



BILL RICHARDSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Telephone (505) 428-2500
Fax (505) 428-2567
www.nmenv.state.nm.us



RON CURRY
SECRETARY

DERRITH WATCHMAN-MOORE
DEPUTY SECRETARY

VIA FEDEX

May 1, 2003

Major General Stanley E. Green
Commander - USAADACENFB
Attn: ATZC-CG
Fort Bliss, TX 79916-6816

**SUBJECT: NOTICE OF VIOLATION
U.S. ARMY AIR DEFENSE ARTILLERY CENTER AND FORT BLISS
EPA ID No. NM4213720101-01
HWB-FB-00-004**

Dear General Green:

The New Mexico Environment Department (NMED) issues this Notice of Violation (NOV) to Fort Bliss for failure to submit a Corrective Measures Study (CMS) to implement a long-term ground water monitoring program and install effluent monitoring devices for SWMUs 19, 27B, and 76. In correspondence dated March 10, 2003, Fort Bliss was notified of its obligation to submit the CMS in accordance with Section V.R of its RCRA permit (Permit) and given 45 days to submit an adequate response. Fort Bliss has failed to submit the required CMS, thus violating its Permit.

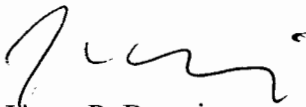
In accordance with Section 74-4-10 NMSA 1978, NMED may: (1) issue a compliance order requiring compliance immediately or within a specified time period, or assess a civil penalty for any past or current violations not to exceed \$10,000 per day of non-compliance with each violation, or both; or (2) commence a civil action in district court for appropriate relief, including a temporary or permanent injunction. Any compliance order issued may include a suspension or revocation of any permit issued by NMED.

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Fort Bliss is hereby required to submit the CMS within fifteen (15) working days of its receipt of this letter. Failure to provide the CMS may result in initiation of formal enforcement actions as outlined above. Any action taken in response to this letter does not relieve Fort Bliss of its obligation to comply with its permit or 20.4.1 NMAC in other activities that it conducts, nor does it relieve Fort Bliss of its obligation to comply with any other applicable laws and regulations.

If you have any questions regarding this NOV, please contact Mr. Glenn von Gonten of my staff at 505-428-2551.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:gvg

cc: Keith Landreth, Fort Bliss
T.A. Ladd, WSMR
Laurie King, EPA Region 6
M. Leavitt, NMED-GWQB
J. Kieling, NMED-HWB
M. Hanning, NMED-GWQB
D. Cobrain, NMED-HWB
G. von Gonten, NMED-HWB
J. Mullen, NMED-OGC

Dr. Mario Fiori, Assistant Secretary of the Army for Installations and Environment
110 Army Pentagon Room 3E464, Washington, D.C. 20310-0110

Mr. James Connaughton, Chairman, Council on Environmental Quality
722 Jackson Place, N.W., Washington, D.C. 20503

HWB-FB-00-004, Reading File, FB Red File, FB HSWA FILE