



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

 ENTERED

27 Aug 21

Colonel Ryan S. Nye, USAF
Vice Commander
377th Air Base Wing
2000 Wyoming Blvd SE
Kirtland AFB NM 87117

Mr. Ricardo Maestas
Acting Hazardous Waste Bureau (HWB) Chief
New Mexico Environment Department (NMED)
2905 Rodeo Park Drive East, Building 1
Santa Fe NM 87505

Dear Mr. Maestas

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 2020. 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 were non-operational during calendar year 2020.

If you have any questions or concerns, please contact Mr. Scott Clark at commercial line (505) 846-9017 or email scott.clark@us.af.mil; or Mr. John Knight at (661) 203-7714 or email john.knight.15@us.af.mil.

Sincerely

RYAN S. NYE, Colonel, USAF
Vice Commander

Attachment:

Fee Waiver Affidavit for Non-operational Status at the OB and OD Treatment Units

cc:

NMED-HWB (Cobrain, Davidson)
EPA-Region 6 (King)
AFCEC/CZRE (Banks)
Public Info Repository
Administrative Record/Information Repository (AR/IR) and File

KAFB5055



AFFIDAVIT OF COLONEL RYAN S. NYE

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 2020.

The following units under Kirtland AFB management did not perform RCRA related waste management activities during calendar year 2020:

- 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 September 28, 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 October 8, 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 *Ryan S. Nye*
RYAN S. NYE, Colonel, USAF
Vice Commander

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

The foregoing instrument was acknowledged before me this 27 day of August, 2021,

by Ryan S. Nye, as 377 ABW VICE COMMANDER.

Andrew T. Inocencio
Andrew T. Inocencio, SSgt, USAF
Notary Public

My Commission Expires:

27 January 2022

