

SKAL2003



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GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT

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RON CURRY
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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

February 12, 2003

Mr. David Ashley
EHS Manager
Safety-Kleen Corp.
6625 W. Frye Road
Chandler, Arizona 85226

SUBJECT: NOTICE OF DEFICIENCY
SAFETY-KLEEN SYSTEMS, INC. STORAGE FACILITY RCRA PERMIT
APPLICATION, ALBUQUERQUE FACILITY EPA ID NMD000804294
TASK # HWB-SKAL-02-001

Dear Mr. Ashley:

The New Mexico Environment Department (NMED) has reviewed the Safety-Kleen Systems, Inc. (Safety-Kleen) RCRA Permit Application submitted to the NMED on July 27, 2001. HWB has determined that additional information is required prior to granting administrative completeness pursuant to 20.4.2.200(A)(3)(a) and (b) NMAC. Please respond to this Notice of Deficiency within thirty (30) days of receipt of this letter.

Please supply the following information.

1. Part A, Section III and IV, Page 1 of 7 – In these two sections there are two different zip codes given for the same address. Please verify the zip code and correct where necessary.
2. Part A, Section X, Page 2 of 7 – If this section is not applicable to the permit application then “NA” shall be inserted into this section.

3. Part A, Section XIII, Page 4 of 7 – If this section is not applicable to the permit application then “NA” shall be inserted into this section.
4. Part A, Section XVIII, Page 7 of 7 – The Facility’s legal owner is listed as Safety-Kleen Systems Inc., of Columbia, SC in Section VIII. It is noted that Mr. Mike Crawford signed the Part A Permit Application under both the owner and operator sections. 20.4.1.900 NMAC (incorporating 40 CFR 270.11(a)(1)) requires the signature in Section XVIII to be by a responsible corporate officer as defined in 40 CFR 270.11(a)(1). Please submit an updated Part A permit application to include the valid owner signature in Section XVIII.
5. Part A, Photographs – Please include the dates when Photographs 1 through 6 were taken.
6. Part A, Photographs and Section VII – Section VII lists three units associated with process code S01 (containers). The photographs appear to only list two of the container storage units. These are the west container storage area and the flammable storage building. Please provide a photograph of the east container storage unit.
7. Part A, Topographic Map – 20.4.1.900 NMAC (incorporating 40 CFR 270.13(1)) requires that the topographic map include any known drinking water wells listed in public records or otherwise known to the applicant within ¼ miles of the facility property boundary. Please verify if any drinking water wells are within ¼ of a mile.
8. Attachment A – Please provide clarification as to which Safety-Kleen handled wastes are stored in the flammable storage building.
9. Attachment A, Page A-2 – In paragraph A.1.1.b please indicate if, after the tank bottom sediment is removed approximately once every two years, the tank sediment is removed from the facility or stored at the facility.
10. Attachment A, Page A-2 – In paragraph A.1.1.d please indicate where the used aqueous parts cleaning solvent will be stored once it is containerized.
11. Attachment A – Please specify for each piece of equipment, whether the equipment contains or contacts a hazardous waste with organic concentration that equals or exceeds 10 percent by weight in accordance with 20.4.1.500 NMAC (incorporating 40 CFR 264.1063(d)(1) through (3)).
12. Attachment A – Please provide both the description of each waste processed at the facility as well as the Safety-Kleen product number for that waste in this Attachment. The product names are listed in Attachment C-2 with no evident correlation to the waste described in Attachment A.

13. Attachment C – In accordance with 20.4.1.500 NMAC (incorporating 40 CFR 264.195(b)(2)) the owner or operator shall inspect at least once per operating day, the data collected from monitoring and leak detection equipment. It appears that no provision for this data collection is included in the daily inspection forms. Please add this requirement to the inspection form or include it on an additional form.
14. Attachment C – In the tank inspection paragraph located on Page C-1 of the Inspection Plan it appears that the leak detection system is checked on a weekly basis. The leak detection system shall be inspected on a daily basis as required in 20.4.1.500 NMAC (incorporating 40 CFR 264.195(b)(1)). Please correct the text in this paragraph and include provisions for this in the tank inspection log sheet.
15. Attachment C – In accordance with 20.4.1.500 NMAC (incorporating 40 CFR 264.195(d)), documentation of tank inspections shall be incorporated into the Facility operating record. Please update the Permit Application to reflect this requirement.
16. Attachment E, Page E-3 – Please provide the depth of the secondary containment structure for the return and fill station.
17. Attachment E – Please provide information as to how the Facility prevents runoff from hazardous waste handling areas as required by 20.4.1.900 NMAC (incorporating 40 CFR 270.14(b)(8)(ii)).
18. Attachment F – Please provide copies of the contingency plan transmittal letters to local authorities, hospitals, and any emergency response teams that may be called upon to provide emergency services.
19. Attachment D, Personnel Training – Please submit documentation that the Facility training program complies with the requirements of 20.4.1.500 NMAC (incorporating 40 CFR 264.16(a)(3)).
20. Attachment D, Personnel Training – Please submit a written description of the type and amount of continuing training given to each employee pursuant to 20.4.1.500 NMAC (incorporating 40 CFR 264.16(d)(3)).
21. Attachment G, Closure Plan – An estimate of the maximum inventory of hazardous wastes ever on site over the active life of the facility must be provided as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.112(b)(3)).

22. Attachment G, Closure Plan – Safety-Kleen shall provide provisions in the Facility Closure Plan incorporating the requirements of 20.4.1.500 NMAC (incorporating 40 CFR 264.197(b)).
23. Attachment G, Closure Plan – Safety-Kleen should provide detailed descriptions of the steps to be used to remove or decontaminate all hazardous waste residues, system components, structures, methods of sampling, surrounding soil testing, and for determining the extent of decontamination during partial and final closure in accordance with 20.4.1.500 NMAC (incorporating 40 CFR 264.112(b)(4)).

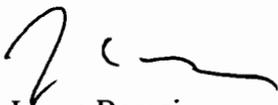
The descriptions should include a map of the facility detailing proposed sampling points, types of samples, and the number of samples, up to date sampling methods for the determination of contamination for the wastes currently being handled in each portion of the facility, applicable groundwater monitoring, current soil testing methodology, and other detailed descriptions necessary as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.112(b)(5)).
24. Attachment C – Safety-Kleen shall provide a schedule for closure of each hazardous waste management unit and for final closure of the Facility, as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.112(b)(6)).
25. Attachment H, Financial Liability Documents – Safety-Kleen shall prepare and provide an up-to-date detailed written estimate of the cost of closing the facility in accordance with all of the requirements of 20.4.1.500 NMAC (incorporating 40 CFR 264.142).
26. Attachment H, Financial Liability Documents – Safety-Kleen shall submit a copy of the insurance policy pursuant to 20.4.1.500 NMAC (incorporating 40 CFR 264.147(a)(1)(i)).
27. Section 1.0 – Safety-Kleen shall provide a wind rose for the area surrounding the facility in accordance with 20.4.1.900 NMAC (incorporating 40 CFR 270.14(b)(19)(v)).
28. Section 1.0 – Safety-Kleen shall provide information on injection and withdrawal wells on and off-site if applicable as required by 20.4.1.900 NMAC (incorporating 40 CFR 270.14(b)(19)(ix)). If none exist, please state so in the text of the permit application.
29. Attachment E, Page E-4 – In the second paragraph please provide clarification as to where the 7.5' measurement is taken from.

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30. Attachment E, Preparedness and Prevention – Safety-Kleen shall address the prevention of run-on into the container storage areas, as required by 20.4.1.500 NMAC (incorporating 40 CFR 264.175(b)(4)).
31. Safety-Kleen should include the applicable sections of 20.4.1.500 NMAC (incorporating 40 CFR 264.1089(a) and (b)) in the Facility operating record.
32. Attachment C-3, Equipment Inventory for Inspections – In accordance with 20.4.1.900 NMAC (incorporating 40 CFR 270.25(a)(2)) Safety-Kleen shall provide locations of each piece of equipment subject to the requirements of 40 CFR Subpart BB.
33. Attachment C, Page C-2 – In accordance with 20.4.1.900 NMAC (incorporating 40 CFR 270.25(a)(6)) Safety-Kleen shall explain how it intends to comply with the requirements of 40 CFR Subpart BB as they pertain to the equipment inventory for inspections.
34. Attachment C – Documentation shall be provided demonstrating compliance with the equipment standards in 20.4.1.500 NMAC (incorporating 40 CFR 264.1052 through 40 CFR 264.1059) as required by 20.4.1.900 NMAC (incorporating 40 CFR 270.25(d)).

Should you have any questions or need clarification or further information please contact Robert Warder of my staff at (505) 841-9040.

Sincerely,



James Bearzi
Chief
Hazardous Waste Bureau

cc: John Kieling, NMED HWB
Will Moats, NMED HWB
Robert Warder, PE, NMED HWB
L. King, EPA Region 6 (6PD-N)

File: ~~Red SKAL 02-001~~, Reading File