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**BILL RICHARDSON**  
GOVERNOR

**State of New Mexico**  
**ENVIRONMENT DEPARTMENT**

**Hazardous Waste Bureau**  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
Telephone (505) 428-2500  
Fax (505) 428-2567  
www.nmenv.state.nm.us



**RON CURRY**  
SECRETARY

**DERRITH WATCHMAN-MOORE**  
DEPUTY SECRETARY

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

*will mail response  
3/26/03*

January 16, 2003

David Martinez  
Owner  
Central Paint and Body  
1710 Central, SW  
Albuquerque, New Mexico 87104

**SUBJECT: NOTICE OF VIOLATION**  
**EPA ID # NMD099372450**

Dear Mr. Martinez:

On January 8, 2003 the New Mexico Environment Department (NMED), conducted a hazardous waste inspection at your facility located in Albuquerque, NM. Based on our inspection and review of the information obtained, NMED has determined that Central Paint and Body ("Central") is a Conditionally Exempt Small Quantity Generator of Hazardous Waste and has violated the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC) as specified below.

The following violations were noted:

1. Central failed to perform a hazardous waste determination for used paint booth filters. This is a violation of 20.4.1.300 NMAC, which incorporates by reference 40 CFR § 262.11.
2. Central failed to perform a hazardous waste determination for used antifreeze mixed with used oil collected in three 55 gallon steel containers located on the south side of facility. This is a violation of 20.4.1.300 NMAC, which incorporates by reference 40 CFR § 262.11.

Mr. David Martinez  
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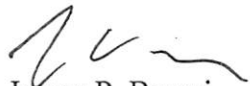
In accordance with §74-4-10 NMSA 1978, NMED may: (1) issue a compliance order requiring compliance immediately or within a specified time period, or assess a civil penalty for any past or current violations of up to \$10,000 per day of non-compliance with each violation, or both; or (2) commence a civil action in district court for appropriate relief, including a temporary or permanent injunction. Any such order issued may include a suspension or revocation of any permit issued by NMED.

NMED requests that Central provide a satisfactory resolution of the violations or a detailed plan of corrective action acceptable to NMED within fifteen (15) working days of receipt of this letter. Failure to provide satisfactory information may result in initiation of formal enforcement actions as outlined above.

Any action taken in response to this letter does not relieve Central of its obligation to comply with 20.4.1 NMAC in other activities that it conducts, nor does it relieve Central of its obligation to comply with any other applicable laws and regulations.

If you have any questions regarding this letter, please contact Ron Trueblood at (505) 428-2522. Please address your response to Mr. Trueblood's attention at the address on the letterhead.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

JPB:rlt

cc: Thomas Skibitski, NMED District I  
Sandra Martin, NMED/HWB, Santa Fe  
Ron Trueblood, NMED/HWB, Santa Fe