



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
525 Camino De Los Marquez
P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-4358
Fax (505) 827-4389

MARK E. WEIDLER
SECRETARY
EDGAR T. THORNTON, III
DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

June 7, 1995

Shelton Casady
Branch Manager
Safety-Kleen (Farmington)
4200 A Hawkins Road
Farmington, NM. 76201

RE: Letter of Violation
NMD 980698849

Dear Mr. Casady:

On April 5, 1995, the New Mexico Environment Department (NMED) conducted a hazardous waste inspection of your facility, Safety-Kleen Farmington. Based on review of the information obtained, NMED has determined that Safety-Kleen Farmington has violated New Mexico Hazardous Waste Management Regulations (20 NMAC 4.1). The purpose of this letter is to delineate the violations in writing and to request Safety-Kleen's voluntary corrective action.

The violations are:

1. Failure to perform annual analyses for 1994 on waste streams for certain parameters (listed below) according to the Waste Analysis Plan in the Operating Permit. This is a violation of permit module II.C, Permit Attachment A.3 and 20 NMAC 4.1.501, which incorporates federal regulation 40 CFR §264.13(b).

-Mineral Spirits: Physical appearance, specific gravity, bottom sediment and water, and distillation performance

-Immersion Cleaner Solvent: physical appearance, specific gravity, and percentage of water

-Dry Cleaning Solvent/Still Bottoms: physical appearance, and specific gravity.

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2. Failure to have an updated Post-Closure cost estimate. This is a violation of 20 NMAC 4.1.501, which incorporates federal regulation 40 CFR §264.144(b).

In accordance with §74-4-10 NMSA 1978 (Repl. Pamp. 1993), NMED may: (1) issue a compliance order requiring compliance immediately or within a specified time period or assessing a civil penalty for any past or current violation (of up to \$10,000 per day of noncompliance with each violation) or both; or (2) commence a civil action in district court for appropriate relief, including a temporary or permanent injunction. Any such order issued may include a suspension or revocation of any permit issued by NMED.

At this time, NMED is willing to suspend the enforcement options listed above if Safety-Kleen Farmington provides NMED with a satisfactory resolution to the violations or detailed plan of corrective action acceptable to NMED within ten (10) working days of receipt of this letter. If NMED does not receive such information it deems to be satisfactory, then NMED reserves the right to initiate formal enforcement action.

Any action taken in response to this letter does not relieve Safety-Kleen Farmington of its obligation to comply with 20 NMAC 4.1 in other activities which it conducts, nor does it relieve Safety-Kleen Farmington of its obligation to comply with any other applicable laws or regulations.

If you have any questions regarding this notice, please contact Mr. Frank Sanchez at (505) 827-4308 or at the address on the letterhead. Please address your response to Mr. Sanchez's attention.

Sincerely,



Benito J. Garcia, Chief
Hazardous and Radioactive Materials Bureau

BJG:CGM:fjs

cc: Garth Graves, NMED District I Office
Babara Hoditschek, RCRA Permitting
file