

HAFB 97

State of New Mexico

ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
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GARY E. JOHNSON
GOVERNOR

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

April 7, 1997

Mr. John Poland
Environmental Flight Chief
Holloman Air Force Base
49 CES/CEV
550 Tabosa Ave.
Holloman AFB, New Mexico 88330-8458

Dear Mr: Poland

RE: Letter of Violation
NMD65724422

On March 25-26, 1997 the New Mexico Environment Department (NMED) conducted a hazardous waste inspection of your facility, Holloman Air Force Base (HAFB). Based on our inspection and review of the information obtained, NMED has determined that HAFB has violated the New Mexico Hazardous Waste Management Regulations (20 NMAC 4.1) as specified below. The purpose of this letter is to request HAFB's voluntary corrective action and submission of a corrective action plan on how HAFB will address these issues as soon as possible.

At this time, NMED wishes to suspend the enforcement options listed below if HAFB can provide NMED with satisfactory resolution to the violations or a detailed plan of corrective action acceptable to NMED within fifteen days (15) working days of receipt of this letter. If NMED does not receive satisfactory information, then NMED reserves the right to initiate formal enforcement action.

The following violations were noted as result of the inspection:

1. HAFB has failed to timely repair the floor in the permitted storage facility at the DRMO. This is a violation of the 20 NMAC 4.1.500, which incorporates federal regulation 40 CFR §264.15(c).

John Poland
April 7, 1997
Page 2

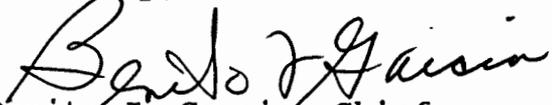
2. HAFB has failed to close one, 55 gallon container of hazardous waste located in Building 282 (Wheel/Tire Shop). This is a violation of 20 NMAC 4.1.300, which incorporates federal regulation 40 CFR §262.34(a)(1)(i).

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 compliance with each violation or both; or (2) commence a civil action in district court for appropriate relief, including a temporary injunction. Any such order issued may include a suspension or revocation of any permit issued by NMED.

Any action taken in response to this letter does not relieve HAFB of its obligation to comply with 20 NMAC 4.1 in other activities which it conducts, nor does it relieve HAFB of its obligations to comply with all other applicable laws and regulations.

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

Sincerely,



Benito J. Garcia, Chief
Hazardous and Radioactive Materials Bureau

BJG:DF:df

xc: Ken Smith, NMED District III Office
file