

SNL 2003



**Department of Energy  
National Nuclear Security Administration**

Sandia Site Office  
P.O. Box 5400  
Albuquerque, New Mexico 87185-5400

APR 21 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. John Kieling, Manager  
RCRA Permits Management Program  
Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505



Dear Mr. Kieling:

Enclosed is a copy of Multiple Event Open Burning Permit No. 76-OB-5-2003 issued by the City of Albuquerque (COA) to the Department of Energy (DOE) on March 21, 2003. The permit is effective January 1, 2003 through December 31, 2003.

This copy is submitted to your office in accordance with Permit Condition I.E.7 of the Hazardous Waste Treatment Facility Permit NM5890110518-2 (the Permit) for the Thermal Treatment Facility at Sandia National Laboratories/New Mexico (SNL/NM) (Environmental Protection Agency Identification Number NM5890110518). This copy also becomes Attachment 10 of the Permit as referenced in Permit Condition III.C.5.

If you have any questions or require further information, please contact John Gould at (505) 845-6089.

Sincerely,

  
Ken Zamora  
Assistant Manager  
Office of Oversight and Assessments

Enclosure



J. Kieling

(2)

APR 21 2003

cc w/o enclosure:  
W. Moats, NMED-HWB  
R. Kennett, NMED-OB  
A. Reiser, SNL, MS-1151



# **City of Albuquerque**

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

Kenneth E. Zamora  
Assistant Manager  
Office of Oversight and Assessment  
Department of Energy / Sandia Site Office  
National Nuclear Security Administration  
P.O. Box 5400  
Albuquerque, New Mexico 87185-5400

March 21, 2003  
Mail / Fax (Susan Lacy)

re: Multiple Event Open Burning Permit No. 76-OB-5-2003

Dear Mr. Zamora:

Pursuant to the New Mexico Air Quality Air Quality Control Act, Chapter 74, Article 2 NMSA 1978, Section 74-2-5, County of Bernalillo Joint Air Quality Control Board Ordinance 94-5, City of Albuquerque Joint Air Quality Control Board Ordinance 9-5-1-98 ROA 1994, and the Albuquerque/Bernalillo County Board (A/BCAQCB) Regulation No. 3, Open Burning, Section 3.03(A), Conditionally Allowed Open Burning With A Permit, the Department of Energy (DOE), NNSA, Sandia Site Office (Agency) is hereby granted this MULTIPLE EVENT OPEN BURNING PERMIT subject to the following conditions:

Condition No. 1: The open burning activities are conducted as described in your open burn application dated March 14th, 2003, for up to twenty (20) open burning events, to occur at the Thermal Treatment Facility at Sandia National Lab's Tech Area 3 on Kirtland Air Force Base in Albuquerque. Each of the twenty scheduled events will involve the burning/detonation of about 180 lbs of explosive contaminated liquids and solids. Any significant deviation from your submitted application in location, amounts, or methods must be approved in advance by the Environmental Health Department.

Condition No. 2: Every reasonable effort must be made by the Agency to minimize all airborne contaminants from impacting areas of public or private access not in direct control of the Agency.

Condition No. 3: Pursuant of A/BCAQCB Regulation No. 3, Section 3.05, the Department may suspend any open burning authorized pursuant to this Permit in the event of current or prospective violations of the ambient air standards as determined by the Department.

Condition No. 5: Prior notification to the Division under this permit is not required.

**General Conditions:**

a) Failure To Comply With This Permit.

1) This Permit may be revoked if the Agency fails to comply with A/BCAQCB Regulation No. 3, Open Burning, or the conditions in force pursuant to this regulation.

2) Violations of the New Mexico Air Quality Control Act, or the laws and regulations enforce pursuant to the Act may result in, but are not limited to, civil and local ordinance penalties ranging from \$50.00 to \$15,000.00 in severity.

b) The issuance of this Permit does not relieve the Agency from responsibility of complying with the provisions of the Air Quality Control Act, and the laws and regulations in force pursuant to the Act.

c) Any conditions placed upon this Permit by the Department shall be enforceable to the same extent as a regulation of the Board.

d) Whenever two or more parts of the Air Quality Control Act, or the laws and regulations in force pursuant to the Act, limit, control or regulate the emissions of a particulate air contaminant, the more restrictive or stringent shall govern.

e) Any credible evidence may be used to establish whether the Agency has violated or is in violation of any regulation of the Board, or any other provision of law. Credible evidence and testing shall include, but is not limited to:

(1) a monitoring method approved for the source pursuant to Board Regulation No. 41 and incorporated into an operating permit;

(2) compliance methods specified in the Regulations, conditions in a permit issued to the Agency, or other provision of law;

(3) federally enforceable monitoring or testing methods, including methods in 40 CFR parts 51, 60, 61, and 75; and,

(4) other testing, monitoring or information-gathering methods that produce information comparable to that produced by any CFR method and approved by the Department and United States Environmental Protection Agency (EPA).

f) Any records, reports, or information obtained by the Department shall be available to the public, except upon the Agency's satisfactory showing to the Department that records, reports, or information, or particular parts, thereof would divulge confidential business records or methods or processes entitled to protection as a trade secret. However, emission data will not be treated as confidential information. Confidential information may be disclosed to any officer, employee, or authorized representative of the Department, the New Mexico Environment Department, or United States Environmental Protection Agency, or during any relevant proceeding under the Regulations, the Air Quality Control Act or the federal Clean Air Act (Act).

g) The Department will conduct scheduled and unscheduled inspections to insure compliance with the Air Quality Control Act, and the laws and regulations enforced pursuant to the Act, and this Permit, and, upon

**presentation of credentials:**

- (1) Shall have a right of entry to, upon, or through any premises on which an emission source is located or on which any records required to be maintained by regulations of the Board or by any permit condition are located.
- (2) May at any reasonable time have access to and copy any records required to be established and maintained by Regulations of the Board, or any permit condition.
- (3) May inspect any monitoring equipment and method required by Regulations of the Board or by any permit condition.
- (4) Sample any emissions that are required to be sampled pursuant to Regulation of the Board, or any permit condition.

**Additional Terms**

- (a) All correspondence to the Department concerning this Permit shall be addressed to:

Mark Dear, Burning Supervisor, Air Quality Division  
Environmental Health Department, City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103-1293  
(505) 768-1958 (Voice)

- (b) If any part of this Permit is held to be invalid or unenforceable, the holding will not affect the validity or enforceability of any other part of this Permit as long as the remainder of the Permit is reasonably capable of completion.
- (d) This Permit shall be governed by and construed and enforced in accordance with the laws of the State of New Mexico, and the laws,

Open Burn Permit  
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rules, and regulations of the City of Albuquerque.

(e) This Permit is in effect as of March 21st, 2003, and expires on December 31st, 2003, unless a timely request (within 30 days of issuance) for a hearing before the Albuquerque / Bernalillo County Air Quality Control Board is made pursuant to A/BCAQCB Regulation No. 3, Section 3.03(E), or this Permit has been revoked.

Issued on the 21st day of March, 2003



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Mark Dear, Environmental Health Department  
City of Albuquerque

xc: File