



BRUCE KING
GOVERNOR



State of New Mexico
ENVIRONMENT DEPARTMENT
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JUDITH M. ESPINOSA
SECRETARY

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DEPUTY SECRETARY

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 24, 1993

General Richard N. Goddard, Commander
100 S. DL Ingram Blvd, Suite 100
Cannon Air Force Base, NM 88103-5214

RE: **CONDITIONAL PERMIT DENIAL** - Melrose Air Force Range, Open Burn/Open Detonation Hazardous Waste Management Unit

The New Mexico Environment Department (NMED) hereby issues a conditional denial of the Melrose Air Force Range, Open Burn Open Detonation (OB/OD) unit operating permit. This conditional denial of the permit application is based on the administrative record as of June 7, 1993 for failure by the applicant to submit a technically complete permit application under HWMR-7, Part IX, 40 CFR Section 270.10.(e)(5).

NMED's decision to issue a Conditional Denial of the operating permit is based on Cannon Air Force Base's (CAFB) comments during the public comment which stated that a technically complete Part B permit application will be submitted by September 17, 1993 for operation of the Melrose OB/OD unit. NMED agrees to allow the Melrose OB/OD unit to operate under interim status according to the terms of this Conditional Permit Denial as specified below:

Condition 1. The operating permit is automatically denied and interim status terminates on September 18, 1993 if a new Part B application is not received by this office on or before September 17, 1993;

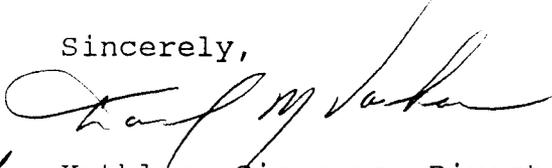
Condition 2. The operating permit is automatically denied and interim status terminates if NMED finds that the permit application submitted under Condition 1 above is not administratively complete in accordance with the HWMR-7, Part IX, 40 CFR § 270 permit application information requirements, is not complete in accordance with the technical review Notice of Deficiency (NOD) issued by NMED on December 22, 1992, and is not complete in accordance with the items listed on the enclosed proposed "Subpart X Permit Application Schedule - Melrose Range". NMED will notify CAFB within thirty (30) days of receipt of the new application regarding whether or not the permit application is complete for the items described in

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this paragraph. If the permit application submitted in Condition 1 above is inadequate for the items described in this paragraph, then permit denial and termination of interim status is effective upon the date of receipt by CAFB of the NMED notification. CAFB must also cease operations at the Melrose OB/OD unit and submit a final closure plan to the NMED within fifteen (15) days.

Should you need clarification regarding the above alternatives to the conditional permit denial, contact Barbara Hoditschek or Tom Tatkin at (505) 827-4308.

Sincerely,



for Kathleen Sisneros, Director
Water and Waste Management Division

cc: David Neleigh, US EPA, Region VI
Tracy Hughes, NMED
Benito Garcia, NMED
Barbara Hoditschek, NMED
Tom Tatkin, NMED