



Michelle Lujan Grisham
Governor

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**NEW MEXICO
ENVIRONMENT DEPARTMENT
Hazardous Waste Bureau**

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James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUIRED

September 24, 2019

Kendra Camp
Chief Executive Officer
AMG Specialty Hospital
5400 Gibson Boulevard SE, Box 2
Albuquerque, NM 87108

**RE: NOTICE OF VIOLATION
AMG SPECIALTY HOSPITAL
EPA ID# NMD075769000**

Dear Ms. Camp:

On August 7, 2019, the New Mexico Environment Department ("NMED") conducted a hazardous waste Compliance Evaluation Inspection ("Inspection") at AMG Specialty Hospital, located at 5400 Gibson Boulevard SE, third floor, Albuquerque, New Mexico ("Facility"). AMG Specialty Hospital is a long term acute-care hospital. Patient care generates expired and partially dispensed hazardous waste pharmaceuticals.

Based on observations and review of the information obtained, NMED has determined that AMG Specialty Hospital is a Very Small Quantity Generator of hazardous waste as defined in 40 Code of Federal Regulations ("CFR") 262.13. Furthermore, NMED has determined that AMG Specialty Hospital has violated the New Mexico Hazardous Waste Management Regulations ("HWMR") 20.4.1 New Mexico Administrative Code ("NMAC") as specified below.

The NMED inspector observed the following violation:

1. Failure to perform a hazardous waste determination, which is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.11. Specifically, the NMED inspector determined that there were three waste streams for which a proper hazardous waste determination had not been performed:

- a. Expired hazardous waste pharmaceuticals that are reverse distributed.
- b. Unidentifiable waste pharmaceuticals that are disposed as non-hazardous waste.
- c. Waste silver-infused wound dressings that are disposed as non-RCRA hazardous biohazardous waste.

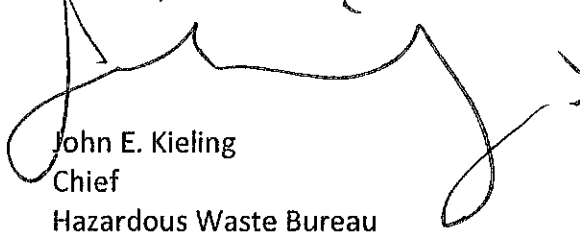
Corrective Action: AMG Specialty Hospital must make a proper hazardous waste determination for the above waste streams and dispose of this waste in accordance with the applicable Hazardous Waste Management Regulations. AMG Specialty Hospital must provide NMED with documentation of this corrective action, such as updated policy documents, photographs of waste containers, etc.

NMED is requesting that AMG Specialty Hospital provide to NMED within thirty (30) days of receipt of this letter a written description of the actions taken by AMG Specialty Hospital to address the violation described above or a schedule for implementation of corrective actions not yet completed.

This Notice of Violation is considered an informal enforcement response in accordance with NMED's Enforcement Response Protocol. Please be aware that any future substantial deviations from regulatory requirements may result in your facility being considered for an elevated enforcement action. Also, be aware that any corrective action taken during our Inspection, or in response to this letter, does not relieve AMG Specialty Hospital of its obligation to comply with any and all other applicable laws and regulations.

If you have any questions regarding this letter, please contact Aaron Coffman of my staff at 505-476-6019 or by email at aaron.coffman@state.nm.us. Please address any written response to the attention of Aaron Coffman at the address on the letterhead.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

JEK: ac

cc: Aaron Coffman, NMED HWB
Janine Kraemer, NMED HWB
John Rhoderick, NMED District 1 Manager

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