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TER MAGGIORE
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Sent To **Meryl Monk**

Street, Apt. No., or PO Box No. **3280 Southside River Rd.**

City, State, ZIP+4 **Farmington, NM 87041**

PS Form 3800, January 2001 See Reverse for Instructions

RETURN RECEIPT REQUESTED

February 21, 2002

Mr. Meryl Monk
Monk's Four Corners Sandblasting Service, Inc.
3280 Southside River Road
Farmington, New Mexico 87041

Re: Notice of Violation
EPA # NMD 0000858068

Dear Mr. Monk:

On August 03, 2001, the New Mexico Environment Department (NMED) Hazardous Waste Bureau (HWB) conducted a hazardous waste inspection at your facility located at 3280 Southside River Road, Farmington, New Mexico. Based on our inspection and review of the information obtained, NMED has determined that Monk's Sandblasting is a 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. Monk's Sandblasting failed to perform a hazardous waste determination on one 5 gallon steel container and three 5 gallon plastic containers of unknown fluid located outside near the west fence of the salvage yard. This is a violation of 20. 4.1.300 NMAC, which incorporates 40 CFR § 262.11.

2. Monk's Sandblasting failed to perform a hazardous waste determination on the paint booth filters. This is a violation of 20.4.1.300 NMAC, which incorporates 40 CFR § 262.11.
3. Monk's Sandblasting failed to label two 55 gallon drums of waste lacquer thinner with the words "Hazardous Waste" located against the east wall inside the paint booth shop. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR §262.34(d)(4), which references 40 CFR §262.34(a)(3).
4. Monk's Sandblasting failed to place an accumulation start date for two 55 gallon drums of waste lacquer thinner located against the east wall inside the paint booth. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR §262.34 (d)(4) which references 40 CFR §262.34 (a)(2).
5. Monk's Sandblasting failed to post the following information next to every telephone in the facility:
 - a) Name and phone number of the emergency coordinator;
 - b) Location of fire extinguisher and spill control material; and
 - c) The telephone number of the fire department.This is a violation of 20.4.1.300 NMAC, incorporating federal regulation 40 CFR §262.34(d)(5)(ii)(A)(B)(C).
6. Monk's Sandblasting failed to receive copies of four manifests from the transporter facility with signatures and dates of acceptance. This is a violation of 20 NMAC 4.1.300, incorporating 40 CFR §262.40(a) which references 262 Appendix Item No. 20. The following four manifests are noted below:

1) #MO-003 dated 5/30/01	2) #MON-04 dated 07/19/01
3) #MO-902 dated 2/17/99	4) #MO-903 No date on manifest
7. Monk's Sandblasting failed to file an exception report for not receiving a copy of the hazardous waste manifest with the handwritten signature of the owner or operator of the designated facility within 60 days. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR §262.42(b)

8. Monk's Sandblasting failed to make arrangements with:
- a) Police, fire department and emergency response teams with layout of facility; the properties of hazardous waste handled at the facility and associated hazards; places where facility personnel would normally be working; entrances to roads inside the facility and possible evacuation routes;
 - b) a police and or fire department who might respond to an emergency, agreements designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to the primary emergency authority.
 - c) State emergency response teams, emergency response contractors, and equipment suppliers; and
 - d) a local hospital, the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

This is a violation of 20.4.1.300 NMAC and 20.4.1.600 NMAC, incorporating federal regulation 40 CFR §262.34(d)(4) which references 40 CFR §265.37(a)(1, 2, 3 & 4).

9. Monk's sandblasting failed to pay the New Mexico Annual Hazardous Fees for the years 1998, 1999, and 2000, which are required by 20.4.3.201.2 NMAC. Fees for the year 2001 will be due on August 1, 2002. Since all fees for 1998, 1999 and 2000 are past due, there is a one time Administrative Late Fee of \$100.00 plus a 1% late interest per month penalty is assessed.

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 assessing 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.

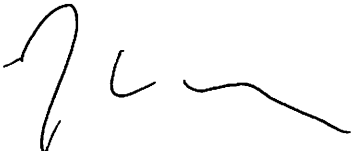
NMED requests that Monk's Sandblasting provide a satisfactory resolution of the violation or a detailed plan of corrective action acceptable to NMED within fifteen (15) working days of receipt of this letter. Failure to provide satisfactory information may result in initiation of formal enforcement actions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

Mr. Randal Akins
February 21, 2002
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Any action taken in response to this letter does not relieve Monk's Sandblasting of its obligation to comply with 20.4.1 NMAC in other activities which it conducts, nor does it relieve Monk's Sandblasting of its obligation to comply with any other applicable laws and regulations.

If you have any questions regarding this letter, please contact Robert Atencio of my staff at (505) 428-2524. Please address your response to his attention at the address on the letterhead.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB/rea

cc: Thomas Skibitski, NMED District I
David Tomko, Farmington Field Office
Debby Brinkerhoff, NMED/HWB, Santa Fe
Robert Atencio, NMED/HWB, Santa Fe
HWB File