



GARY E. JOHNSON
GOVERNOR

CAFB 97
State of New Mexico

ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
2044 Galisteo
P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-1557
Fax (505) 827-1544



MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

June 30, 1997

Colonel Michael J. Koerner
27 FW COC
100 S DL Ingram Blvd., Suite 100
Cannon AFB, New Mexico 88103-5214

**RE: Letter of Violation
NM7572124454**

Dear Colonel Koerner:

On April 29 through May 1, 1997 the New Mexico Environment Department (NMED) Hazardous and Radioactive Materials Bureau (HRMB) conducted a hazardous waste inspection of your facility, Cannon Air Force Base (CAFB). Based on the results of the inspection and a review of the information obtained, NMED has determined that CAFB has violated New Mexico Hazardous Waste Management Regulations (20 NMAC 4.1) as specified below. The purpose of this letter is to delineate the violation in writing and to request CAFB's voluntary corrective action.

In accordance with §74-4-10 NMSA 1978 (Repl. Pamp. 1993), NMED may: (1) issue a compliance order requiring compliance immediately or within a specified time period or assessing a civil penalty for any past or current violation of up to \$10,000 per day of non-compliance with each violation or both; or (2) commence a civil action in district court for appropriate relief, including a temporary or permanent injunction. Any such order issued may include a suspension or revocation of any permit issued by NMED.

At this time, NMED will suspend the enforcement options listed above if CAFB provides NMED with a satisfactory resolution to the violation or a detailed plan of corrective action acceptable to NMED within fifteen (15) working days of receipt of this letter. If NMED does not receive a satisfactory response, then NMED reserves the right to initiate formal enforcement action.

Colonel Michael J. Koerner
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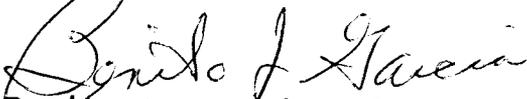
The following violation was noted:

- * CAFB has failed to properly store hazardous waste (D006), located at the Non Destructive Inspection (NDI)'s satellite accumulation point. This is a violation of 20 NMAC 4.1.300, which incorporates 40 CFR §262.34(a)(1)(i).

NMED may take enforcement actions if corrective actions are not completed voluntarily. Any action taken in response to this letter does not relieve CAFB of its obligation to comply with 20 NMAC 4.1 in other activities which it conducts, nor does it relieve CAFB of its obligation to comply with any other applicable laws or regulations.

Once again, if you have any questions regarding this letter, please contact Mr. John Tymkowych of my staff or me at (505)827-1557. Please address your response to Mr. Tymkowych's attention at the address on the letterhead.

Sincerely,



Benito J. Garcia, Chief
Hazardous and Radioactive Materials Bureau

BJG:JMT:ml

cc: Garrison McCaslin, NMED District IV Office
David Tanner, Clovis Field Office