



BILL RICHARDSON  
Governor

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Lieutenant Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

**Hazardous Waste Bureau**

**2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
Phone (505) 476-6000 Fax (505) 476-6030  
www.nmenv.state.nm.us**



RON CURRY  
Secretary

JON GOLDSTEIN  
Deputy Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

January 31, 2008

Art Wright  
Service Manager  
Carlsbad Motor Co.  
2802 W. Pierce St.  
Carlsbad, NM 88220

**SUBJECT: NOTICE OF VIOLATION AND RESOLUTION  
CARLSBAD MOTOR CO., EPA ID# NMD035717438**

Dear Mr. Wright:

On January 9, 2008, the New Mexico Environment Department (NMED) conducted a hazardous waste Compliance Evaluation Inspection at Carlsbad Motor Co., located at 2802 W. Pierce St., Carlsbad. Based on that inspection and review of the information obtained, the NMED has determined that your facility 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 NMED observed the following violation:

1. Carlsbad Motor Co. failed to label or mark clearly a 10-gallon grey metal portable drain container used to store used oil with the words "Used Oil," located in the main service bay. This is a violation of 20.4.1.1002 NMAC, incorporating 40 CFR 279.22(c)(1).

In accordance with 74-4-10 NMSA 1978, the 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

Art Wright  
January 31, 2008  
Page 2

temporary or permanent injunction. Any such order may include a suspension or revocation of any permit issued by the NMED.

The NMED has determined that the violation was adequately addressed during the Compliance Evaluation Inspection, and no further action is required.

The NMED commends your use of solvent recyclers and the hot soap washer at your facility to reduce the amounts of hazardous waste that would otherwise be generated.

Any action taken in response to this letter does not relieve Carlsbad Motor Co. of its obligation to comply with any other applicable laws and regulations.

If you have any questions regarding this letter, please contact Brady Christensen of my staff at (505) 476-6026. Please address your written response to the attention of Mr. Christensen at the address on the letterhead.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

JPB:bc

cc: Art Vollmer, NMED HWB  
Anna Maestas, NMED HWB  
Brady Christensen, NMED HWB  
Carlos Romero, District IV

file: Library #1154