



BRUCE KING
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-2850

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

May 15, 1991

Legal Editor
Albuquerque Journal
P.O. Drawer J
Albuquerque, NM 87103

Dear Sir:

Please publish the enclosed legal notice on or slightly before May 20, 1991. Please return a copy of the notice as published, an affidavit of publishing and any bill for services to:

Ms. Veronica Aragon
Hazardous and Radioactive Waste Bureau
Harold Runnels Bldg.
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, NM 87502

If you have any questions, please contact Mr. David Englert on my staff at 827-2905.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "A. Elizabeth Gordon, Ph.D.".

A. Elizabeth Gordon, Ph.D.
Permitting Section
Hazardous and Radioactive Waste Bureau

AEG: DE

LEGAL NOTICE

NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS AND RADIOACTIVE WASTE BUREAU

PUBLIC NOTICE NO. 43

May 20, 1991

NOTICE OF INTENT TO GRANT A PERMIT FOR THE OPERATION OF A
HAZARDOUS WASTE STORAGE FACILITY

SAFETY-KLEEN CORP. ALBUQUERQUE, NM

The State of New Mexico is authorized to operate a hazardous waste management program in lieu of the Federal program for those portions of the Resource Conservation and Recovery Act (RCRA) in effect prior to the Hazardous and Solid Waste Amendments of 1984 (HSWA). The HSWA impose additional requirements on hazardous waste management facilities, and these requirements will be administered and enforced by the U.S. Environmental Protection Agency (EPA) until the State of New Mexico receives authorization for those requirements.

Under the authority of RCRA, the New Mexico Environment Department (NMED) and EPA Region 6, propose to issue a permit to the Safety-Kleen Corporation for the storage of hazardous waste in containers and in a double-walled underground tank at its facility located at 2720 Girard NE, in Albuquerque, NM. The portion of the permit issued by NMED is issued under the authority of the New Mexico Hazardous Waste Act (Section 74-4-1 et seq. NMSA 1978, as amended 1989), and the portion of the permit issued by EPA is issued under the authority of the Resource Conservation and Recovery as amended by HSWA. The Safety-Kleen Albuquerque facility has been assigned the EPA identification number NMD 000804294.

A draft permit had been submitted on January 7, 1991 for public comment and public comment was accepted until February 21, 1991. Revisions have since been made to the Paint Waste Storage Building, now called the H-3 Flammable Storage Building, and the Return and Fill Station, ancillary equipment to the underground storage tank system. Those changes were made in order to comply with the City of Albuquerque fire codes. Therefore, NMED is issuing a revised draft permit, and the public is invited to comment on the revisions to the draft permit. Comments concerning the revisions to the draft permit will be accepted until July 18, 1991. The HSWA portion of the permit issued by EPA will not be reopened for public comment.

Revisions to the draft permit include the design specifications changes to the H-3 Flammable Storage Building and the Return and Fill Station, ancillary equipment to the underground storage tank system. The design changes were made in order to comply with the City of Albuquerque fire codes. The hazardous wastes stored in the H-3 Flammable Storage Building will be ignitable waste: including paint wastes containing, among other constituents, toluene, xylene, methyl ethyl ketone, methyl isobutyl ketone, acetone, isopropanol, methanol, ethanol, normal butyl acetate, cadmium, chromium, and lead; spent dry cleaning solvent comprised of mineral spirits; and return and fill dumpster sediments from spent mineral spirits drained into the underground storage tank. The Return and Fill Station is ancillary equipment for the underground storage tank system. Spent mineral spirits will be drained into the underground storage tanks through the station and sediments will accumulate in the dumpster. All these wastes are shipped from Safety-Kleen's Albuquerque facility to a recycling facility in Denton, Texas.

The EPA portion of the permit which is not reopened for comment, will be the requirements imposed by HSWA, such as waste minimization, land disposal restrictions, corrective action for continuing releases, and emission standards for process vents and equipment.

The administrative record for this decision consists of a fact sheet, Safety-Kleen's permit application, and related correspondence. The draft permit and full administrative record may be reviewed at the office of the Hazardous and Radioactive Waste Bureau at 1190 St. Francis Dr., Santa Fe, NM. The fact sheet and draft permit may be reviewed at the Albuquerque Main Public Library, 501 Copper Ave. NW, Albuquerque, NM; or at the EPA Region VI library, 1445 Ross Ave., Dallas, TX. To obtain a copy of the administrative record or any part thereof, at 35 cents per page, contact:

Mr. David Englert
NMED - Hazardous and Radioactive Waste Bureau
1190 St. Francis Dr.
P.O. Box 26110
Santa Fe, NM 87502
505-827-0142

Any person who wishes to comment upon the proposed permit or to request a public hearing must submit written comments or requests, including the commenter's name and address, to the address given above. Requests for a public hearing must state the nature of the issues to be raised at the hearing. Only comments and/or requests received before July 18, 1991 will be considered.

All written comments submitted on the proposed permit will be considered in formulating a final decision. NMED and/or EPA may

modify the draft permit based on the comments received. NMED will notify Safety-Kleen Corporation, and each person who submitted a written comment during the public comment period, of the final decision or of any public hearing that may be scheduled.

If, after consideration of all written comments, this proposed action becomes the final decision, NMED and EPA will issue a RCRA permit to Safety-Kleen. This permit will regulate activities conducted by the Safety-Kleen facility in Albuquerque and will require that all activities comply with applicable State and Federal law, as well as with the terms of the permit.

This notice satisfies the requirements of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., and 40 CFR 124.10. The EPA portion of the final permit, if issued, will implement the requirements of the Hazardous and Solid Waste Amendments of 1984 (HSWA) to the Federal Solid Waste Disposal Act, as amended. The State of New Mexico and EPA have entered into a joint permitting agreement whereby RCRA permits may be issued and enforced by the State in accordance with the New Mexico Hazardous Waste Management Regulations until the State receives authorization under RCRA to administer the requirements of the HSWA. Until that time, the HSWA requirements will be issued and enforced by EPA. All permit terms are also enforceable by EPA. In order for the applicant to have a fully effective RCRA permit, both NMED and EPA must issue the permit.