



December 4, 1989
JL89-140

Mr. Coby Muckelroy
Environmental Improvement Division
N.M. Health and Environment Department
Harold Runnels Building
1190 St. Francis Dr.
Santa Fe, NM 87503

RE: Safety-Kleen - Albuquerque, NMD000804294

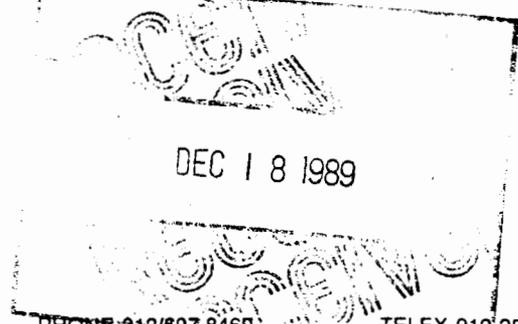
The purpose of this letter is to respond in writing to the matters set forth in your letter of November 17, 1989. Our response is a good faith effort to resolve your agency's concerns. It is our intention and expectation that nothing in this letter shall be construed as an admission or used against the Company in any administrative or judicial proceeding. The Company expressly reserves any and all defenses it might have to the matter set forth in your letter and does not intend to waive any of those defenses by making this response.

Responses to alleged violations will follow the sequence of your letter.

1. The facility's personnel training director has insufficient documentation of his own training -

It is important to note that Mr. Rockwell has been the facility manager for thirteen years, is a member of the New Mexico Hazardous Waste Management Society, and takes part in a rigorous quarterly internal environmental audit of his facility.

Your point is well taken. Safety-Kleen will strive to improve the documentation of the facility manager's training.



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2. One employee was not adequately trained within six months of beginning his employment -

That individual has been intensively trained since the date of the inspection. This oversight will not be repeated.

3. Lack of documentation of arrangements with local police and hospital -

Safety-Kleen routinely submits Contingency Plan information to local authorities via Certified Mail. The receipts of these mailings are maintained at the facility. We find that most States accept this form of documentation since Safety-Kleen has no control over those local authorities.

It is our intention to comply with the mandates of N.M. EID: Mr. Rockwell is pursuing written responses and site visits from the local agencies at this time.

4. Two drums containing small amounts of liquid were standing unsealed at the time of inspection -

For this there is no reason or excuse. This is not a routine occurrence, and is directly in violation of Safety-Kleen Corporate policy.

5. Lack of fifty foot buffer for storage of ignitable wastes -

We have constructed a concrete slab at the site upon which we plan to build a Class 1B flammable storage shed which will provide the necessary buffered storage area. We are anxious to complete the project, and are working with the Permit group of N.M. EID for authorization to proceed.

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6. Facility Closure Plan does not contain an estimated date of closure -

Safety-Kleen interprets this rule to apply to facility's whose capacity for waste is finite, such as a landfill. As a Storage facility with frequent transfer of stored materials to off-site disposition points, our capacity has no such limitation.

It is our intention to comply with the mandates of N.M. EID: an estimated date will be added to the Closure Plan.

Mention was made of possible land disposal restrictions in conjunction with the waste analysis plan and notification for restricted wastes managed off-site. We have added pages to our waste analysis plan stating that appropriate notifications would be sent off-site with restricted wastes, based upon our knowledge of the wastes managed. Copies of those additional pages are included with this letter. Safety-Kleen makes no attempt to evade LDR, and those notifications become a routine part of our operations as the requirements are phased into the regulations.

It is our intention to comply and to respond to N.M. EID guidance. Please contact me at 713/261-0429 with further questions or comments.

Sincerely,



J.L. Lanahan
Environmental Engineer

attachment

cc: 7-008-01 Compliance file
7-008-01
Denver Reg. Mgr.
Lynn Prince, U.S. EPA Region VI (6H-HS)

All F001 - F005 wastes that Safety-Kleen handles are spent materials that were sold by Safety-Kleen before their use and subsequent generation as waste. By knowledge of the waste, Safety-Kleen presumes that those F001 - F005 wastes exceed treatment standards and will attach proper Land Disposal Restriction notification to the manifest as specified in Section 268.7(a)(1).

They will be attached as follows:

1. Printing the Notice language on the manifests - such as for core-business customers to branch shipments; or
2. Special forms for each regularly handled waste types (e.g., IC, perc, freon); or
3. A general form that must be completed for unique of non-standard waste streams.

Notification is required paperwork for F001 - F005 waste types.

Shipments lacking the proper Notice will not be accepted by any Safety-Kleen facility. When a shipment with the proper Notice is received, the Notice is kept in the files of the receiving facility with the manifest or with the pre-print if a manifest is not used. A set of forms is in Appendix D.

Effective Oct. 09, 1989

All D001 mineral spirits wastes, including solvent, sludges, filter bags, and liner bags will be managed as Land Disposal Restricted wastes. The reasons for this are the frequent presences of lead, cadmium, and halogenated solvents within these D001 wastes.

By knowledge of the waste, Safety-Kleen presumes that those D001 petroleum naphtha related wastes managed at the facility exceed treatment standards for California List materials and will attach proper Land Disposal Restriction notification to the manifest as specified in Section 268.7(a)(1).

They will be attached as follows:

1. Printing the Notice language on the manifests - such as for core-business customers to branch shipments; or
2. Special forms for each regularly handled waste types (e.g., IC, perc, freon); or
3. A general form that must be completed for unique of non-standard waste streams.

Notification is required paperwork for all petroleum naphtha related wastes managed at this facility.

Shipments lacking the proper Notice will not be accepted by any Safety-Kleen facility. When a shipment with the proper Notice is received, the Notice is kept in the files of the receiving facility with the manifest or with the pre-print if a manifest is not used. A set of forms is in Appendix D.