> i. The trench removed and disposed of the landfill under the pipe and to each side. This removal was made below the bottom of the landfill. See the attached excerpt | | |

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| | | | | | <p>from the record drawing.</p> <ul style="list-style-type: none"> ii. High quality bedding was provided that will provide a high degree of support to the installed pipe. As verified through video inspections, settling of the pipe is not noted, confirming the high quality of construction. <ul style="list-style-type: none"> b. The pipe material is Vitrified Clay Pipe (VCP), which is an extremely high quality material and is the best available for this application. <ul style="list-style-type: none"> i. Please see the attached letter from the National Clay Pipe Institute. ii. We will let this letter speak for itself, but note that in it Mr. Michael Van Dine, PE, President of the National Clay Pipe Institute notes that VCP has performed for thousands of years and that VCP defects are expected within the first two years after construction. | | |
| 277. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority (Douglas S. Dailey, P.E., Wastewater Utilities Division) | <p>No credible failure mechanisms related to Mortality exist for the Interceptor.</p> <ul style="list-style-type: none"> a. The characteristics of VCP are such that the following failure mechanisms are anticipated: <ul style="list-style-type: none"> i. Damage during construction. ii. Settling caused by poor bedding. iii. Damage by contractors installing other utilities. b. None of these failure mechanisms | | |

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| | | | | | apply to this installation. | | |
| 278. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority (Douglas S. Dailey, P.E., Wastewater Utilities Division) | <p>Sewer inspection technology has rapidly improved and the pipe condition can be ascertained with even more accuracy than was previously possible.</p> <ul style="list-style-type: none"> a. A combination inspection consisting of closed circuit television (CCTV), laser and sonar is now available. Through this process interior pipe conditions below and above the water surface can be evaluated. b. Please note the NCPI opinion that VCP cracks will propagate above the water surface and therefore be detectable. The lack of observable cracks is therefore proof that cracking has not occurred. | | |
| 279. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority (Douglas S. Dailey, P.E., Wastewater Utilities Division) | <p>Interceptor leakage would be of low impact and would be detectable at the next inspection.</p> <ul style="list-style-type: none"> a. The only credible cracking of the Interceptor would be small and would allow negligible leakage. The installed bedding is gravel that will allow significant leakage to flow down by gravity to the minimum 10-feet wide by six-inch deep bedding area below the landfill. This will allow percolation of substantial Interceptor leakage prior to overflow into the landfill. b. This cracking would be detected at the next inspection cycle. | | |
| 280. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority (Douglas S. Dailey, P.E., Wastewater | Trenchless no-by-pass repairs are commercially available in the event that a crack and leak occurred, both anticipated to be very small. An example is the Max Patch point repair system in | | |

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| | | | | Utilities Division) | which a carrier within the interceptor would allow repair while the flow continued. Alternate approaches such as epoxy packing, again with carrier allowing flow through, would be considered at the time repair is required. | | |
| 281. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority (Douglas S. Dailey, P.E., Wastewater Utilities Division) | <p>While the existing sewer is not an imminent threat to the environment, the realigned sewer will have environmental concerns during the process of constructing the realigned sewer. Construction phase concerns include:</p> <ul style="list-style-type: none"> a. Removal of the pipe may disturb some of the existing landfill. b. We may run into currently unknown landfill, requiring a progressive realignment of the sewer during the construction phase, degrading the constructed product and escalating the costs. c. Sewage spills may occur during the construction. d. By-pass pumping will be required to connect the realigned sewer on each end. By-pass pumping operations are by their nature difficult and can experience significant spills. <ul style="list-style-type: none"> i. The by-pass piping will be approximately 3000' long, if this can be laid over the landfill. ii. If the by-pass piping cannot be laid over the landfill: <ul style="list-style-type: none"> 1. Constructability issues may require the by-pass piping to be | | |

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| | | | | | <p>run south of the landfill, needing an additional 3000' and laying across the active portion of the Tijeras Arroyo.</p> <p>2. If the force main can be run to the north, any spill will cross the landfill.</p> | | |
| 282. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Albuquerque Bernalillo County Water Utility Authority (Douglas S. Dailey, P.E., Wastewater Utilities Division) | <p>Our rate payers expect their funds to be spent in the most effective manner possible. We strive in our work to maximize protection of the environment. Examples of efforts that may face reduced funding to realign this sewer include:</p> <ul style="list-style-type: none"> a. The environment will be better served by spending funds to extend service to areas that currently do not have sewer service. b. We are recognizing the need for increased funding to rehabilitate deteriorating concrete sewers in advance of potential collapses. This will help us prevent repeats of the collapsed sewer downstream of Landfill LF-002. | | |
| 283. | | Paragraph 5.2.4 (Sanitary Sewer Line) | | Bruce M. Thompson (Chair of the Albuquerque Bernalillo County Water Protection Advisory Board) | Although I am Chair of the Albuquerque Bernalillo County Water Quality Protection Advisory Board, this letter is being sent to express my personal views regarding requirement 5.2.4 of the Draft RCRA Permit to Kirtland Air Force Base. This section of the draft permit requires that the Tijeras Interceptor, the sanitary sewer line through LF-002, be removed. | | |

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| | | | | | <p>I generally agree with the NMED's position that over a time period measured in decades or longer this line may pose a threat to underlying ground water resources. However, I do not believe that the risk of leaving the line in place for the next five to 10 years is sufficient to justify a requirement that it be removed immediately. Further, I think the Utility and KAFB should be allowed to explore options in which the line is abandoned instead of removed as abandonment may be a much more cost effective alternative to removal and yet done properly, can provide the same level of environmental protection.</p> <p>Therefore, while I support the requirement to remove or safely abandon the line, because of the method of construction, the materials used, and the current condition of the line as reported to the Board, I encourage the NMED to modify section 5.2.4 of the Draft Permit to allow the Department to work with the Utility and KAFB to develop a generous implementation schedule that allows exploration of alternative alignments and strategies for the sewer line, and allows these entities to program funding for the project into future budgets.</p> <p>I do not have a specific recommendation as to when the line should be removed or abandoned, but suggest that this might be a product of the risk analysis recommended by the Water Quality Protection Advisory Board. Regardless of this analysis, I do believe it is reasonable to expect that the line be removed or abandoned before the RCRA permit expires or within 10 years, whichever comes first.</p> | | |
| 284. | | | | National Clay Pipe Institute (NCPI) (Regarding the Tijeras Sewer Interceptor at KAFB) | <u>Video Analysis:</u> Detailed review of the video provided for manhole runs 11 through 17 gave me only one indication that is of concern. In the video of the run from manhole 12 to manhole 11 there | | |

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| | | | | | was an interesting white deposit at the crown of the pipe at 177.3 ft. as indicated in the display. This is really a very minor spot and not of any real consequence to the performance of the system especially since it is not within the boundary of the landfill. The line is in excellent condition. | | |
| 285. | | | | NCPI (Regarding the Tijeras Sewer Interceptor at KAFB) | <u>CH2MHill Report:</u> I was impressed by the thorough report provided by CH2MHill. Many potential concerns were raised and addressed. I found their calculations to be conservative but accurate. I would like to expand just a little on the nature and characteristics of Vitrified Clay Pipe to alleviate any concerns related to this line and its continued performance. | | |
| 286. | | | | NCPI (Regarding the Tijeras Sewer Interceptor at KAFB) | <p><u>Longevity and Durability:</u> The concern of the installed clay pipe being near the end of its design life is not accurate. Vitrified Clay Pipe is one of the only materials that have been used for over 4000 years in civil engineering. It has been installed in the United States for over 150 years. Systems over 100 years old are in service in municipalities across the country. The Army Corps of Engineers stated it this way;</p> <p>"Clay Pipe is perhaps the most inert of the common pipe materials in terms of corrosion, and it is very resistant to abrasion. A 100-year service may be <u>assumed</u> for most clay pipe installations."</p> <p>From the "Life Cycle Cost for Drainage Structures", US Army Corps of Engineers.</p> <p>Vitrified Clay Pipe was given the longest life cycle of all the materials discussed in this report. The Canadian National Research Council's Institute for Research in Construction (IRC), recently stated that the service life for Vitrified Clay Pipe was 130 years. Clay Pipe was also the highest rated material in this study.</p> | | |
| 287. | | | | NCPI (Regarding the | <u>Joint Performance and Integrity:</u> Clay Pipe | | |

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| | | | | Tijeras Sewer Interceptor at KAFB) | joints have designed not to leak. ASTM standard C 425 requires that the joint not leak in factory testing. This joint design and performance criteria have been used since 1965. Since this system was installed in 1977, the current ASTM C 425 Standard would have applied to this line. Based on the videos that I have reviewed, there appears to be no leaking at the joints and no bedding migration into the pipe. I will send a copy of a recent report by the University of Houston that discusses the performance of modern clay pipe joints. This report is based on the same joints used on this system and found that this type of joint does not leak. | | |
| 288. | | | | NCPI (Regarding the Tijeras Sewer Interceptor at KAFB) | <p>Structural Failure Modes: Clay pipe is a rigid conduit. As such, cracking is the primary failure mode. Clay pipe will fail in tension not typically compression. As a result, cracks will occur in the crown first then the invert and finally at the springline of the pipe. It would be extremely unlikely that the invert of a pipe would break below the waterline without also seeing visible distress at the crown. In all of the testing and analysis that NCPI has done over the years, the crown is the first area of the pipe to show a crack. In my seven years with the industry and after reviewing all the research on failure modes done in the last 20 years a crack in the invert would be preceded by a crack in the crown. The videos showed no evidence of any breakage in the crown and as a result, experience dictates there are no cracks in the invert.</p> <p>Clay Pipe has and will continue to perform for well beyond 100 years. The line I saw was already thirty years old and in excellent condition. Any defects that were the result of construction or foundation/bedding issues typically become evident during the first two years as the soils completely consolidate. We are well past that</p> | | |

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| | | | | | threshold with this system. There is no reason to expect that the work done above this line will compromise the integrity of the system. | | |
| 289. | 91 | 6.0 | 1 st Paragraph | KIRTLAND AFB | The specific methods and requirements listed in the various Permit sections should be the basis on which permit compliance is evaluated. The current language is very broad and open to interpretation. Recommend changing the language to read: "The investigation, remediation and monitoring activity methods contained in this Permit shall fulfill the requirements of this Permit; provide the accurate and representative data for evaluation of site conditions, the nature, concentration, rate of migration and extent of contamination and contaminant migration; and for remedy selection and implementation, where necessary." | | |
| 290. | 92 | 6.2 | 10 | KIRTLAND AFB | Recommend changing to read: " Field monitoring data." | | |
| 291. | 92 | 6.2.1 | | KIRTLAND AFB | Delete items 4 and 5. KAFB basewide plans and implementation of best practices do not include the use of nitric acid or methanol for decon due to the generation of hazardous waste. What will constitute "approval" of other decon methods by the Department and acceptance of a site work plan that specifies those procedures? What documentation and tracking process will be used? | | |
| 292. | 93 | 6.2.3.1 | 1 | KIRTLAND AFB | New disposable gloves shall be used to collect each sample only if sample comes in contact with gloves. No reason to change gloves if there is no contact. Recommend changing language to read: " New disposable gloves shall be used to collect samples. If any glove is contaminated by touching the sampled material, the glove will be replaced before taking another sample." | | |
| 293. | 93-94 | 6.2.3.1 6.2.3.2 | | KIRTLAND AFB | Recommend combining both sections and changing the language to read: "The handling and shipment of all samples taken, as per the requirements of this Permit, shall comply with current industry standards and shall insure the | | |

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| | | | | | chain of custody remains intact during the analysis process." | | |
| 294. | 94 | 6.2.5 | | KIRTLAND AFB | 5 th line – change to read: “. . . federal, state . . .” | | |
| 295. | 95 | 6.2.6 | 1 st Paragraph | KIRTLAND AFB | <p>Recommend changing the language to read: “The horizontal . . . location shall be determined in accordance with the State Plane Coordinate System . . . The Permittee shall prepare site maps certified as per 61-23 NMAC (1978), presenting the surveyed locations and elevations of each monitoring well required by this Permit, including relevant site features and structures, for submission with each well’s initial report to the Department. All subsequent reports for each well shall not require certification as per 61-23 NMAC (1978).”</p> <p>As per 61-23, Engineering and Surveying, NMAC (1978), a professional engineer can provide and certify the requested information, if the professional engineer is designing the project.</p> | | |
| 296. | 95 | 6.2.6 | | KIRTLAND AFB | It appears that the reference to Sections 500.1 through 500.12 is out of date (i.e. pre-NMAC). Please revise the reference to include the most current NMAC. | | |
| 297. | 96 | 6.2.7 | | KIRTLAND AFB | Since HAS or DPT drilling methods are only viable in the upper 100-150” of borings, recommend limiting this requirement to borings ≤ 150’. Also, what will constitute Department approval process for approval of drilling fluids project work plans? | | |
| 298. | 96 | 6.2.7 | | KIRTLAND AFB | Please add Air Rotary Casing Hammer (ARCH) to the list of approved methods. | | |
| 299. | 96 | 6.2.7 | 2 nd Paragraph | KIRTLAND AFB | Referenced Section 5.4.6 does not exist. Also, please reference NM citation for proper well abandonment, as well as the technical rationale for doing so. | | |
| 300. | 96 | 6.2.7 | 3 rd Paragraph | KIRTLAND AFB | Item 1- the requirement should have a depth threshold, unless the requirement is intended to require 25 feet of additional drilling below all soil contamination, even at shallow depths, ie | | |

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| | | | | | contamination terminating at a depth of five feet below grade surface. | | |
| 301. | 97 | 6.2.9 | | KIRTLAND AFB | Suggest specifying a numerical depth. Also, Since the EPA specifies discrete samples to be collected for VOC's, not SVOC's, delete "... and semivolatle organic compounds (SVOCs)" from the 2 nd sentence in the 4 th paragraph. | | |
| 302. | 98 | 6.2.9.1 | | KIRTLAND AFB | Please define a depth range for "shallow" | | |
| 303. | 98 | 6.2.9.2 | | KIRTLAND AFB | Please change to read: "Samples shall be screened in the field for the presence of contaminants, if required by the project specific work plan." Also, please provide a basis for using metals screening, in that it has a potential to lead to false results based on naturally occurring metals. | | |
| 304. | 99, 104 | 6.2.9.3 6.3.1.4 | Field QC GW Samples | Excel/Peak TCI Comments | 2nd paragraph. Why is there a requirement for equipment blanks if disposable sampling equipment is used? This should only be if nondisposable (i.e., reusable) equipment is used. The frequency is stated as 10% here; however, on page 104, it is 5%. Typically the frequency is 1 in 20, or 5%. Revise for accuracy and consistency. 1st paragraph, 5th line. Should Section 6.2.3 read 6.1.3.3? | | |
| 305. | 100 | 6.2.9.4 | | KIRTLAND AFB | Completion of logs should not be limited to geologists, other physical scientists/engineers can be qualified to log soil rock and sediment samples. | | |
| 306. | 100 | 6.2.9.10 | | KIRTLAND AFB | Suggest revising this entire section. Soil vapor is a fluid and should be purged and sampled in a manner similar to groundwater. The direction provided for purging and capturing a vapor sample in this section is not clear and does not seem to be the best technical approach. | | |
| 307. | 101 | 6.3.1 | 1 | KIRTLAND AFB | delete "historical" | | |
| 308. | 101 | 6.3.1 | 4 | KIRTLAND AFB | please clarify what the Department will consider appropriate means for determining groundwater flow velocities. | | |

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| 309. | 101 | 6.3.1 | 5 to 10 | KIRTLAND AFB | Delete items 5 through 12 – these requirements exceed the realm of RCRA investigations. | | |
| 310. | 102 | 6.3.1 | | KIRTLAND AFB | The requirement that all "existing wells and piezometers" be surveyed in accordance with section 6.2.6 is a retroactive requirement, which was previously submitted to the N.M. State Engineer. Therefore, the Department already has access to this information. | | |
| 311. | 102 | 6.3.1.1 | 2 nd Paragraph | KIRTLAND AFB | Please clarify what "24 hour time-frame"? | | |
| 312. | 102 | 6.3.1.2 | 1 st Paragraph | KIRTLAND AFB | Why must groundwater samples be collected between 10 and 30 days after well installation? Specifying a minimum timeframe before which newly installed wells can be sampled may be reasonable but why a maximum timeframe? What if wells are simply to be rotated into a next scheduled sampling event that is more than 30 days after well installation. Also, to better facilitate post-installation samples, a minimum timeframe of 48 hours would be more feasible to implement. It is likely that sample collection can be more easily conducted closer to the conclusion of well installation when other field activities may still be ongoing. | | |
| 313. | 103 | 6.3.1.2 | 1 st Paragraph | KIRTLAND AFB | Change to read: "Groundwater samples shall be collected, as necessary, from all . . ." Also, please clarify "for one or more of the following" and specify the exact requirements required of KAFB. | | |
| 314. | 103 | Table 5-1 | | KIRTLAND AFB | Please remove parameters not included in the KAFB Long-Term Groundwater Monitoring Plan, Rev 1 (1997) | | |
| 315. | 103 | 6.3.1.3 | | KIRTLAND AFB | What constitutes NMED approval of measuring instruments? Approval of the project work plan? | | |
| 316. | 104 | 6.3.1.4 | 1 st Paragraph | KIRTLAND AFB | Change 1 st sentence to read: " completion or well purging or longer if necessary based on recharge rate of well". Certain LTM wells have had historically slow recharge and maybe required to sit overnight to allow for sampling after purging. | | |
| 317. | 104 | 6.3.1.1 | 2 nd Paragraph | KIRTLAND AFB | What will constitute NMED approval of disposal method? Approval of the project work plan? If not, what is timeframe in which NMED will provide | | |

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| | | | | | approval. | | |
| 318. | 104 | 6.3.1.4 | 3 rd Paragraph | KIRTLAND AFB | The requirement for the analyses of groundwater samples for total metals will produce results that are not representative the actual metal content of the groundwater, which is determined by dissolved metal analyses. | | |
| 319. | 105 | 6.3.1.4 | 3 rd Paragraph | KIRTLAND AFB | Recommend specifying that trip blanks are required only for VOCs. Verify that trip blank is required "per shipping container" vs. per shipment. | | |
| 320. | 105 | 6.3.1.5 | | KIRTLAND AFB | Change 90 days to 180 days for the KAFB FY LTM Annual Summary Report. The detail required for this annual submittal requires a longer time permitted for development and review. | | |
| 321. | 105 | 6.3.2 | | KIRTLAND AFB | Delete this section. | | |
| 322. | 106 | 6.3.3 | | KIRTLAND AFB | Delete this section. Surface water discharges are regulated under the NPDES program by the U.S. EPA. It is not appropriate to include surface water discharges in the RCRA permit. | | |
| 323. | 106 | 6.3.4 | 1 st Paragraph | KIRTLAND AFB | Recommend changing language to read: "The Permittee shall submit samples for laboratory analysis." KAFB DOES NOT utilize the EPA CLP program. | | |
| 324. | 106 | 6.3.4 | 2 nd Paragraph | KIRTLAND AFB | <p>Insert language allowing for other electronic data formats in lieu of excel such as Access . Large sets of data such as LTM for example are not conducive to management in excel. Also, why will NMED not accept diluted sample results?</p> <p>Insert following sentence in 2nd Paragraph: "Results for analytes that are reported as part of a method in which sample dilution is required for specific method analytes due to elevated concentrations, are acceptable to be reported with a J-qualifier for values detected below the method reporting limit. When there are elevated concentrations of a method analyte requiring the sample to be diluted for analysis, the dilution will impact any low-level sample detections as well, and therefore the lab will report those with a J-</p> | | |

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| | | | | | qualifier if they fall below the method reporting limit." | | |
| 325. | 106 | 6.3.4.1 | | KIRTLAND AFB | Recommend changing language to read: "The Permitted shall provide the names of the contract analytical laboratories within forty-five. . ." | | |
| 326. | 107 | 6.3.4.1.3 | | KIRTLAND AFB | Recommend changing language to read: ". . . Laboratory batch QC samples shall be specific to the project, or as required in the project-specific work plan." Project specific MS/MSD samples are charged to project and in some cases, may not be required to be run on KAFB specific samples. | | |
| 327. | 107 | 6.3.4.2 | | KIRTLAND AFB | EPA Level IV applies to the CLP. Section 6.3.4 needs to be modified. | | |
| 328. | 109 | 6.3.4.2 | | KIRTLAND AFB | Section 4.4 appears to be the wrong reference. | | |
| 329. | 109 | 6.3.5.1 | | KIRTLAND AFB | Request that the reporting time requirements be extended to at least one week with corresponding increases in the written reports, since the one day requirement may not allow for reporting to NMED since employees on both sides may not be in the office (i.e. leave etc). Suggest new time requirements to allow for NMED and Kirtland AFB employee schedules. | | |
| 330. | 109 | 6.3.5.1 | 1 st Paragraph | KIRTLAND AFB | Delete 2 nd sentence. KAFB and its contractors are the responsible for ensuring the data will meet DQOs, not the Department. The Department will have final say in acceptance of data to achieve project objective. | | |
| 331. | 110 | 6.3.5.2 | 13 | KIRTLAND AFB | There is no Section 5.4.5.1 in the draft permit. | | |
| 332. | 111 | 6.3.5.2 | | KIRTLAND AFB | Section 4.4 appears to be the wrong reference. | | |
| 333. | 111 | 6.3.6.1 | Line 2 | KIRTLAND AFB | Change language to read: ". . .quality samples, attempt to ensure that the well . . ." It is not possible for KAFB to ensure wells will last the duration of a project due to dropping regional water levels; particularly if NMED does not revise their allowed well screen lengths. | | |
| 334. | 112 | 6.3.6.1 | | KIRTLAND AFB | There appears to be updated versions of the documents cited for groundwater monitoring well construction. | | |
| 335. | 112 | 6.3.6.2 | Monitoring Wells | | In the first line, is the reference to Section 4.6 | | |

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| | | | | Excel/Peak TCI Comments | correct? | | |
| 336. | 113 | 6.3.6.2.1 | 4 | KIRTLAND AFB | The sample requirement of 5- and 10-foot intervals is excessive. The vadose zone thickness, 200 feet or greater, at Kirtland AFB makes this sample frequency excessive and costly. It is recommended that the sample frequency be reduced to 50 feet intervals a depth greater than 50 feet below land surface. | | |
| 337. | 113 | 6.3.6.2.1 | Alluvial Wells | Excel/Peak TCI Comments | Items 4 and 5. Should the reference to Part 5 read Part 6? | | |
| 338. | 113 | 6.3.6.2.2 | 1 | KIRTLAND AFB | What are the "site specific" conditions requiring geophysical surveys? Is it based on what is specified and approved in a site work plan? | | |
| 339. | 114 | 6.3.6.2.2 | 3 | KIRTLAND AFB | This requirement is vague and should be deleted. If retained, then modify to insure NMED comments are confined to the 5-day period allowable for keeping a boring open and uncased and clarify the additional conditions for well construction that may be imposed by the state as part of future site work. It is not feasible for the NMED to require a boring to be extended to the aquifer during an in-progress field effort if that was not the original plan. | | |
| 340. | 114 | 6.3.6.2.2 | Perched Wells | Excel/Peak TCI Comments | Item 6. Delete the word "Section". Also, Section 4.3 is called out here for work plans, yet in 6.3.3.2.3, Item 1, Section 4.5 is referenced. Are these references each correct? | | |
| 341. | 114 | 6.3.6.2.3 | 3 | KIRTLAND AFB | Does the term "geophysical measurements" mean geophysical logging of the boring is required? Conducting geophysical logging prior to well construction will limit the type of logging that can be conducted due to the use of the ARCH drilling technology used to complete groundwater monitor wells at KAFB, which uses a steel casing to keep the soil boring open prior to well construction. Geophysical logging requirements should be specified. | | |
| 342. | 14 | 6.3.6.2.3 | 5 | KIRTLAND AFB | Please clarify how the NMED would expect wells | | |

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| | | | | | to be constructed to accommodate vapor monitoring. Dual completion within the same well bore could result in the soil vapor migrating to the groundwater resulting in cross contamination. | | |
| 343. | 114 | 6.3.6.2.3 | 6 | KIRTLAND AFB | Reference to Sec. 5.3.11.2 needs to be corrected; that section does not exist in the permit. | | |
| 344. | 116 | 6.3.6.5 | | KIRTLAND AFB | Pressure grouting is not necessary for monitoring wells installed at KAFB in the regional and perched aquifers due to the depth of the wells (300-500 feet) which results in sufficient weight to compress the grout to ensure that bridging does not occur and that an adequate seal is created between the casing and the boring. NMED should allow the grout to be placed by gravity feed. The thick vadose zone and hydrostatic head of the grout in the tremie pipe will result in a high quality annular seal. The requirement for pressure grouting is excessive, costly, and unnecessary. | | |
| 345. | 117 | 6.3.6.8 | | KIRTLAND AFB | There is no Section 5.4.6.10 in the draft permit. | | |
| 346. | 117 | 6.3.6.8 | | KIRTLAND AFB | Recommend revising requirement to allow well construction summary information to be submitted as part of the project report at the time that report is scheduled for submission. As written this section will require the submittal of an additional report since the well construction info will presumably be reiterated in more detail in the actual project report most likely submitted at a later time. Otherwise, change to 90 days for the well completion report to allow for analytical sample results, well record from the driller, bore logs etc. In many cases, receiving Std lab TAT for data results can take as long as 3 weeks. Time needs to be allowed to provide bore logs etc to driller so that they can generate the well record. Many times they are busy with other projects and we need to wait for them to provide this record. | | |
| 347. | 117 | 6.3.6.9 | 1 st Paragraph | KIRTLAND AFB | Recommend adding the option to abandon wells using power-grouting technique rather than overdrilling for all wells at KAFB. Overdrilling is | | |

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| | | | | | the preferred technique usually when the well materials if left in place, serve as a source for groundwater contamination, or the construction of the well could allow cross-contamination of deeper water bearing zones. Most all wells at KAFB are constructed of PVC and were installed using up to date protocol in BWP. Unless there is specific evidence that a well has been compromised or has contributed to groundwater degradation then the wells should be power grouted rather than overdrilled and removed. Overdrilling is a much more costly option and not necessary in most cases. | | |
| 348. | 117 | 6.3.6.9 | 2 nd Paragraph | KIRTLAND AFB | Recommend revising requirements for overdrilling small diameter wells to include "as appropriate". It is not always technically feasible nor necessary to overdrill any well vs. pressure grouting it for abandonment. | | |
| 349. | 118 | 6.3.6.9 | 3 rd Paragraph | KIRTLAND AFB | Please delete this paragraph or allow variances for abandoning the well in place instead of removing the well casing. | | |
| 350. | 120 | 6.3.6.11 | | KIRTLAND AFB | Presumably vapor well design will be "approved" by the NMED as part of overall work plan approval. Will a separate approval be required outside of the work plan? And if so what will be the mechanism to document that and what will be the turnaround for approval? | | |
| 351. | 121 | 1.1 | General Description | Excel/Peak TCI Comments | 2nd paragraph. Delete "(the collective name for the Open Burn Unit and Open Detonation Unit)". The EOD Range does not always imply the OB and OD units. | | |
| 352. | 122 | 1.2 | Description | Excel/Peak TCI Comments | Top of page. The last sentence conflicts with Permit Part 1, page 1, Section 1.2, 4th paragraph, with respect to treatment of non-hazardous wastes. Revise to allow service in support of various agencies listed in Table 5-1 of Attachment 5. | | |
| 353. | 122 | 1.2 | Description | | 1st complete paragraph. Insert "NEW" after "pounds" in Line 2, and delete ", as indicated in Permit Attachment 4, Lists of Authorized Wastes". | | |

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| | | | | Excel/Peak TCI Comments | <p>Permit Attachment 4 does not discuss treatment capacities.</p> <p>2nd paragraph. Insert "NEW" after "pounds" in Line 1 and change (i.e., correct) "18,000" to "100,000" in Line 2. Insert "NEW" after "pounds" in Line 2. In Line 3, Photo 1 is referenced, but is not included in the draft permit.</p> <p>Photos do not need to be included in the permit. Delete reference to photo.</p> | | |
| 354. | 122 | 1.2 | | Excel/Peak TCI Comments | 3rd paragraph, 2nd sentence: Revise to read "Treatment operations shall be conducted only under the climatic conditions described in Section 2.2.6 of this Attachment (2)." | | |
| 355. | 122 | 1.3.1 | Routes of Travel | Excel/Peak TCI Comments | 1st paragraph, Line 1. Delete ", shown on Map 1-1,". 2nd paragraph. Revise to delete reference to Map 1-1. This map was not included in the draft permit and should not be included in the final permit. | | |
| 356. | 122-123 | | 1.3 all | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Take out except where specifically related to the treatment of hazardous waste at the OB/OD unit. | | |
| 357. | 123 | 1.3.2 | Traffic Volume | Excel/Peak TCI Comments | Last paragraph. Insert "NEW" after "pounds" in Line 4. | | |
| 358. | | Attachments | General | Excel/Peak TCI Comments | Throughout the attachments, organics and metals are limited to certain constituents; however, the Part A lists more constituents in case they are potentially contained in future wastes to be treated. Revise to be less limiting. Replace Attachment 4 with pages 6 and 7 of 7 from the Part A which, as stated on page 3 of the fact sheet, includes a list of the types of wastes managed. | | |
| 359. | | Attachments | General | Excel/Peak TCI Comments | Throughout the attachments (e.g., Attachment 1, page 123, Section 1.3.2, first paragraph), references are included in the text, but no reference section is provided. Delete references within the text if a reference section will not be | | |

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| | | | | | included in the permit. | | |
| 360. | | Attachments | General | Excel/Peak TCI Comments | Through the attachments, acronyms are introduced and/or used inconsistently (e.g., in Section 1.6, etc.) and a list of acronyms/abbreviations is not included in the draft permit. Use acronyms consistently (and provide a list of acronyms/abbreviations) or don't use them at all. | | |
| 361. | | Attachment 1 | General | Excel/Peak TCI Comments | The information in this attachment should only address required permit conditions, either in this attachment or elsewhere in the permit. Appendices A and H that were included in the permit application were provided only to meet permit application requirements, and the information included is subject to change over the life of a 10-year permit. KAFB should not be subject to requesting a permit modification (and incurring the related unnecessary expense) any and every time a minor change to this information occurs; thus, most of this attachment should be deleted. | | |
| 362. | 124 | Attachment 1 | 1.4.2 | KIRTLAND AFB | SWPPPs are under the purview of the Clean Water Act not RCRA. Please cite the regulatory authority for HWB to require this information in the RCRA permit. | | |
| 363. | 124 | 1.4.2 | Floodplain Standard | Excel/Peak TCI Comments | Revise first paragraph to delete reference to Map 1-1, which should not be included in the final permit. This map was provided with the application only to meet the requirements of 40 CFR § 270.14(b)(19). 2nd paragraph. Storm Water Pollution Prevention Plans are required by the Clean Water Act and regulated by the NMED Surface Water Quality Bureau. Sampling/analysis data are submitted in accordance with SWQB requirements. RCRA does not require the submittal of storm water sampling and analysis data. Delete this permit condition. In addition, it has nothing to do with the floodplain standard. | | |
| 364. | 124 | 1.5 | Topographic Map | Excel/Peak TCI Comments | Delete this section. Map 1-1 was provided with the application only to meet the requirements of | | |

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| | | | | | 40 CFR § 270.14(b)(19). | | |
| 365. | 125 | | | Excel/Peak TCI Comments | Second bullet. If Section 1.5 is not deleted, delete this bullet and Figure 1-6. A wind rose is on Map 1-1 (Map A-1 in the application). | | |
| 366. | 128 | Attachment 1 | 1.8 | KIRTLAND AFB | The Department makes many references to the regional hydrogeologic characterization work completed by Sandia National Laboratories (SNL), thereby accepting this work as reliable for determination of regional hydrogeologic conditions. The Permit contains many requirements for the performance for regional characterization work. The Permit should specifically state that, where relevant information from SNL already exists, the data is acceptable for use by KAFB to meet is Permit condition requirements. | | |
| 367. | 128 | 1.8 | Hydrology | Excel/Peak TCI Comments | 2nd paragraph, last line. Insert a dash in "semi confined" or make it one word. | | |
| 368. | 129 | 1.8 | | Excel/Peak TCI Comments | 2nd full paragraph, Line 5. Insert "available" before "hydrologic", as written in the application. | | |
| 369. | 130 | 1.8.2 | Vadose Zone | Excel/Peak TCI Comments | 1st paragraph, last sentence. This was not included in the permit application. Where was this information obtained? | | |
| 370. | 130 | 1.8.3 | Groundwater | Excel/Peak TCI Comments | 1st paragraph, last sentence. Replace this sentence with the one included in the permit application. | | |
| 371. | 132 | 1.9.2 | Winds | Excel/Peak TCI Comments | 1st paragraph, last sentence. Per the wind rose provided on Map A-1 of the permit application, prevailing winds are from the east. Replace this sentence with the language provided in the permit application, and delete the reference to Figure 1-6. | | |
| 372. | 132 | Attachment 1 | 1.10 | KIRTLAND AFB | Section 1.10 of Permit Attachment 1 specifies that the Albuquerque/Bernalillo County Air Quality Control Board regulates the air quality in Bernalillo County. Therefore air quality requirements specified in the draft permit should be deleted. | | |
| 373. | 136 | 2.0 | Introduction | Excel/Peak TCI Comments | 4th paragraph, last sentence. The second 10 in "1010" should be in superscript. | | |
| 374. | 136 | Attachment 2 | 3 rd Paragraph | KIRTLAND AFB | Recommend changing the language to read: ". . . | | |

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| | | | | | (EPA, 1986)(SW-846), Section 7.3, as amended, the definition. | | |
| 375. | 137 | 2.1.1 | The Open Burn Unit | Excel/Peak TCI Comments | Delete "The" in the title of the section, to be consistent with Section 2.1.2 (Open Detonation Unit). | | |
| 376. | none given | | Roll-Off Containers | Excel/Peak TCI Comments | Engineering drawings are provided that are specific to the construction and specifications for the OB Unit. Delete the Cooper Tank Roll-Off Containers page. Also, delete "is the equivalent of a Cooper Tank Roll-Off Container," on page 138, 1st paragraph, Line 2 | | |
| 377. | 138 | 2.1.1 | OB Unit | Excel/Peak TCI Comments | 2nd paragraph. In Line 2, Figure 2-1 is referenced as illustrating additional details of the retractable cover, which is incorrect. Reference the correct figure, or delete this sentence. Line 6 discusses the OD unit (in the OB unit section). Move this sentence to Section 2.1.2. | | |
| 378. | 138 | 2.1.2 | OD Unit | Excel/Peak TCI Comments | Revise 2nd sentence to read "Detonations are conducted in pits, typically about 30 ft long, 15 ft wide, and about 12 ft deep." | | |
| 379. | 138 | 2.1.2 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | The three strand fence was removed from the OB/OD unit as it is not required. | | |
| 380. | 139 | 2.2.1 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Take out Para 3--The EPA can not and should not set EOD and visitor limits. | | |
| 381. | 139 | 2.2.1 | SOPs | Excel/Peak TCI Comments | 1st paragraph, 1st line. Replace "180,000" with "100,000" and insert "NEW" between "lbs" and "of". 1st paragraph, 3rd line. Insert "NEW" between "pounds" and "uncased". | | |
| 382. | 139 | 2.2.1 | | Excel/Peak TCI Comments | 2nd paragraph. Delete the second sentence (see Comment #4) or revise to read "Non-hazardous waste shall not be treated unless <i>it is</i> used as fuel to sustain an open burning event, serves as packaging for the hazardous wastes that are treated in the Open Burn Unit or Open Detonation Unit, or are contraband/firearms destroyed as a service in support of the various agencies listed in Permit Attachment 5, Table 5-1.". Insert "NEW" after "of" in 3rd sentence. | | |

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| 383. | 139 | 2.2.2 | Waste Screening | Excel/Peak TCI Comments | Line 2. Insert "meets the operating acceptance limits indicated above and" between "waste" and "is". | | |
| 384. | 140 | 2.2.2 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Take out Para 2 as air sampling is a city issue not a state requirement. | | |
| 385. | 140 | 2.2.2 | | Excel/Peak TCI Comments | Top of page. Delete "in advance" from the first line. Some preparations are conducted after the waste is transported to the units (e.g., inspection of unit, raising range flag, etc.) | | |
| 386. | 140 | | | Excel/Peak TCI Comments | 1st complete paragraph, Lines 2 and 3. Delete "and direction". Neither the permit application nor Attachment 1 describe the meteorological tower as a source for measuring wind direction. There is no Permit Condition 2.3.6. Did you intend this to read 2.2.6? | | |
| 387. | 140 | 2.2.4 | Transportation | Excel/Peak TCI Comments | 4th bullet. Replace "cleared" with "cleated", as indicated in the permit application. 2nd paragraph, Line 8. Delete "ABC-type". EOD personnel are capable of determining the type of fire extinguishers needed, and they may not always be ABCs. | | |
| 388. | 140-142 | 2.2.3-2.2.6 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Consider re-wording. EPA shouldn't govern the concept of operations on the EOD range. The way these paragraphs read is if Step 2 was out of order then we can be fined. In addition the Dept shouldn't govern explosive transport routes nor explosive operations unless directed by 40 CFR (which their isn't any citations for these paragraphs. | | |
| 389. | 141 | 2.2.5 | Waste Staging | Excel/Peak TCI Comments | Last paragraph: Delete the requirement that waste remaining at the Unit "shall be watched continuously by KAFB security personnel until it is possible to perform the treatment or safely remove the waste." The security precautions (procedures and barriers to control entry) are sufficient to protect the Unit until a treatment event can be completed. | | |
| 390. | 141 | 2.2.6 | Waste Treatment | Excel/Peak TCI Comments | 1st paragraph, Line 9. "team chief" should be first letter capitals. | | |

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| 391. | 141 | 2.2.6 | | Excel/Peak TCI Comments | 2nd paragraph, Line 2. Replace "ten" with "five" (see Comment #116). Line 8. Replace "15" with "20" (see Comment #116). | | |
| 392. | 142 | 2.2.6 | | Excel/Peak TCI Comments | 4th paragraph, Line 6. Delete "stored off-site of the EOD Range". Moving such waste to store off site of the EOD Range poses unnecessary safety issues. The waste remains in the OB unit until treated again. Line 7. Delete "or shipped off-site for treatment". The waste is treated at the OB unit. Line 9. Insert "the same or following day" after "again", per the permit application text. Last sentence: Revise to read "Hazardous wastes shall not be stored at the OB or OD Units <i>but may be staged at the OB Unit as described in Permit Condition 2.2.5 if a treatment event is aborted.</i> " | | |
| 393. | 142 | 2.2.7 | Waste Management Practices | Excel/Peak TCI Comments | 1st paragraph. Line 4. Insert "(if present)" after "metals". Line 6. Insert ", or by knowledge of process (KOP)" after "as needed". Line 7. Insert "or KOP" after "analysis". Line 9. Insert "or KOP" after "analysis. Line 10. Insert "off-site" after "permitted". | | |
| 394. | 143 | 2.2.7 | | Excel/Peak TCI Comments | 2nd complete paragraph. Line 2. Insert ", if necessary," after "sampled". Line 3. Replace "samples" with "treatment residue". Line 4. Replace the first "samples" with "treatment residue", and replace the second "samples" with "residue". Line 8. Insert a dash between "than" and "90". Insert "(if necessary)" after "analysis". Last sentence: Revise to read "Treatment residues shall be removed from the OB Unit within two (2) working days after a burn or as soon as practicable in the case of inclement weather that prevents access to the Unit." | | |
| 395. | 143 | 2.3 | IRI Wastes | Excel/Peak TCI Comments | 40 CFR § 264.17(a) specifies that "No Smoking" signs must be conspicuously placed wherever there is a hazard from ignitable or reactive waste. It says nothing requiring that signs be posted in languages other than English. | | |
| 396. | 144 | 2.4.1 | Required Equipment | Excel/Peak TCI Comments | Top of page, first line. Replace "decontamination" | | |

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| | | | | | with "spill control". | | |
| 397. | 144 | 2.4.1 | | Excel/Peak TCI Comments | 1st complete paragraph. Line 7. Replace "Two-way radios and cellular phones" with "hand-held radios", as indicated in the permit renewal application. Only radios are listed in Table 8-2. | | |
| 398. | 144 | 2.4.1 | | Excel/Peak TCI Comments | 2nd paragraph. Line 3. Insert "A" before "portable" and replace "extinguishers" with "extinguisher". | | |
| 399. | 144 | 2.4.1 | | Excel/Peak TCI Comments | 3rd paragraph, 1st sentence: Revise to read "Shovels carried in the vehicles utilized at the Open Burn Unit and Open Detonation Unit and at the personnel bunker <i>may also be</i> used to manage spills." Personnel need to select the appropriate spill cleanup equipment and methods, which may or may not require the use of shovels. | | |
| 400. | 144 | 2.4.3 | Access, etc. | Excel/Peak TCI Comments | Lines 3 and 4. Replace "Two-way radios and cellular phones" with "hand-held radios", as indicated in the permit renewal application. | | |
| 401. | 145 | 2.4.5 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Who keeps support agreements? | | |
| 402. | 145 | 2.4.6 | Preventive Procedures, etc. | Excel/Peak TCI Comments | 1st paragraph. Lines 6 and 7. Delete "prevent releases of hazardous wastes or hazardous constituents to soil, sediment, surface water, and groundwater,". The concept is already covered in Line 4, "prevent runoff from escaping hazardous waste management areas". | | |
| 403. | 145 | 2.4.6 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Take out Para 2. EOD is not the only authority that can transport to the EOD range. Manning levels make this an impossible task. | | |
| 404. | 145 | 2.4.6 | | Excel/Peak TCI Comments | Last paragraph, Lines 2 and 3. Delete "Open Burn Unit and". The OB unit is located within the OD unit area, and as stated here, the text implies a berm surrounds each unit. | | |
| 405. | 146 | 2.4.6 | | Excel/Peak TCI Comments | 1st complete paragraph. Delete " -- the actual depth is currently unknown". The actual depth being an unknown is implied by the fact that there is a depth range and that it is predicted. In addition, this statement could easily prematurely and unnecessarily outdate the permit. | | |

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| 406. | 146 | 2.4.6 | | Excel/Peak TCI Comments | 2nd paragraph, Line 4. Replace "immediately" with "within a short period of time". If a forklift failed, a different forklift would most likely be brought to the site, and the failed forklift would be repaired as soon as possible rather than immediately. | | |
| 407. | 146 | 2.4.6 | | Excel/Peak TCI Comments | 3rd paragraph, Line 5. Replace "had been" with "are" and replace "receipt" with "acceptance for treatment". | | |
| 408. | 146 | 2.4.6 | | Excel/Peak TCI Comments | Paragraph 5, last sentence: Revise to read "The retractable cover on the OB Unit shall be closed after treatment events to prevent any treatment residues from escaping to the atmosphere or other media before the residues are removed." | | |
| 409. | 146 | 2.5 | | Excel/Peak TCI Comments | 2nd paragraph, Line 2. Delete "or after". Any waste that remains untreated at either unit will remain at the unit and treated again as soon as possible. | | |
| 410. | 147 | 2.5/2.6.2 | Prevention, etc. | EOD Comments for Subpart X Permit/EPA write ups/Excel file Excel/Peak TCI Comments | There is no inner fence and therefore we cannot put up a No Smoking sign. As part of the safety brief given prior to each operation, each individual is instructed there is no smoking on the EOD range. Top of page. Line 3. Replace ""wire fence surrounding the EOD Range" with "KAFB facility's property line". This meets the requirement in 40 CFR § 264.176. Line 5. Delete "and Spanish". See Comment #90. | | |
| 411. | 147 | 2.6.2 | Barriers and Means | Excel/Peak TCI Comments | 1st paragraph, Line 9. Delete "in places". | | |
| 412. | 148 | 2.7.1 | Introduction | Excel/Peak TCI Comments | This section needs to be broken out into 2 sections, because certain records will be maintained at the EOD Shop, and others will be maintained at the EM Branch Office. Line 1 should be used as the first line in each new section, but must correctly use the location terminology (there is no "EOD Branch office", it is the "EOD Shop". For the EOD Shop records, include only Items 1, 2a-c, 2f-g, 6, 7, 16, and 17. For the EM Branch Office records, include only | | |

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| | | | | | Items 2d-e, 2h, 3-5, 8-11, 13-15, and 18-20. In Item 2h, delete the second sentence. The only equipment (with respect to Subpart BB) is the OB unit, and air emissions data are not collected for this unit. Delete Item 12. This information for the operating record is the sum of all the records required in this section. Last paragraph. Replace "also be maintained at the EOD Range personnel bunker" with "be taken in one of the vehicles to the EOD Range for each treatment operation". | | |
| 413. | 148 | 2.7.1(h) | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Air emissions is a city requirement and not a mandatory record. | | |
| 414. | 149 | 2.7.2 | Biennial Report | Excel/Peak TCI Comments | Item 7. Replace "Treatment notices and their certifications" with "The certification". | | |
| 415. | 150 | 2.7.3 | Unmanifested Waste Report | Excel/Peak TCI Comments | Item 1. Delete "off-site". This term is not required by 40 CFR § 264.76, and waste may be accepted from SNL/NM, which is located within the KAFB "site". | | |
| 416. | 150 | 2.7.4 | Additional Reports | Excel/Peak TCI Comments | Items 2 and 3. What are the regulatory requirements for these permit conditions? Item 4. Insert "Reporting" before "Requirements", replace "264" with "264.1065", and add "(40 CFR § 264.77(b) and § 264.115)" after "closures". | | |
| 417. | 151 | 3.2 | Procedures and Methods | Excel/Peak TCI Comments | 2nd paragraph. First sentence. Delete "both", delete "and" in Line 2, and insert ", and Federal air standards". Line 5. Delete sentence starting with "For the OB Unit". The constituents modeled were taken from the original permit. The constituents in the "Pollutants" column of Table 3-1 do not correlate directly with listings in Table 4-1. | | |
| 418. | 151 | Attachment 3 | | KIRTLAND AFB | Please define the acronym "INPUFF" | | |
| 419. | 152 | 3.2 | Results and Interpretation | Excel/Peak TCI Comments | Top of page. Line 1. Delete sentence starting with "For the OD Unit". See Comment #110. Line 3. Replace "5,600" with "1,600". In Supplement H-1 of the permit renewal application, it states the nearest off-site receptor is approximately one mile (1.6 kilometers) from the EOD Range. Unclear as to why NMED changed this distance in the draft | | |

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| | | | | | permit. | | |
| 420. | 152 | 3.3 | | Excel/Peak TCI Comments | Line 2. Replace "1.5" with "1.6". Line 3. Replace "national" with "Federal". Line 5. Insert "In addition to criteria pollutants," before "Over". Line 6. Insert "other" before "constituents". | | |
| 421. | 153 | Table 3-1 | | Excel/Peak TCI Comments | Carbon Monoxide should be italicized bold text, to be consistent with the rest of the table. Non-Methane Hydrocarbons were not included in Table 1 of the permit renewal application Supplement H-1. Where did the OB and OD unit numbers come from? | | |
| 422. | 157 | Attachment 4 | | Excel/Peak TCI Comments | Tables 4-1 and 4-2. Return these tables to the Waste Analysis Plan (Permit Attachment 5) and replace with the information provided on pages 6 and 7 of 7 in the Part A. Tables 4-1 and 4-2 list the hazardous wastes known to be treated at the OB and OD units to date; however, these tables should not be a permit condition to limit the authorized wastes that may potentially be treated at the units. That information was provided in the Part A, and it includes each listed hazardous waste that KAFB will (or could) handle, as required for Section XIV of the Part A and as stated on page 3 of the fact sheet. | | |
| 423. | 157 | Table 4-1 | | Excel/Peak TCI Comments | Benzene was not included in Table B-2 of the permit renewal application. Why was it (and D018) added here? Chromium was also not included in Table B-2 of the permit renewal application. Why was it (and D007) added here? Move this table and Table 4-2 back into the Waste Analysis Plan. | | |
| 424. | 157 | 4.0 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Also precluded us from destroying guns and other evidentiary materials for many law enforcement entities. For many units the EOD unit is the only unit that can safely and securely destroy these items. | | |
| 425. | 157-164 | Table 4-1/2 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | These list shouldn't be all inclusive, rather a guide to be left to the expertise of the treating unit. Not all explosive that EOD could potentially come in contact with are listed here, as it would be almost | | |

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| | | | | | impossible. | | |
| 426. | 166 | 5.1.1 | Description of Processes / Activities | Excel/Peak TCI Comments | Last sentence. Some preparations are conducted after the waste is transported to the units (e.g., inspection of unit, raising range flag, etc.). Delete or revise appropriately. (See Comment #407.) | | |
| 427. | 166 | 5.1.2 and 5.1.2.1 | Wastes Managed | Excel/Peak TCI Comments | See Comment #55. All of the wastes listed on pages 6 and 7 of 7 in the Part A can be treated at the units (see also page 3 of the fact sheet). Return text in these sections to that provided in the Waste Analysis Plan submitted with the permit renewal application. | | |
| 428. | 167 | 5.1.3 | Description of Units | Excel/Peak TCI Comments | Line 3. Delete "also", and direct the reader to exactly where in the referenced Parts (1, 2, 3) and Attachments (2, 3, 4, 7, 8, 9) specific information is found. | | |
| 429. | 168 | 5.1.3 | OB Unit | Excel/Peak TCI Comments | 1st bullet. Insert "net explosive weight (NEW)" after "maximum" and delete "amount of hazardous waste". | | |
| 430. | 168 | 5.1.3 | OD Unit | Excel/Peak TCI Comments | 1st bullet. Insert "NEW" after "maximum" and delete "amount of hazardous waste". | | |
| 431. | 168 | 5.2 | Waste Analysis Parameters | Excel/Peak TCI Comments | 1st paragraph, Line 5. Is "Conditions" used consistently throughout the draft permit (i.e., with a capital "C")? | | |
| 432. | 168 | 5.2 | Waste Analysis Parameters | Excel/Peak TCI Comments | 3rd paragraph, Line 3. Insert "the first time a specific waste is treated" after "purposes". The same or similar waste types will be sampled and analyzed for LDR purposes the first time a specific waste is treated; thereafter, KOP will be used for characterization. Insert "When sampling and analysis data for an ash residue are available, these data shall be used as KOP to characterize future identical or similar ash residues" at the end of this paragraph. | | |
| 433. | 168 | 5.2 | Waste Analysis Parameters | Excel/Peak TCI Comments | 4th paragraph, Line 1. Insert "potentially contaminated" before "treatment residues" and replace "will contaminate soil" with "may remain at the unit". Potentially contaminated treatment residues at the OD unit won't necessarily contaminate the soil. Line 2. Insert "potentially" after "monitor". | | |

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| 434. | 169 | 5.2.1 | Criteria and Rationale | Excel/Peak TCI Comments | 2nd paragraph, Line 3. Insert "the first time a specific waste is treated" before "using". Add "KOP will then be used to characterize the treatment residue when sampling and analysis data for an identical or similar residue are available". Using KOP for LDR purposes is allowed in 40 CFR Part 268. Line 4: The permit renewal application states that treatment residues will be analyzed using the TCLP or total analysis methods, as appropriate. Revise permit condition to include or total analysis methods, as appropriate. | | |
| 435. | 169 | 5.2.1 | Criteria and Rationale | Excel/Peak TCI Comments | 3rd paragraph. The permit condition requires sampling and analysis of treatment residues in all but one case (i.e., if all of the listed conditions are met). In addition to the conditions listed, the permit renewal application specifies that KOP may be used in lieu of sampling and analysis for treatment of residues from identical wastes. Revise permit condition to allow KOP in lieu of sampling and analysis for treatment residues from identical wastes, or delete this paragraph. | | |
| 436. | 169 | 5.3 | Waste Characterization Procedures | Excel/Peak TCI Comments | Line 5. Insert "or KOP" after "analysis". | | |
| 437. | 170 | 5.3.1.2 | Screening | Excel/Peak TCI Comments | Line 5 references Appendix 5-1; however, this appendix was not in the draft permit. Is inclusion of such an appendix necessary, considering the EOD personnel are quite familiar with these forms and the fact that this information was provided for informational purposes only in the permit renewal application? Suggest deleting this sentence and ultimately this appendix. | | |
| 438. | 171 | 5.3.1.4 | Phase I Verification | Excel/Peak TCI Comments | 1st complete paragraph following bullets. Line 1. Replace "deficiencies" with "defects". | | |
| 439. | 171 | 5.3.1.6 | OB Unit Treatment Residues | Excel/Peak TCI Comments | 1st paragraph, Line 5. Insert "or KOP" after "data". | | |
| 440. | 173 | 5.4.2 | Testing and Analytical Methods Selection | Excel/Peak TCI Comments | 1st line. Replace "waste" with "ash residue generated at the OB Unit". The 2nd paragraph refers to Table 5-2, which is for treatment residue | | |

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| | | | | | generated by open burning. | | |
| 441. | 173 | 5.5 | Waste Re-Evaluation Frequencies | Excel/Peak TCI Comments | 2nd paragraph, Line 1. Insert "(e.g., KOP)" after "data". | | |
| 442. | 173 | 5.6.2 | LDR Requirements | Excel/Peak TCI Comments | Line 3. Insert ", at the point of generation," before "must" and add "; this determination can be made either by testing the waste or using KOP" after "disposed". Either testing or using KOP is acceptable per 40 CFR § 268.7(a)(1). | | |
| 443. | 174 - 175 | 5.6.2.1 | Generator Requirements | Excel/PeakCI Comments | 1st paragraph, Line 5. Replace "EOD Shop" with "EM Branch Office". The EM Branch Office will be maintaining such records, as indicated in the permit renewal application. 1st complete paragraph, Line 6. Insert "to the receiving facility," after "sent". Replace "EOD Shop" with "EM Branch Office". 2nd paragraph, Lines 2 & 5. Replace "EOD Shop" with "EM Branch Office". 4th paragraph, Line 5. Replace "EOD Shop" with "EM Branch Office". 5 th paragraph, Line 5. Replace "EOD Shop" with "EM Branch Office". | | |
| 444. | 174 | 5.6.2.1 | Generator Requirements | Excel/Peak TCI Comments | Item 3. Delete "and their concentrations" and insert "characteristic" before "wastes". Concentrations of UHCs is covered under Item 6, "Waste analysis data, if appropriate." | | |
| 445. | 175 | 5.6.2.1 | Generator Requirements | Excel/Peak TCI Comments | 3rd paragraph, Line 2. Replace "and" with "because it" to more clearly describes why the soil would become waste. | | |
| 446. | 175 | 5.6.2.1 | Generator Requirements | Excel/Peak TCI Comments | 5th paragraph. Line 3. Insert "statement in 40 CFR § 268.7(a)(3)(ii)" after "certification" to distinctly reference the certification statement requirements, as indicated in the permit renewal application. | | |
| 447. | 176 | 5.6.2.2 | Treatment Facility Requirements | Excel/Peak TCI Comments | Top of page, Line 2. Insert "Only the remaining" before "residue". | | |
| 448. | 176 | 5.6.2.2 | Treatment Facility | Excel/Peak TCI Comments | 2nd paragraph. Line 4. Replace "notification | | |

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| | | | Requirements | | and" with "one-time". Line 6. Insert "initial" before "shipment" and add "as required by 40 CFR § 268.7(b)(4)". Line 7. Replace "and notice" with "shall be prepared in accordance with 40 CFR § 268.7(b)(4)(iv)". Line 8. Add ", as required by 40 CFR § 268.7(b)(5)". Returning the language to that included in the permit renewal application more directly and completely informs the Permittee regarding these requirements. Notices are ultimately covered by the last sentence, once the original language is returned. | | |
| 449. | 176 | 5.6.2.2 | Treatment Facility Requirements | Excel/Peak TCI Comments | 3rd paragraph. Line 2. Replace "notification and" with "one-time". Line 3. Insert "initial" before "shipment" and insert "", as required by 40 CFR § 268.7(b)(4)". Line 4. Replace "and notifications" with "shall be prepared in accordance with 40 CFR § 268.7(b)(4)(v) and". Returning the language to that included in the permit renewal application more directly and completely informs the Permittee regarding these requirements. Lines 5 and 8. Replace "EOD Shop" with "EM Branch Office". The EM Branch Office will be maintaining such records, as indicated in the permit renewal application. | | |
| 450. | 176 | 5.6.2.2 | Treatment Facility Requirements | Excel/Peak TCI Comments | The 3rd complete paragraph from page B-19 in the Waste Analysis Plan submitted as Appendix B in the permit renewal application was deleted from this draft permit. Please reinsert that information. | | |
| 451. | 176 | 5.6.2.2 | Treatment Facility Requirements | Excel/Peak TCI Comments | 4th paragraph, Line 2. Replace "EOD Shop" with "EM Branch Office". The EM Branch Office will be maintaining such records, as indicated in the permit renewal application. | | |
| 452. | 177 | Table 5-1 | | Excel/Peak TCI Comments | In the line for New Mexico State Police, the words "Local and" was deleted from the table provided in the permit renewal application. KAFB may accept waste from this potential waste generator; therefore, it should be reinserted. A line for "Government Contractors" was also deleted from the table provided in the application. Please reinsert. | | |

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| 453. | 178 | Table 5-2 | | Excel/Peak TCI Comments | Add "Acceptable Knowledge" back into the lines for barium, chromium, lead, and mercury; VOCs, and SVOCs. Add the other metals listed in permit application Table B-4 (arsenic, cadmium, selenium, and silver); this will reflect all the metals listed on page 6 of 7 in the Part A. Replace the rationale for VOCs and SVOCs with that provided in the permit renewal application Table B-4. Delete Method Numbers 7080A, 7081, 7190, 7191, 7420, and 7421 for the specific metals, and add Method 7000A, as shown in Table B-4 of the application. The methods that should be deleted have been have been "Noticed for removal" from SW-846. There is no need to determine TCLP metals concentrations when analyzing for VOCs/SVOCs. There is no "b" in the table; however, there is a footnote "b". There is a "c" in the table; however, there is no footnote for "c". Please correct. | | |
| 454. | 179 | Table 5-3 | | Excel/Peak TCI Comments | Footnotes b-d no longer apply, since NMED modified this table from Table B-5 included in the permit application. Delete these footnotes. | | |
| 455. | 180 and 182 | Tables 5-4 and 5-6 | | Excel/Peak TCI Comments | Table 5-4 is very similar to Table 5-6. Why are there 2 tables addressing LDR requirements for generators, and why was Table B-6 provided in the permit renewal application revised to come up with these 2 tables? Delete and replace with Table B-6 provided with the permit application. | | |
| 456. | 181 and 183 | Tables 5-5 and 5-7 | | Excel/Peak TCI Comments | Table 5-5 is very similar to Table 5-7. Why are there 2 tables addressing LDR requirements for treatment facilities, and why was Table B-7 provided in the permit renewal application revised to come up with these 2 tables? Delete and replace with Table B-7 provided with the permit application. | | |
| 457. | 184 | 6.0 | Introduction | Excel/Peak TCI Comments | 1st paragraph, Line 3. Add "or the environment" after "human health". 2nd paragraph, Line 9. Add "or the environment" after "human health". | | |
| 458. | 184 | 6.1.1 | Sampling Schedule | Excel/Peak TCI Comments | 1st paragraph, Line 2. Replace "24" with "72", per information provided in the permit renewal | | |

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| | | | and Frequency | | application. If a treatment event were to occur on a Friday, sampling would not be conducted until at least Monday, and the "24" hour requirement is, thus, too strict. In the 1st sentence, it states that sampling is typically conducted during the summer months; however, in the 2nd sentence, it states sampling shall occur following the last treatment event "for the calendar year". This is contradictory if a treatment event occurs in December and sampling is typically conducted in the summer months. Delete "for the calendar year" in Line 3. | | |
| 459. | 185 | 6.1.2 | Strategy and Analytical Parameters | Excel/Peak TCI Comments | Top of page, Line 4. The dimensions of the grid in the permit renewal application were 500-foot by 500-foot, and Figure I-2 submitted in the application reflected these dimensions. NMED changed the dimensions to 150-foot by 150-foot; thus, NMED should modify Figure 6-2 in the draft permit to reflect these new dimensions. | | |
| 460. | 185 | 6.1.2 | | Excel/Peak TCI Comments | Table 6-2 lists benzene as a parameter for analysis; however, Line 2 in the 1st complete paragraph requires SVOC analysis. Benzene is a VOC. Thus, "semi-" in Line 2 should be deleted. Also, Table 6-2 should be referenced in this paragraph. | | |
| 461. | 185 | 6.1.3 | Sample Collection | Excel/Peak TCI Comments | 1st paragraph, Line 2. Insert "Protection" after "Environmental". Is NMED referring to SW-846 here? (There are EPA references cited, but there is no list of references.) | | |
| 462. | 185 | 6.1.3 | | Excel/Peak TCI Comments | Sample collection procedures for white phosphorous are specific, as indicated in the permit renewal application, page I-3, 4th bullet. This information should be added back into the permit to call special attention to the requirements for such sampling. | | |
| 463. | 185 | Attachment 6 | | KIRTLAND AFB | The sampling requirements listed in Permit Attachment 6 are much less stringent than the sampling requirements specified in Permit Part 6. Please explain the discrepancy. Regulation cannot be by policy nor be arbitrary and | | |

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| | | | | | capricious. | | |
| 464. | 186 | 6.1.3.3 | Sample Handling, Documentation, & Custody Procedures | Excel/Peak TCI Comments | 2nd paragraph. This paragraph was not included in the application. It cites EPA (1998); however, no list of references is included in the permit. If NMED is referring to SW-846, this fact should be added to the paragraph. | | |
| 465. | 187 | 6.1.3.3 | | Excel/Peak TCI Comments | Top of page, Items 5 and 6. It is not necessary to include this information on the sample labels, as it is noted on the chain-of-custody and request for analysis form(s). Delete these items. | | |
| 466. | 187 | 6.1.3.3 | | Excel/Peak TCI Comments | 1st complete paragraph. Delete. Having the sequence for affixing labels to containers should not be a permit condition. Labels may be affixed to containers after a sample is collected, especially if the outer surface of the container needs to be wiped off prior to affixing labels. | | |
| 467. | 187 | 6.1.3.3 | | Excel/Peak TCI Comments | 2nd complete paragraph, 1st sentence and Item 1. Delete. The number of people on a sampling team are typically limited to few in number, so only a few people would handle samples. Suggest combining Items 2 and 3 into a paragraph. | | |
| 468. | 187 | 6.1.3.3 | | Excel/Peak TCI Comments | Item 5 following 5th paragraph. Delete "Date and time of sample collection;". This same language is already in Item 6. | | |
| 469. | 188 | 6.1.3.3 | | Excel/Peak TCI Comments | Item 3 following 2nd paragraph. If split samples are being collected, isn't it the responsibility of the facility or government agency requiring split samples to fill out a separate CoC record? Add this to Item 3 or delete. | | |
| 470. | 188 | 6.1.3.3 | | Excel/Peak TCI Comments | Item 2 following 3rd paragraph. Delete Item 2. A laboratory ID number is not necessarily assigned at the time of relinquishing samples to the analytical laboratory. | | |
| 471. | 188 | 6.1.3.4 | Sample Shipping | Excel/Peak TCI Comments | Line 3. Replace "sampling" with "samples". | | |
| 472. | 189 | 6.3.1 | QC Targets | Excel/Peak TCI Comments | All paragraphs. Percent is one word; "per-cent" should be replaced with "percent". NMED added this section, but does not cite where the target values were obtained. This information should be added, or discussions of these targets deleted. | | |

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| 473. | 190 | 6.4.2 | Contents of Analytical Data Report | Excel/Peak TCI Comments | Item 4. Delete. The analytical laboratory would not know the specific sample location. Instead, the location would be known by the field sample identification number (Item 3). | | |
| 474. | 191 | 6.4.2 | | Excel/Peak TCI Comments | 1st complete paragraph and Items 1-5. This paragraph and the numbered items would not be part of an analytical data report. This information should either be moved to become the second paragraph of Section 6.4 or deleted. Deletion is preferred, as what goes on in the analytical laboratory is already covered in Section 6.4 and this should not be a permit condition for KAFB. | | |
| 475. | 193 | Table 6-1 | | Excel/Peak TCI Comments | NMED replaced the method for TPH (8015B in the application) with 418.1 and 3550. Method 3550 is an extraction method, and Method 418.1 is not currently listed as an EPA-approved method. What is the justification for this change in methods? | | |
| 476. | 194 | Table 6-3 | | Excel/Peak TCI Comments | For metals, Lines 8-11 are duplicates of Lines 4-7. Delete. | | |
| 477. | 195 | | | Excel/Peak TCI Comments | For high explosives, "and Perchlorate" should be deleted (it is not on Table 6-1). The line above "Surrogate recoveries" appears scrambled (e.g., "Once per batch of up to 20 samples" is in the QC column rather than the Frequency column), and "MS duplicate/" should be inserted before "laboratory control" in this line. "Sulfides" should be deleted (it is not on Table 6-1). | | |
| 478. | 196 | | | Excel/Peak TCI Comments | "Total Organic Carbon" should be deleted (it is not on Table 6-1). "Total Petroleum Hydrocarbons" should be added back in since it is on Table 6-1 (this information was included in Table I-3 of the permit application). | | |
| 479. | 197 | Table 6-4 | | Excel/Peak TCI Comments | Some of the values in the SSL columns were changed from those provided in the permit application. The NMED SSL for mercury was changed from 100,000 to 341; however, in NMED's Technical Background Document for Development of Soil Screening Levels, Revision 4.0 (June 2006), the value for mercury is 100,000. | | |

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| | | | | | Vanadium was added to the table with a value of 530; the value in Revision 4.0 is 1,140. Entries for nitrobenzene, o-nitrotoluene, and p-nitrotoluene were also changed and do not reflect the most recent SSLs. TPH was added with a value of 520; Revision 4.0 has not established a value. All entries should be revisited and the correct current values provided. | | |
| 480. | 198 | Table 6-5 | | Excel/Peak TCI Comments | Surface soil values for cadmium, mercury, and copper were changed from those provided in Table 1-4 of the permit application. What is the source for these changed values? | | |
| 481. | 200 | 7.0 | Introduction | Excel/Peak TCI Comments | 1st paragraph, Line 3. Revise to read "The Open Burn ... Units, located at the Explosive Ordnance, ..." The EOD Range is not composed solely of the OB and OD units. | | |
| 482. | 200 | 7.1 | Inspection Schedule | Excel/Peak TCI Comments | Lines 5 & 6. Replace "Range personnel bunker" with "Shop" and delete "and at the Facility". As stated in Section C.3 of the permit application, inspection logs are maintained at the EOD Shop. | | |
| 483. | 200 | 7.2.2 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Entire range inspections should occur prior to each detonation or monthly, whichever is more frequent. | | |
| 484. | 200, 202 | 7.2.2 Table 7-1 | Frequency of Inspections | Excel/Peak TCI Comments EOD Comments for Subpart X Permit/EPA write ups/Excel file | In Revision 1.0 of the permit renewal application, KAFB provided 3 separate tables which will be used for inspections at the OB and OD units and at the EOD Range. The intention was to inspect for items specific to each unit and specific to the EOD Range overall. Replace Table 7-1 in the permit with the 3 separate tables, and reference the 3 tables in this paragraph. Inspections are done monthly and before and/or after each treatment event. Insert "or" before "after" in Line 1. | | |
| 485. | 201 | 7.3 | Inspection Records | Excel/Peak TCI Comments | Line 4. Replace "Range personnel bunker" with "Shop". As stated in Section C.3 of the permit application, inspection logs are maintained at the EOD Shop. | | |
| 486. | 203 | 8 | | EOD Comments for Subpart X Permit/EPA | In case of major accident the FD should be contact first. KCP notification would occur after | | |

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| | | | | write ups/Excel file | initial life saving calls are made. | | |
| 487. | 203 | 8.1 | Purpose & Implementation | Excel/Peak TCI Comments | 1st paragraph. Add "outside the EOD Range" at the end of the last sentence. As stated in Section E.1 of the Contingency Plan included in the application, KAFB will handle minor incidents (i.e., those which can be controlled with EOD Range resources and do not threaten human health or the environment outside the EOD Range boundary) with trained EOD personnel, and response to minor incidents is not considered activation of the Contingency Plan. | | |
| 488. | 203 | 8.1 | | Excel/Peak TCI Comments | 2nd paragraph, 1st sentence. Delete. See comment above. Revise paragraph accordingly (see permit application language in Section E.1 of the application). | | |
| 489. | 203 | 8.1.1 | Distribution | Excel/Peak TCI Comments | 2nd paragraph, Line 2. Replace the 1st "EOD" with "EM Branch", and replace "at the personnel bunker at" with "in a vehicle driven to". Insert "for each planned treatment event" after "EOD Range". The personnel bunker is not the best location for storing any kind of records (e.g., potential rodent infestations, which could threaten human health). | | |
| 490. | 204 | 8.1.2 | Operations & Activities at the OB/OD Units | Excel/Peak TCI Comments | Top of page, Line 6. Replace "EC/RSO" with "generator and EOD personnel". 2nd complete paragraph, Line 5. Add "if the material is of a classified nature or contraband" to the end of the sentence. This will more accurately reflect the language included in the permit application. | | |
| 491. | 204 | 8.1.4 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Who is required to maintain these and are they need as KAFB is self contained in emergency situations. | | |
| 492. | 204 | 8.1.4 | Support Agreements with Outside Facilities | Excel/Peak TCI Comments | 40 CFR § 264.37 requires a facility to attempt to make arrangements with local authorities. However, neither 40 CFR § 264.37 nor 40 CFR § 270.14 require documentation of those attempts. Delete the permit condition requiring the Permittee to maintain documentation of failed attempts to obtain agreements with various outside facilities. | | |

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| 493. | 205 | 8.3 | Response Procedures | Excel/Peak TCI Comments | 1st paragraph, Line 3. Replace "EC" with "Base Civil Engineer". Line 4. Insert "or Base Civil Engineer" after "EOD RSO". Line 7. Delete "control to the KCP, which may in turn relenquish (sic)". The sequence of events was described in Section E.3 of the application, and should be maintained in the permit. | | |
| 494. | 205 | 8.3 | | Excel/Peak TCI Comments | 2nd paragraph, Line 3. Insert "during an incident or emergency" after "assistance". Line 4 and Items 1-3. The way NMED has changed the language from that provided in the application is confusing. Return to the language provided in the application or else add "unless" after "Unit.", delete "When" in Item 1, delete "Until" in Item 2, and "and/or" at the end of Item 2, and delete "Until" from Item 3. As currently written in paragraph 2 and Items 1-3, an inspection could never be conducted. | | |
| 495. | 205 | 8.3 | | Excel/Peak TCI Comments | 3rd paragraph, Item 1. Delete "To". | | |
| 496. | 206 | 8.3 | | Excel/Peak TCI Comments | 1st complete paragraph, Line 2. The permit condition requires a person to be assigned to stand by at a safely located telephone. Telephones are not required emergency equipment at the EOD Range. Revise permit condition to read "In the event that the EOD RSO determines an incident or an emergency to be minor, a person shall be assigned to stand by with a hand-held radio at a safe distance." | | |
| 497. | 206 | 8.3 | | Excel/Peak TCI Comments | After the 1st complete paragraph, insert the language included in the permit renewal application on pages E-5 and E-6, beginning with "For the following reasons, most unplanned incidents involving the EOD Range will initially be considered minor incidents." and include the 4 bulleted items included therein. | | |
| 498. | 206 | 8.3 | | Excel/Peak TCI Comments | 2nd complete paragraph, Line 2. Insert "and activate this Contingency Plan" after "846-3777". Line 4. Delete "and the Department". 40 CFR § 264.56(d) only requires notification to the National Response Center. | | |

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| 499. | 206 | 8.3.1 | Spills | Excel/Peak TCI Comments | Line 1. Insert "liquid" after "If any". Solid form wastes would not require spill cleanup measures included in this permit condition because they would not contaminate any media. Line 5. Delete the sentence beginning with "Waste not authorized". If a waste is not authorized for treatment by OB or OD, it will not be accepted for treatment in the first place, and it would be up to the generator to manage the path forward for the waste. | | |
| 500. | 206 | 8.3 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Accident scenario the FD is called and is ER coordinator and where is the requirement to call the NRC for and explosive accident on a military installation? | | |
| 501. | 207 | 8.3.4 | Unplanned Fire etc. | Excel/Peak TCI Comments | Line 4. Replace "occurs" with "threatens areas outside the EOD Range boundary", as indicated in the permit renewal application. Line 4. Insert "in this situation" after "activated", as indicated in the application. | | |
| 502. | 207 | 8.3.6 | Evacuation | Excel/Peak TCI Comments | Replace "two-way" with "hand-held", as indicated in the application. | | |
| 503. | 208 | 8.3.6.2 | Evacuation Route | Excel/Peak TCI Comments | Line 3. Delete "EOD office" and replace "EC" with "RSO". There is no need to post the evacuation route at the EOD Shop (office), as it is not located near the EOD Range. | | |
| 504. | 208 | 8.5.1 | Post-Emergency Inspections & Activities | Excel/Peak TCI Comments | Item 1. Replace "EOD RSO" with "EC", as indicated in the permit renewal application. Insert "that requires implementing the Contingency Plan" after "emergency", as indicated in the application. | | |
| 505. | 209 | 8.5.2 | Post-Emergency Reports | Excel/Peak TCI Comments | Item 2. Delete "or" in the first line, or delete "emergency or incident" instead. 40 CFR § 264.56(j) requires "a written report". Item 2a. Delete ", the EOD RSO, and the EM Branch Chief of Compliance". 40 CFR § 264.56(j)(1) requires the name, address, and telephone number of the owner or operator, not the others listed in this item. Item 2b. Replace "responsible official" with "EOD Shop", as indicated in the application. 40 CFR § 264.56(j)(1) requires the name, address, | | |

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| | | | | | and telephone number of the facility, which in this case is the EOD Shop (as they are in charge of the EOD Range). | | |
| 506. | 210 | 8.5.3 | Emergency Response Evaluation | Excel/Peak TCI Comments | Item 1. Delete ", or applications,". 40 CFR § 264.54(a) requires an amendment of the contingency plan only when "The facility permit is revised". It does not require amendment of the plan when applicable regulations are revised. Item 4. Add "significantly" after "changes". Minor changes to the list of emergency equipment should not force amending the plan. | | |
| 507. | 210 | 8.5.3 | | Excel/Peak TCI Comments | Lines 2 and 3. Delete the sentence beginning with "A copy of". | | |
| 508. | 211 | Table 8-1 | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Need additional Emergency coordinator. The EC is not the Range Safety Officer, that is the 7-level EOD technician on scene during explosive operations. | | |
| 509. | 211 | Table 8-2 | | Excel/Peak TCI Comments | The permit renewal application does not list a demolition kit, spill containment kit, eye wash kit, or brooms in the list of required emergency equipment. Delete these items from Table 8-2. Eye washes are included in first-aid kits. Delete "- ABC" from the fire extinguishers entry. See comment related to Section 2.2.4 above. Replace "Two-way" with "Hand-held" in the first line, as indicated in Table E-3 of the permit renewal application. | | |
| 510. | 212 | Table 8-3 | | Excel/Peak TCI Comments | Under Medical Supplies, replace with the language submitted in Table E-4 of the permit application, and delete the second sentence. Under Safety Supplies, delete the second and third sentences. These entries were not included in Table E-4 of the application. Under Transportation, replace with the language submitted in Table E-4 of the permit application. NMED's additions to these entries is far too specific. | | |

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| 511. | 213 | 9.0 | Introduction | Excel/Peak TCI Comments | 1st paragraph, Lines 3 and 4. The New Mexico Hazardous Waste Management Regulations (HWMR) are referenced in this permit attachment. To be consistent with other parts of the permit, 40 CFR regulations should be cited. In this case, replace "New Mexico Hazardous Waste Management Regulations (HWMR)" with "40 CFR § 264.16". 2nd paragraph, Line 3. Insert a period before "EOD". | | |
| 512. | 213 | 9.1 | Training Program | Excel/Peak TCI Comments | The permit condition states that training is the overall responsibility of the EOD Flight Chief and the Range Safety Officer. The permit renewal application states only that the Flight Chief is responsible. Revise to reflect permit renewal application language [i.e., delete "and the Range Safety Officer (RSO)"]. | | |
| 513. | 213 | 9.1.2 | Training Content, etc. | Excel/Peak TCI Comments | Line 4. The HWMR are referenced in this section. To be consistent with other parts of the permit, 40 CFR regulations should be cited. In this case, replace "HWMR" with "40 CFR § 264.16". | | |
| 514. | 213 | 9.2 | Training Director | Excel/Peak TCI Comments | Line 4. The HWMR are referenced in this section. To be consistent with other parts of the permit, 40 CFR regulations should be cited. In this case, replace "HWMR" with "40 CFR § 264.16". | | |
| 515. | 216 | 10.0 | Introduction | Excel/Peak TCI Comments | 1st paragraph, Line 3. Delete "and approved by the New Mexico Environment Department (Department)" (i.e., return to the language included in the permit renewal application). NMED does not certify closures; a registered professional engineer does. Lines 4 & 5. The New Mexico Hazardous Waste Management Regulations (HWMR) are referenced in this permit attachment. To be consistent with other parts of the permit, 40 CFR regulations should be cited. In this case, replace "New Mexico Hazardous Waste Management Regulations" with "40 CFR Part 264, Subpart G" or with "40 CFR § 264.115". | | |

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| 516. | 216 | 10.1 | General Closure Information | Excel/Peak TCI Comments | The plan was also prepared in accordance with Subpart H. Insert ", H," after "Subparts G", as indicated in the permit renewal application. | | |
| 517. | 216 | 10.1.1 | Closure Performance Standard | Excel/Peak TCI Comments | The last paragraph from Section F.1.1 included in the application, which summarizes how the closure performance standards will be met, was deleted. Reinsert that paragraph. | | |
| 518. | 217 | 10.1.3 | Maximum Extent of Operations | Excel/Peak TCI Comments | 1st paragraph, second sentence. NMED added this sentence. However, closure activities will be limited to the inner fenced area (the area containing the units). Anything beyond that area would be covered by corrective actions. Clarify or delete. | | |
| 519. | 217 | 10.1.3 | | Excel/Peak TCI Comments | 2nd paragraph, Line 1: Revise to read "No more than 100,000 lbs NEW of hazardous wastes...". Line 2. Revise to read " No more than 80,000 lbs NEW of hazardous waste...". These changes will reflect the correct language, as indicated in Section F.1.3 of the application. Line 3. Replace "present" with "2005". The maximum inventory (of 151,000 pounds) was an estimate when the revised permit renewal application was submitted to NMED in December 2005. | | |
| 520. | 217 | 10.1.5 | Amendment of the Closure Plan | Excel/Peak TCI Comments | 1st paragraph. 40 CFR § 264.112(c) requires the owner/operator to submit a written notification of or request for a permit modification to authorize a change in operating plans, facility design, or the approved closure plan; the written notification or request must include a copy of the amended closure for review or approval. This language was deleted from the first paragraph. Revise to reflect language in Section F.1.5, paragraph 1, of the permit renewal application. | | |
| 521. | 217 | 10.1.5 | | Excel/Peak TCI Comments | Item 5 requires closure plan amendment for "Changes in state law that affect the Closure Plan..". 40 CFR § 264.112(c)(2) does not require amendment of the closure plan in response to changes in state law; it requires an amendment to the plan only for conditions in Items 1-4. Delete | | |

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| | | | | | Item 5. | | |
| 522. | 218 | 10.2.1 | Closure Report | Excel/Peak TCI Comments | Item 1. The certification is not described in Section 13.1.7. Replace "13.1.7" with "10.2". | | |
| 523. | 219 | | | Excel/Peak TCI Comments | Item 9 requires a survey plat. The 40 CFR § 264.116 survey plat requirements pertain only to hazardous waste <i>disposal</i> units. The OB and OD Units are not hazardous waste disposal units; therefore, a survey plat is not required. KAFB does not intend to let waste remain after closure. Delete Item 9. | | |
| 524. | 219 | 10.2.2 | | Excel/Peak TCI Comments | Delete this permit condition section. See previous comment for justification. | | |
| 525. | 219 | 10.3 | Closure Procedures | Excel/Peak TCI Comments | 2nd paragraph, Line 1. Replace the second "of" with "at". | | |
| 526. | 219 | 10.3.1 | OB Unit | Excel/Peak TCI Comments | The first paragraph of Section F.2.1 included in the permit renewal application was deleted. That paragraph discussed using swipe sampling as the first step in closing the OB unit. Swipe sampling has been used successfully for closures at other federal facilities in New Mexico. Reinsert that paragraph to allow for swipe sampling. | | |
| 527. | 219 | 10.3.1 | | Excel/Peak TCI Comments | 1st paragraph, Line 1. Insert "If the analyses indicate that decontamination is necessary," before "The steel container". The steel container will be washed down only if results from swipe sampling indicate a need for decontamination by washing. Delete "and Open Detonation Unit". This section describes closure procedures for the OB unit, not the OD unit. | | |

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| 528. | 219 | 10.3.1 | | Excel/Peak TCI Comments | 2nd paragraph, Line 1. Delete "warm". There is no need for the detergent and water solution to be "warm" to be effective in decontamination. Line 5. Delete "wash or". The wash water may have toxicity characteristic contaminants; if so, the data will be used for subsequent management of the wash water. Data from the rinse water will determine if any contaminants remain on the steel container and another wash/rinse cycle is required. Line 8. Delete "wash and" for the same reason. | | |
| 529. | 220 | 10.3.1 | | Excel/Peak TCI Comments | 1st paragraph, Line 1. Insert "(if necessary)" after "decontaminated". See first comment related to 10.3.1 above for justification. Line 4. Delete "wash and". See comment above for justification. | | |
| 530. | 220 | 10.3.1 | | Excel/Peak TCI Comments | 3rd paragraph, Line 2. There are no background levels for organics and HE. Revise appropriately (see 4th paragraph of Section F.3 in the permit renewal application). Line 7. Replace "residential" with "industrial". The 1st paragraph in Section 3.5 of Part 3 in this draft permit states "industrial scenario", which is justified. The EOD Range at KAFB will not be converted to residential use. | | |
| 531. | 220 | 10.3.1 | | Excel/Peak TCI Comments | 5th paragraph. Line 2. Replace "as hazardous waste" with "appropriately". Second sentence. Delete. PPE won't necessarily become hazardous waste. To assume the PPE is contaminated with all the hazardous waste constituents ever treated at the OB unit is not justified. | | |
| 532. | 220 | 10.3.2 | OD Unit | Excel/Peak TCI Comments | Line 2. Soil sampling procedures are described in Section 10.4.1. Replace "10.3" with "10.4.1". Line 5. There are no background levels for organics and HE. Revise appropriately. | | |
| 533. | 221 | 10.3.2 | | Excel/Peak TCI Comments | Line 3. Replace "residential" with "industrial". The 1st paragraph in Section 3.5 of Part 3 in this draft permit states "industrial scenario", which is justified. The EOD Range at KAFB will not be converted to residential use. | | |

| Comment No. | Page No. | Section No. | SubSection No. | Commentator's Name | Summary of Comment | New Comment ? Y/N | NMED Response |
|-------------|----------|-------------|---|-------------------------|---|-------------------|---------------|
| 534. | 221 | 10.4 | Sampling, Decontamination Procedures, & PPE | Excel/Peak TCI Comments | 1st paragraph, Line 5. Replace "analytical" with "sampling". This section is about sampling, not analysis. Line 6. Delete "of waste". Sampling will be conducted to determine if any media are contaminated; if so, the media will be "waste". Line 8. The word "or" should not be italicized nor underlined. | | |
| 535. | 221 | 10.4 | | Excel/Peak TCI Comments | Line 1. Insert "reusable" after "The". If the tools and equipment are disposable, there is no need to scrape and clean them. Line 5. Here, Tables 10-2 through 1-4 are referenced, whereas in Section 10.3.1, 2nd paragraph, Table 1 of 40 CFR 261.24 is used for wash and rinse water. This is inconsistent. Revise appropriately. | | |
| 536. | 226 | 10.5.2 | Waste Containers | Excel/Peak TCI Comments | 5th bullet. Delete. This is already covered with Item 7 in Section 10.5.1. | | |
| 537. | 228 | Table 10-1 | | Excel/Peak TCI Comments | Add "Extensions to the schedule may be requested, as necessary" to the footnote, as indicated in Table F-1 of the permit renewal application. | | |
| 538. | 229 | Table 10-2 | | Excel/Peak TCI Comments | This is not the same table as Table F-2 submitted with the permit renewal application. Most of the methods NMED substituted have been "Noticed for removal" from SW-846, and the target detection limits for the few methods (7061A, 7470A, and 7471A) that have not been "Noticed for removal" do not list the correct target detection limits provided in those methods. In addition, NMED added "mg/kg" to the target detection limit column, but does not provide values in both units, and thallium is listed twice (with different detection limits). Replace this table with the original Table F-2 included in the application. | | |
| 539. | 230 | Table 10-3 | | KIRTLAND AFB | This table is not particularly useful if NMED is not going to provide compound specific detection limits. | | |
| 540. | | | | Excel/Peak TCI Comments | Again, this is not the same table as Table F-3 submitted with the permit renewal application. | | |

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| | 230 | Table 10-3 | | | NMED has listed a range for target detection limits; however, the target detection limits in Methods 8260B and 8270C are chemical and/or compound specific. This should be reflected in the table. | | |
| 541. | 231 | Table 10-4 | | Excel/Peak TCI Comments | It appears that the target detection limits do not line up with the specific HE listed. Reformat table to align specific analyte with specific target detection limit. The last value of 1.0 in the TDL column should be deleted. | | |
| 542. | 232 | Table 10-5 Table 10-6 | | KIRTLAND AFB | Suggest removing these tables. NMED can require KAFB to use SW-846 methods which will have associated sample preservation and container requirements. It is not necessary for that specific information to be part of the permit. | | |
| 543. | 234 | Table 10-7 | | Excel/Peak TCI Comments | The sample matrix type for equipment blanks (i.e., equipment rinsate blanks) would be water only. Delete "Soil". | | |
| 544. | 235 | Table 10-8 | | Excel/Peak TCI Comments | Add "7000 Series" to "Metals". See comment related to Table 10-2 above. | | |
| 545. | General | | | Excel/Peak TCI Comments | The only plans that should be included as attachments in the permit are the Waste Analysis Plan (Attachment 5.), the Soil Sampling and Analysis Plan (Attachment 6), the Inspection Plan (Attachment 7), the Contingency Plan (Attachment 8), the Personnel Training Plan (Attachment 9), and the Closure Plan (Attachment 10). The information in Attachments 1 and 2 should be reduced to reflect actual permit conditions (perhaps as a module). The information in Attachment 3 was provided to meet Subpart X requirements, and should not be included in the permit. The information in Attachment 4 needs to be replaced with the information presented on pages 6 and 7 of 7 from the Part A, which summarized the types of wastes managed at each unit. | | |
| 546. | Throughout | Text | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Throughout this permit, the words "This Permit Condition shall not be construed to limit the Dept's authority..." From our understanding this means | | |

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| | | | | | even if a condition is not in the Permit, and we don't know about it, the "Dept" can fine us without reprieve.. In addition, how can the Dept hold us to rules that are "self-imposed" or imposed by another governing body? | | |
| 547. | Throughout | Text | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | The language throughout this Permit isn't "public" friendly. Re-write so all users, who are not EPA type can understand. This would alleviate a lot of confusion when it comes to compliance. | | |
| 548. | Throughout | Text | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | Re-number paragraphs. Some are numbered while others are not. When making reference to another paragraph, cite the exact reference paragraph to eliminate confusion. | | |
| 549. | Throughout | Text | | EOD Comments for Subpart X Permit/EPA write ups/Excel file | "Compliance with this permit (pg. 2 para 1.2.1) Compliance with the permit is the only defense we have. The permit is our operating guidelines. If we can't stand on it, why do we have it?" | | |