



MICHELLE LUJAN GRISHAM
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**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

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JAMES C. KENNEY
Cabinet Secretary Designate

JENNIFER J. PRUETT
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 15, 2019

Jennifer Romero
MRC Manager
Marty Sanchez Golf Course
205 Caja del Rio Road
Santa Fe, NM 87507

**RE: NOTICE OF VIOLATION AND RESOLUTION
MARTY SANCHEZ GOLF COURSE
EPA ID# NMR000025627**

Dear Ms. Romero:

On October 26, 2018 the New Mexico Environment Department ("NMED") conducted a hazardous waste Compliance Evaluation Inspection ("Inspection") at Marty Sanchez Golf Course ("MSGC"), located at 205 Caja del Rio Road, Santa Fe, New Mexico ("Facility"). MSGC is a municipal golf course that generates waste paint thinner, lead acid batteries and used oil.

Based on observations and review of the information obtained, NMED has determined that your Facility is a Very Small Quantity Generator as defined in 40 Code of Federal Regulations ("CFR") § 262.13. Furthermore, NMED has determined that MSGC 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 violations:

1. Failure to make a proper hazardous waste determination, which is a violation of 20.4.1.300 NMAC, incorporating 40 CFR § 40 CFR 262.11. Specifically, MSGC failed to determine if waste paint thinner and the contents of four 55-gallon drums were a hazardous waste.

Corrective Action: MSGC will be collecting the waste paint thinner for proper disposal and the four 55-gallon drums were determined to contain oil and water. MSGC provided disposal documentation for the four 55-gallon drums on January 7, 2019.

2. Failure to label used oil containers, which is a violation of 20.4.1.1002 NMAC, incorporating 40 CFR § 279.22(c) and 20.4.1.1003.A NMAC. Specifically, MSGC failed to label one used oil caddy.

Corrective Action: The used oil caddy was labeled at the time of the inspection.

3. Failure to respond to a used oil release, which is a violation of 20.4.1.1003 NMAC, incorporating 40 CFR § 279.22(d). Specifically, MSGC had not responded to a used oil release from leaking equipment.

Corrective Action: MSGC provided photographs on February 12, 2019 demonstrating the used oil release had been remediated.

NMED has determined that the violations have been adequately addressed; therefore, no further action is required.

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 MSGC of its obligation to comply with any and all other applicable laws and regulations.

If you have any questions regarding this letter, please contact Janine Kraemer of my staff at 505-476-4372 or by email at janine.kraemer@state.nm.us.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

JEK:jk

cc: Janine Kraemer, NMED HWB
Robert Italiano, NMED District II Manager

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