



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



Colonel John C. Kubinec
377 ABW/CC
2000 Wyoming Blvd SE
Kirtland AFB NM 87117-5600

MAR 6 2013

Mr. John Kieling
Acting Chief, Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

RE: 2012 Annual Fee, Hazardous Waste Management Activities, Kirtland Air Force Base, EPA
ID#NM9570024423

Dear Mr Kieling

Kirtland Air Force Base (AFB) is requesting a waiver from paying the assessed 2012 annual hazardous waste management activity fees for the Open Burn and Open Detonation Treatment units. I have attached my notarized affidavit certifying the non-operational status of both treatment units during 2012, as well as a copy of your 1 October 2012 invoice.

We are aware that this is an un-timely request. However, Patrick Montañó, my Chief of Environmental Management, discussed this issue with you by telephone on 26 February 2013. During that conversation, you indicated that your office would accept this untimely waiver request. My Environmental Management Office has noted this annual requirement and all future filings will be timely.

If you have any questions regarding my affidavit and/or this fee waiver request, please contact my Chief of Environmental Management, Patrick Montañó, at (505) 846-8577.

Sincerely

JOHN C. KUBINEC, Colonel, USAF
Commander

Attachments:

1. Affidavit for Hazardous Waste Management Operations
2. 2012 Subpart X Unit Invoice

KAFB3990



AFFIDAVIT OF COLONEL JOHN C. KUBINEC

Per 20.4.2.211(A) NMAC, the annual fee shall be waived for hazardous waste management units for which the owner or operator provides documentation to the New Mexico Environment Department (NMED) that Resource Conservation and Recovery Act (RCRA)-related waste management activities did not occur at the unit during the previous calendar year. This affidavit serves as documentation for units under my management in calendar year 2012.

The following units under Kirtland AFB management did not and will not perform RCRA-related waste management activities during calendar year 2012:

- EOD Subpart X Open Burn Facility – hazardous waste treatment operations at the open burn unit ceased in May 2008. Kirtland AFB delivered the official notification of intent to close the open burn unit on 28 September 2009 in accordance with NMED Stipulated Final Order HWB-09-00(CO) and Settlement Agreement.
- EOD Open Detonation Facility – hazardous waste treatment operations at the open detonation unit ceased in August 2010. The closure plan for the open detonation unit was originally submitted on 8 October 2010.

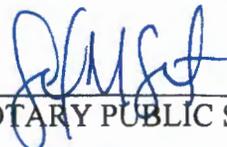
As per 40 C.F.R. § 270.11, I certify under penalty of law that this affidavit was prepared under my direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.


JOHN C. KUBINEC, Colonel, USAF
Commander

Subscribed and sworn to before me on this 6th day of March, 2013.

My commission expires on the 28th day of June, 2013.




NOTARY PUBLIC SIGNATURE
Sarah M. Swift
NOTARY'S PRINTED NAME