



GARY E. JOHNSON
GOVERNOR

CAFB 00

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



PETER MAGGIORE
SECRETARY

PAUL R. RITZMA
DEPUTY SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

February 4, 2000

ATTN: Lloyd S. Utterback
Colonel
USAF Commander
27 FW CC
505 N. DL Ingram Blvd.
Cannon AFB NM 88103-5136

Re: **Notice of Violation
NM7572124454**

Dear Colonel Utterback:

On November 29, 1999, the New Mexico Environment Department (NMED) conducted a hazardous waste inspection of Cannon Air Force Base (CAFB). Based on our inspection and review of the information obtained, NMED has determined that CAFB has violated the New Mexico Hazardous Waste Management Regulations (20 NMAC 4.1) as specified below:

1. CAFB has failed to have the required aisle space to properly inspect drums with label(s) at the DRMO. This is a violation of 20 NMAC 4.1.500, which incorporates federal regulation 40 CFR §264.35.
2. CAFB has failed to close seven containers labeled "hazardous waste" at the DRMO. This is a violation of 20 NMAC 4.1.500, which incorporates federal regulation 40 CFR §264.173(a).

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3. CAFB has failed to registered the time on the weekly inspection for the week of 12/29/98 at the DRMO. This is a violation of 20 NMAC 4.1.500, which incorporates federal regulation 40 CFR §264.15(d).

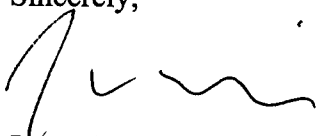
In accordance with §74-4-10 NMSA 1978 (Repl. Pamp. 1993), NMED may: (1) issue a compliance order requiring compliance immediately or within a specified time period, or assessing a civil penalty for any past or current violation of up to \$10,000 per day of non-compliance with each violation, or both; 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 is suspending the enforcement options listed above if CAFB provides NMED with satisfactory resolution of the violation(s) 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 satisfactory information, then NMED may initiate formal enforcement actions.

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 that it conducts, nor does it relieve CAFB of its obligation to comply with any other applicable laws and regulations.

If you have any questions regarding this letter, please contact Michael Le Scouarnec of my staff at (505) 827-1509. Please address your response to Mr. Le Scouarnec's attention at the address on the letterhead.

Sincerely,



James P. Bearzi
Chief

Hazardous and Radioactive Materials Bureau

cc: Darwin Pattengale, NMED District IV Office
Carlos Romero, Clovis Field Office
Debby Brinkerhoff, Manager CTA Program
Michael Le Scouarnec, RCRA Supervisor