



New Mexico Health and Environment Department

GARREY CARRUTHERS
Governor

DENNIS BOYD
Secretary

MICHAEL J. BURKHART
Deputy Secretary

RICHARD MITZELFELT
Director

January 2, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: DRAFT PERMIT
NMD 980698849

Mr. Scott Fore
Safety-Kleen Corporation
777 Big Timber Rd.
Elgin, IL 60123

Dear Mr. Fore:

Enclosed please find a copy of the legal public notice and fact sheet regarding the draft RCRA operating permit for the Safety-Kleen branch facility in Farmington, NM. The public notice which will initiate the 45-day public comment period will be published on or about January 7, 1991. Comments, including comments from Safety-Kleen Corporation, will be received until February 21, 1991, and will be considered in accordance with the New Mexico Hazardous Waste Management Regulations, Part IX.

A copy of the draft permit has been sent directly to Ms. Jennifer Jendras of the Safety-Kleen environmental permitting office.

You are of course aware that once a permit is signed it becomes a legally binding document by which Safety-Kleen must abide. We are sure you will give the draft permit a thorough review so that all potential concerns may be addressed.

If you have any questions, please contact Mr. David Morgan on my staff at (505) 827-0170, or at the address given below.

Sincerely,

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

Enclosures

c: Bill Honker, US EPA Region 6
Jennifer Jendras, Safety-Kleen

LEGAL NOTICE

NEW MEXICO HEALTH AND ENVIRONMENT DEPARTMENT
ENVIRONMENTAL IMPROVEMENT DIVISION
HAZARDOUS AND RADIOACTIVE WASTE BUREAU

PUBLIC NOTICE No. 41

January 7, 1991

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

SAFETY-KLEEN CORPORATION, FARMINGTON, 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 Environmental Improvement Division (EID) of the New Mexico Health and Environment Department, 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 tank at its facility located at 4200A Hawkins Rd., in Farmington, NM. The portion of the permit issued by EID 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 the Hazardous and Solid Waste Amendments of 1984 (HSWA). The Safety-Kleen Farmington facility has been assigned the EPA identification number NMD 980698849.

The EID portion of the proposed permit contains conditions regulating the storage of hazardous waste in a 12,000 gallon aboveground tank and in a warehouse building, both located at the address given above. The facility is operating at present under interim status. The hazardous wastes stored at the facility are spent mineral spirits solvent; immersion cleaner solvent containing (among other ingredients) methylene chloride, cresylic acid, and dichlorobenzene; and spent dry cleaning solvent comprised of perchloroethylene and trichloro-trifluoroethane. All these solvents are shipped from Safety-Kleen's Farmington facility to a recycling facility in Denton, Texas.

The EPA portion of the permit will implement 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 Farmington Public Library, 100 W. Broadway, Farmington, NM; or at the EPA Region 6 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 Morgan
EID - Hazardous and Radioactive Waste Bureau
1190 St. Francis Dr.
Santa Fe, NM 87503
505-827-0170

Any person who wishes to comment upon the proposed permit or to request a public hearing must submit written comments or requests, including the commentor'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 February 21, 1991 will be considered. The State of New Mexico will receive comments or requests for hearing regarding the HSWA conditions for EPA. These comments or requests may also be sent directly to EPA at the following address:

Mr. Bill Honker, Chief
RCRA Permits Branch
U.S. EPA Region 6 (6H-P)
1445 Ross Avenue
Dallas, TX 75202

All written comments submitted on the proposed permit will be considered in formulating a final decision. EID and/or EPA may modify the draft permit based on the comments received. EID 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. EPA may participate in any public hearing if one is held.

If, after consideration of all written comments, this proposed action becomes the final decision, EID and EPA will issue a RCRA permit to Safety-Kleen. This permit will regulate activities conducted by the Safety-Kleen facility in Farmington and will require that all the 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 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 EID and EPA must issue the permit.