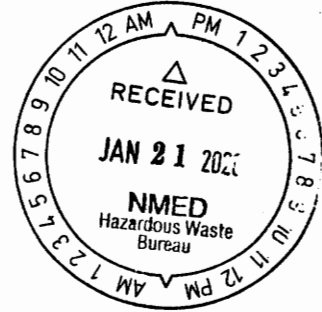




Department of Energy
National Nuclear Security Administration
Sandia Field Office
P.O. Box 5400
Albuquerque, NM 87185



JAN 14 2020



Mr. Dave Cobrain
Acting Chief
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Dr. East, Bldg. 1
Santa Fe, New Mexico 87505

Subject: Submittal of Open Burn Permit No. 20-0010 Issued to the Department of Energy, National Nuclear Security Administration Sandia Field Office

Dear Mr. Cobrain:

The Department of Energy (DOE), National Nuclear Security Administration (NNSA), Sandia Field Office and National Technology and Engineering Solutions of Sandia, LLC (NTESS) submits the enclosed subject permit to the New Mexico Environment Department. The permit was issued electronically by the City of Albuquerque to DOE/NNSA and NTESS on December 31, 2019, and is effective January 1 through December 31, 2020.

This copy is submitted to your office in accordance with Section 5.1 of Permit Part 5 of the Resource Conservation and Recovery Act, Facility Operating Permit for Sandia National Laboratories, New Mexico (Environmental Protection Agency Identification Number NM5890110518). This permit condition requires that the DOE/NNSA SFO and NTESS transmit an official copy of the open burn permit to you by February 1 or within 30 days of receipt.

If you have questions contact me at (505) 845-4262 or David Rast of our staff at (505) 845-5349.

Sincerely,

William V. Wechsler
Assistant Manager for Engineering

Enclosure

cc: See Page 2

Mr. Dave Cobrain

JAN 14 2020

2

cc w/enclosure:

Cornelius Amindyas

NMED/HWB

121 Tijeras Ave. NE, Albuquerque, NM 87102

Naomi Davidson

NMED/HWB

121 Tijeras Ave. NE, Albuquerque, NM 87102

Beau Masse

NMED/DOE OB

121 Tijeras Ave. NE, Albuquerque, NM 87102

cc w/o enclosure:

Rosemary Avery, SNL/NM

Amy Blumberg, SNL/NM

Tanja Fitzgerald, SNL/NM

Tim Covert, SNL/NM

Anita Reiser, SNL/NM

Paula Schuh, SNL/NM

Leigh Anna Steele, SNL/NM

Cynthia Wimberly, SFO/Legal

William Wechsler, SFO/ENG

Susan Lacy, SFO/ENG

Carolyn Holloway, SFO/ENG

David Rast, SFO/ENG

NNSA-2020-000107



City of Albuquerque
Environmental Health Department
P.O. Box 1293
ALBUQUERQUE, NEW MEXICO 87103

OPEN BURN PERMIT #: 20-0010

ISSUED TO: US DOE NNSA
PO Box 5400
Albuquerque, NM 87185

CONTACT: Carolyn Holloway
(505) 845-5248

carolyn.holloway@nnsa.doe.gov

Type of Open Burn Permit: Cond App Mult Event Open Burn

Location in Bernalillo County: Kirtland AFB

Purpose of Burn Permit: Disposal of Explosives *Thermal Treatment Facility*

STATUTORY AUTHORITY:

The Environmental Health Department ('Department') is authorized to administer and enforce actions regarding 20.11.21 NMAC pursuant to the federal Clean Air Act, 42 U.S.C. §§7401 to 7642 (1992); the New Mexico Air Quality Control Act, Article 2, NMSA 1978 ('the Act'); either the Albuquerque Joint Air Quality Control Board Ordinance, Chapter 9, Article 5, Part 1, ROA 1994 or the Bernalillo County Joint Air Quality Control Board Ordinance No. 94-5 (collectively 'the Ordinances'); and Albuquerque/Bernalillo County Air Quality Control Board Regulations, Title 20, Chapter 11, New Mexico Administrative Code ('the Regulations'). The Environmental Health Department is authorized by the City of Albuquerque ('the City'), the County of Bernalillo ('the County'), and the Albuquerque/Bernalillo County Air Quality Control Board ('the Board') to be the administrative and enforcement agency for the Board. Jurisdiction over Federal lands and facilities within Bernalillo County is granted to the City of Albuquerque and Bernalillo County by 42 USCA 7401 (a) (3), 42 USCA 7418 (a), and Executive Order No. 12088 (1978), as amended by Executive Order No. 12580 (1987).

I. PERMIT CONDITIONS AND TERMS

As authorized by 20.11.21 NMAC, Open Burning ('Regulation') this Permit is **CONDITIONALLY APPROVED** to conduct the open burning or detonation activities as requested in the attached application and consistent with the following conditions and terms:

Condition No. 1

The open burn or detonation will be conducted in the manner requested and at the following location: Thermal Treatment Unit as indicated in the attached application dated 12/24/2019 and received by the Air Quality Program ('AQP') 12/24/2019. Each activity is limited to 360 lbs of explosives and explosive wastes and will occur between 1/1/2020 and 12/31/2020.

Condition No. 2

Every reasonable effort will be made to minimize air contaminants.

Condition No. 3

As required by 20.11.21.12.(C) NMAC, this Permit shall be suspended during any 'no burn' period, or in the event of current or prospective exceedences of the federal ambient air quality standards as determined by the Director of the City Environmental Health Department ('Director'). Call (505) 767-5624 for current notifications.

Condition No. 4

At least 24-hours prior to the anticipated open burn or detonation fax a notice to (505)768-1977 Attn: Open Burn Program or email the Department at jstonesifer@cabq.gov and AQD@cabq.gov. If unforeseen conditions dictate that 24-hour notification is not possible, email the department at AQD@cabq.gov. In addition call (505) 767-5624, and provide the following information:

1. Company or agency name
2. Contact name and phone number
3. Type of activity and permit number
4. Anticipated date and times for the open burn or detonation, or cancellation of the permitted activity, if notification was made
5. Anticipated duration of the burn.

Condition No. 5

In accordance with 20.11.21.12.(A) NMAC, burning of environmentally poor burning substances, as defined in 20.11.21.7.(N) NMAC, is strictly prohibited in Bernalillo County.

Additional Terms

1. This Permit may be revoked if the Permittee fails to comply with 20.11.21 NMAC, Open Burning ('Regulation') or the conditions and terms of the permit.
2. The issuance of this Permit does not relieve the Permittee from the responsibility of complying with the provisions of the Air Quality Control Act, and the laws and regulations in force pursuant to the Act as well as responsibility of Permittee to notify local fire authorities before igniting the burn.
3. Any conditions in this Permit shall be enforceable to the same extent as a regulation of the Board.
4. 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.
5. Any records, reports, or information obtained by the Department shall be available to the public, except upon the applicant's satisfactory showing that the records, reports, or information, or particular parts thereof would divulge confidential business records, methods, or processes entitled to protection as a trade secret, or protected by any other state or federal law or regulation. 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), if appropriate.
6. The Department may conduct scheduled and unscheduled inspections ensure compliance with the Regulation and Permit; and, upon presentation of proper identification and credentials, the Department shall have:
 - a. Right of entry to any premises where an emission source, monitoring equipment, or records are located; and
 - b. Access to and copy any records required to be established and maintained by any Board Regulation or Permit condition.
7. All correspondence, telephone calls, fax or emails concerning this Permit shall be addressed to:

Permitting Division
Air Quality Program
1 Civic Plaza, Room 3047
P.O. Box 1293
Albuquerque, NM 87103
(505) 768-1972 Phone (505) 768-1977 Fax

8. If any part of any Regulation or Permit is held to be invalid or unenforceable, the holding will not affect the validity or enforceability of any other part of the Regulation or Permit as long as the remainder of the Regulation or Permit is reasonably capable of completion.

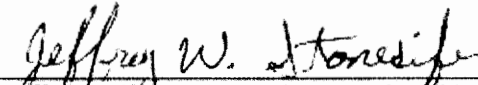
9. This Permit shall be governed by, construed and enforced in accordance with the laws of the State of New Mexico, and the laws, rules, and regulations of the City of Albuquerque.

10. By accepting this Permit, the Permittee acknowledges having thoroughly read this Permit, and has sought and received whatever competent advice or counsel was necessary to form a full and complete understanding of all rights and obligations herein.

11. Non-compliance with any condition or term in this Permit is a violation of the Permit.

12. This Permit is only effective in compliance with any requirements lawfully imposed by the Bernalillo County Fire Department or the Albuquerque Fire Department as applicable.

Issued on the 30th day of Dec, 2019



Jeff Stonesifer, Senior Environmental Health Scientist
Permitting Division, Air Quality Program
City of Albuquerque Environmental Health Department