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**DOCKETED**  
STATE OF NEW MEXICO  
BEFORE THE SECRETARY OF ENVIRONMENT  
By The Hearing Clerk

IN THE MATTER OF THE COMPLIANCE  
ORDER ISSUED TO KIRTLAND AIR FORCE  
BASE, KAFB NM  
ID NO. NM 9570024423

MAY 21 1997

No.No. HRMB 97-01  
Before the Secretary  
of Environment

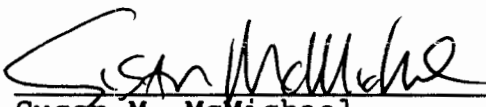
**NMED'S UNOPPOSED MOTION TO VACATE HEARING**

The Hazardous and Radioactive Materials Bureau of the New Mexico Environment Department (HRMB) moves under 20 NMAC 1.5.203B for an order to vacate the hearing on this appeal now scheduled for June 11, 1997 on the ground that HRMB and the Kirtland Air Force Base (KAFB) need additional time to explore the possibility of good-faith settlement of the issues. HRMB has communicated with counsel for KAFB and he does not oppose the granting of this motion by the Hearing Officer. An approved order on this motion is attached.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT  
OFFICE OF GENERAL COUNSEL

By:

  
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Attorney for NMED



KAFB1864



CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing NMED's Unopposed Motion to Vacate Hearing was mailed on May 21, 1997, to the following:

Wes Layton, Esq.  
Kirtland AFB  
377 ABW/CC  
2000 Wyoming Blvd, SE  
Kirtland AFB, NM 87117-5606

  
SUSAN MCMICHAEL

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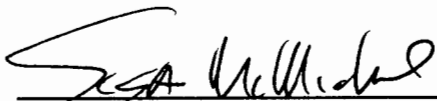
The Hearing Officer having received and reviewed the unopposed motion to vacate hearing filed by the Hazardous and Radioactive Waste Bureau and good cause appearing for the granting of the motion,

IT IS HEREBY ORDERED that the hearing now scheduled on this appeal to commence on June 11, 1997 should be and is hereby vacated. The parties shall submit a final stipulated order or notice of their progress to resolve this appeal without hearing within thirty (30) days after entry of this order, or the Hearing Officer will reschedule a hearing on the merits of KAFB's appeal.

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Weldon L. Merritt  
Hearing Officer

Respectfully submitted:

  
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Susan McMichael  
Assistant General Counsel

telephone concurrence/approval (5/21/97)  
Wes Layton  
Kirtland AFB