



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



CERTIFIED RETURN-RECEIPT REQUESTED

NOV 08 2016

Colonel Eric H. Froehlich
377 ABW/CC
2000 Wyoming Blvd SE
Kirtland AFB NM 87117-5000

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

Dear Mr. Kieling

Kirtland Air Force Base (AFB) is requesting a waiver from the annual fee assessments for the Open Burn (OB) and Open Detonation (OD) RCRA Part X treatment units for calendar year 2015. Pursuant to 20.4.2.211(A) New Mexico Administrative Code (NMAC) Kirtland Air Force Base is providing the attached affidavit certifying that both the OB and OD treatment units have been non-operational during calendar year 2015.

If you have further questions, please contact Mr. L. Wayne Bitner at (505) 853-3484 or at ludie.bitner@us.af.mil, or Mr. Scott Clark at (505) 846-9017 or at scott.clark@us.af.mil.

Sincerely

ERIC H. FROEHLICH, Colonel, USAF
Commander

Attachment:

Affidavit for non-operational status at the OB and OD treatment units

cc:

NMED-HWB (Cobrain w/o attch, Davidson w/attch)
AFCEC-CZRX (Renaghan)
Public Info Repository (Central New Mexico Community College)
Administrative Record/Information Repository (AR/IR) and File



AFFIDAVIT OF COLONEL ERIC H. FROEHLICH

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 2015.

The following units under Kirtland AFB management did not perform RCRA related waste management activities during calendar year 2015:

- 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.

By 
ERIC H. FROEHLICH, Colonel, USAF
Commander

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

The foregoing instrument was acknowledged before me this 8 day of Nov, 2016
by Col Eric Froehlich, as Wing Commander, 377 ABW

My Commission Expires:
Indefinite


Notary Public
LARA L. PADUA, USAF, USAF
Paralegal
NOTARY BY FEDERAL STATUTE
16 U.S.C. 1044a IAW AFI 51-504

