



BRUCE KING
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-2850

ENTERED

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

Rec'd
17 Jun 91

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

June 13, 1991

Col. Edward A. Behling
Director, Environmental Management
Headquarters 1606 ABW/EM
Kirtland Air Force Base, NM 87117-5000

RE: NOTICE OF VIOLATION
NM9570024423

Dear Behling:

On or about June 13, 1991 the Hazardous and Radioactive Waste Bureau (HRWB) conducted a record review of the Kirtland Air Force Base (KAFB) closure plans for the sewage lagoons and the golf course main pond. Based on review of the information obtained, HRWB has determined that Kirtland Air Force Base has violated the New Mexico Hazardous Waste Management Regulations (HWMR-6, Repl.Pamp. 1990).

The purpose of this letter is to delineate the violations in writing and to require KAFB to comply with HWMR-6.

The violations are:

1. The referenced closure plan for the sewage lagoons is incomplete and inadequate pursuant to §265.111.
2. The referenced closure plan for the golf course main pond is incomplete and inadequate pursuant to §265.111.

In accordance with Section 74-4-10 of the New Mexico Statutes Annotated (NMSA), 1978 (Repl.Pamp 1990), you have thirty (30) calendar days from the receipt of this notice to correct the violations and provide documentation that the aforementioned violation has been corrected. Within this thirty day period, you may request a meeting to discuss the violations, the required



Atch 1

Col. E.A. Behling
June 13, 1991
Page 2

corrective action, and/or a settlement agreement. Such a meeting must be held before this thirty day deadline and will not suspend the thirty day deadline for compliance or settlement.

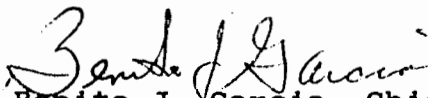
In order to correct these violations, KAFB must at a minimum modify the subject closure plans in accordance to the attached closure plan review.

If you fail to correct the violation cited in this Notice of Violation (NOV) within the specified time frame, you shall be subject to one or more of the following:

1. an order requiring compliance within a specified period, pursuant to Section 74-4-10 NMSA, 1978 (Repl.Pamp 1990).
2. a civil action in district court for appropriate relief, including a temporary or permanent injunction, pursuant to Section 74-4-10 NMSA, 1978 (Repl.Pamp 1990).

Any settlement reached shall be finalized upon the issuance of a written settlement agreement by the Secretary of the New Mexico Environment Department. If you have any questions regarding this notice, please contact Mr. Joe Kennedy at (505) 827-2424 or at the address above.

Sincerely,



Benito J. Garcia, Chief
Hazardous and Radioactive Waste Bureau

cc: Tracy Hughes, OGC
Garth Graves, District 1 Manager