

DEPARTMENT OF THE AIR FORCE  
Headquarters 377th Air Base Wing (AFMC)  
2000 Wyoming Boulevard S.E.  
Kirtland Air Force Base, New Mexico 87117-5658

FROM: 377 ABW/JA

NOV 24 1993

SUBJ: Answer and Request for Hearing - Compliance Order NMHWA 93-19

**DOCKETED**  
BY THE HEARING CLERK

TO: Kim Martinez, Hearing Clerk  
P.O. Box 26110  
190 St. Francis Drive  
Harold Runnels Bldg, S-4100  
Santa Fe, New Mexico 87502

NOV 24 1993

NO. *NM HWA 93-19(c)*  
BEFORE THE SECRETARY OF ENVIRONMENT



1. This Answer and Request for Hearing is submitted by Kirtland Air Force Base in response to Compliance Order NMHWA 93-19 which was issued by the New Mexico Environment Department pursuant to N.M. Stat. Ann. 74-4-10 (1978). Kirtland Air Force Base received the above-named Compliance Order on 5 November, 1993. With regard to specific findings and conclusions contained in Compliance Order NMHWA 93-19, Kirtland AFB states as follows:

a. Respondent admits to the FINDINGS made in Paragraphs 1 through 11 of Compliance Order NMHWA 93-19.

b. Respondent admits to the CONCLUSIONS set forth in Paragraphs 1 through 14 of Compliance Order NMHWA 93-19.

2. Respondent contends that the amount of penalties demanded are inappropriate based on the nature, circumstances, extent and gravity of the violations set forth in the Compliance Order. The Respondent has, therefore, requested a settlement conference with the State Of New Mexico to discuss the amount of the proposed penalty.

3. The Respondent, Kirtland AFB, hereby requests a hearing regarding Compliance Order NMHWA 9319. It is Respondent's understanding that the request for hearing will stay the finality of the order pending its negotiations with the state regarding the proposed penalty.

*Denise A. Underwood*  
DENISE A. UNDERWOOD, Captain, USAF  
Deputy Staff Judge Advocate

KAFB1345

