



March 1, 2017

John Kieling
Chief, Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505

RE: Tote Spill in Yard – NMD002208627 October 31, 2016, Request for Additional Information

To Mr. Kieling:

Advanced Chemical Treatment, Inc. (ACTreatment) EPA ID# NMD002208627 would like to respond to your letter dated February 10, 2017 requesting additional information regarding the tote spill that occurred in our yard on October 31, 2016.

1. Explain why the written Incident Report was not submitted either within five days (as required by permit Section I.E.13) or 15 days (requiring NMED permission) of the incident

We failed to submit a written report within five days but the incident occurred on October 31, 2016 and the report was submitted on November 14, 2016, which is within 15 days. The facility contacted the New Mexico 24-hour emergency response number on 10/31/16 and spoke to Gilbert. We were informed that an environmental representative would call us back shortly. Our Compliance Director (Krista Harsono) was unaware of the five day reporting requirement, but she has reviewed the Contingency Plan and acknowledges the five day requirement.

2. Identify what caused the container to leak and why this was not discovered upon the container's arrival at the facility.

The turn valve on the tote failed. The tote was delivered on 10/27/16. During the daily inspection on 10/28/16, a leak was not identified. The leak was not identified until Monday, October 31, 2016.

3. Clearly identify on a legible map the location of the trailer during the spill. Also clearly identify the suspected location and outline of the spill on the map.

Please refer to Figure 1 for a map dictating the location of the trailer during the spill along with the spill flow into the secondary containment at the docks.

4. Clearly describe:

- a. The total volume of waste recovered and all location(s) where the waste was recovered,
 - Approximately 200 gallons of waste was recovered within the secondary containment in front of dock 3 and dock 4.



- b. The media sampled (for example, asphalt, soil, and/or surface water),
 - Core sampling included the asphalt and soil.

 - c. If 2.5" and 6" represents the sampling depth and whether the depth is relative to the ground surface or below the asphalt surface,
 - 2.5" and 6" represents the sampling depth. The 2.5" sample was the asphalt and the 6" was the soil.

 - d. The analyses conducted on the samples and the rationale for the selected analyses,
 - The laboratory utilized EPA method 8260. This method was chosen because it is used to detect volatile organic compounds in a variety of solid waste matrices. This method is applicable to nearly all types of samples, regardless of water content.

 - e. Why rush analyses were not selected,
 - The General Manager directed the turnaround time to be standard. If future instances occur, we will order a rush analysis.

 - f. When analytical results were received, and
 - The analytical results were received on 11/18/2016.

 - g. Why the attachment (2) to the Chain of Custody (COC) that were not included with the Report; include the missing COC attachment(s). Note that a COC is not a substitute for all or part of the Incident Report.
 - Attached is a copy of the COC, which was included in the submission dated 11/14/16.
5. Provide the rationale for choosing the sampling locations as well as the sampling methods used to obtain and test the samples.
- The locations were chosen based on the flow of the spill from the trailer to the secondary containment. In addition, a control was selected approximately five feet above the trailer.
 - Soil samples were collected in a stratified manner at each of the three locations and then composited into a single sample representing that location. Traditionally, soil samples are collected to a depth of six inches.
6. Identify all constituents and RCRA waste codes associated with this spill.



Constituents	RCRA Waste Codes
- 1-methoxy 2-propanol 2-10%	- D001
- 1-methoxy 2-propanol Acetate 2-10%	- D021
- 1-methyl 2-pyrrolidone 0-2%	- F003
- Acetone 40-60%	
- Alkylbenzene sulfonic acid 1-5%	
- Chlorobenzene 0-5%	
- Dodecyl Benzene sulfonic acid 1-5%	
- Heavy aromatic solvent 2-10%	
- Hydroxylamine 0-0.5%	
- Isopropyl Alcohol 20-30%	
- Water 0-10%	

7. Provide detailed descriptions of how your Contingency Plan will ensure that any future incidents occurring during typical non-work hours are quickly and safely identified and addressed.
- Yard inspections are now being done on Saturday at the beginning and at the end of the shift.
8. Fully describe how and where this waste will be managed and disposed. Note that this waste is now considered generated at ACT, as was the waste from the March 2016 incident. Both these waste volumes count toward your generator status.
- The waste was sent to Rineco in Benton, AR on 11/15/16 and was blended for energy recovery with ACTreatment as the generator.

If NMED requires further information please contact myself or Krista Harsono at 619-571-5737 or KHarsono@ACTEnviro.com and I will respond in a timely manner.

Regards,

A handwritten signature in black ink, appearing to read 'Pasquale Paduano', is written over a light blue leaf-like graphic.

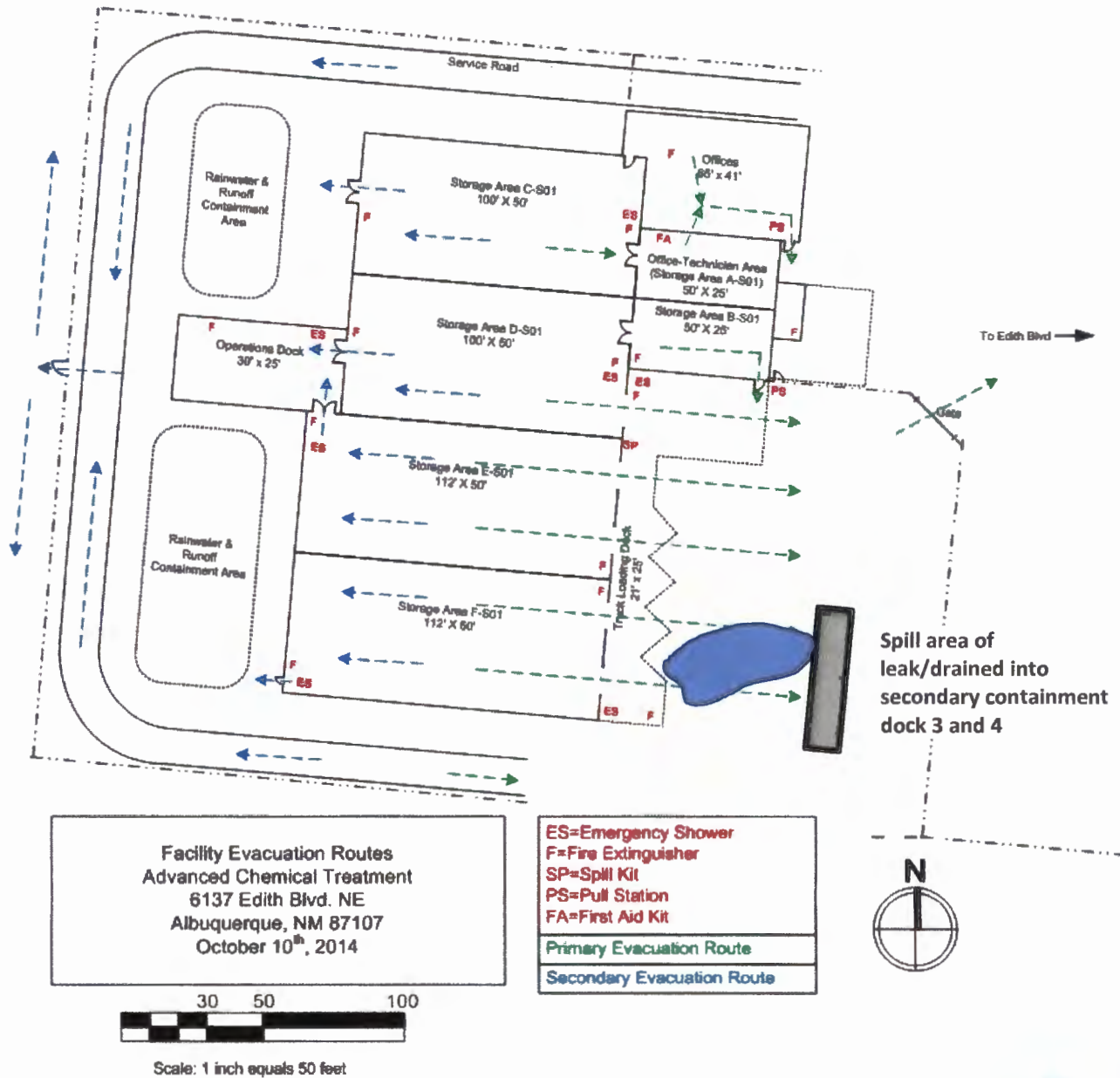
Pasquale Paduano
Vice President
Advanced Chemical Treatment

Enclosures

cc: K. Harsono, ACTenviro



Figure 1
Map depicting location of trailer and spill flow





Attachment 1
Chain of Custody



Chain-of-Custody Record

Client: ACT TREATMENT

Turn-Around Time:

Standard Rush



HALL ENVIRONMENTAL ANALYSIS LABORATORY

www.hallenvironmental.com

4901 Hawkins NE - Albuquerque, NM 87109

Tel. 505-345-3975 Fax 505-345-4107

Mailing Address: 6133 EDITH BLVD NE

TREATMENT

ALBUQUERQUE NM 87107

Project #:

1

Phone #: 505-349-5220

Project Manager:

email or Fax#: kgwash@ACTEnviro.com

KRIS GWASH

QA/QC Package:

Standard Level 4 (Full Validation)

Sampler: KRIS GWASH

Accreditation:

NELAP Other

EDD (Type)

Analysis Request

Date	Time	Matrix	Sample Request ID	Container Type and #	Preservative Type	BTEX + MTBE + TMB's (8021)	BTEX + MTBE + TPH (Gas only)	TPH Method 8015B (Gas/Diesel)	TPH (Method 418.1)	EDB (Method 504.1)	8310 (PNA or PAH)	RCRA 8 Metals	Anions (F, Cl, NO ₃ , NO ₂ , PO ₄ , SO ₄)	8081 Pesticides / 8082 PCB's	8260B (VOA)	8270 (Semi-VOA)	Air Bubbles (Y or N)		
11/3/16	12:00	SOLID	#1-2 1/2	G 8OZ 1	/														
11/3/16	12:00	SOLID	#1- 6	G 8OZ 1															
11/3/16	12:00	SOLID	#1- COM	G 4OZ 1															
11/3/16	12:00	SOLID	#2- 2 1/2	G 8OZ 1															
11/3/16	12:00	SOLID	#2- 6	G 8OZ 1															
11/3/16	12:00	SOLID	#2- COM	G 4OZ 1															

SEE ATTACHED

Date: 1-31-16	Time: 101	Relinquished by: <i>[Signature]</i>	Received by: <i>[Signature]</i>	Date: 11/03/16	Time: 1307
Date:	Time:	Relinquished by:	Received by:	Date:	Time:

Remarks:

If necessary, samples submitted to Hall Environmental may be subcontracted to other accredited laboratories. This serves as notice of this possibility. Any sub-contracted data will be clearly notated on the analytical report.

Chain-of-Custody Record

Turn-Around Time:
 Standard Rush
 Project Name: GROUND TEST
 Project #: φ



HALL ENVIRONMENTAL ANALYSIS LABORATORY

www.hallenvironmental.com

4901 Hawkins NE - Albuquerque, NM 87109
 Tel. 505-345-3975 Fax 505-345-4107

Client: ACT TREATMENT
 Mailing Address: 60133 EDITH BLVD
Albuquerque NM 87107
 Phone #: 505-349-5220
 email or Fax#: KGWASH@ACTENVIRONMENT.COM
 QA/QC Package:
 Standard Level 4 (Full Validation)
 Accreditation
 NELAP Other _____
 EDD (Type) _____

Project Manager: KRIS GWASH
 Sampler: KRIS GWASH
 On Ice: Yes No
 Sample Temperature: 20.00C

Analysis Request

Date	Time	Matrix	Sample Request ID	Container Type and #	Preservative Type	HEAL No.	BTEX + MTBE + TMB's (8021)	BTEX + MTBE + TPH (Gas only)	TPH 8015B (GRO / DRO / MRO)	TPH (Method 418.1)	EDB (Method 504.1)	PAH's (8310 or 8270 SIMS)	RCRA 8 Metals	Anions (F, Cl, NO ₃ , NO ₂ , PO ₄ , SO ₄)	8081 Pesticides / 8082 PCB's	8260B (VOA)	8270 (Semi-VOA)				Air Bubbles (Y or N)	
11/15	9:45	SOIL	0-2 1/2	G 1		16011734 -001										X						
11/15	9:45	L	0-6	G 1		-002										X						

Date: 11/15 Time: 9:52 Relinquished by: [Signature]
 Date: 11/15 Time: 16:09 Received by: [Signature]
 Date: _____ Time: _____ Relinquished by: _____
 Date: _____ Time: _____ Received by: _____

Remarks:

If necessary, samples submitted to Hall Environmental may be subcontracted to other accredited laboratories. This serves as notice of this possibility. Any sub-contracted data will be clearly notated on the analytical report.