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NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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RON CURRY
Secretary

SARAH COTTRELL
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 9, 2010

Randy Shaner
Environment, Health and Safety Manager
Safety-Kleen Systems, Inc.
4210 Hawkins Rd.
Farmington, NM 87401

**RE: APPROVAL OF A CLASS 1 PERMIT MODIFICATION
SAFETY-KLEEN, FARMINGTON, NM, EPA ID# NMD980698849
HWB-SKFA-10-001**

Dear Mr. Shaner:

The New Mexico Environment Department (NMED) hereby approves Safety-Kleen System's December 17, 2009 request for a Class 1 permit modification (without prior approval) to Safety-Kleen's Farmington Storage Facility's RCRA Permit Number NMD980698849 with the following clarifications:

The reference to Section 7.1 in the proposed changes to Section 7.8 has been deleted. Section 7.8 of Permit Attachment 7 shall now read as follows: "An emergency response contractor will provide emergency assistance during a release and/or cleanup and is contacted via Safety-Kleen's emergency response service."

The reference to the "NMED Hazardous and Radioactive Materials Bureau" in Section B of the proposed Emergency Contact List has been changed to read "NMED Hazardous Waste Bureau."

Randy Shaner
April 9, 2010
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A clean copy of the revised pages for Attachment 7 and the revised Emergency Contact List, which includes the above mentioned clarifications. The revised pages must be incorporated into the facility Permit and the Operating Record.

If you have any questions regarding this letter, please contact David Strasser at (505) 222-9526.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: J. Kieling, NMED HWB
A. Vollmer, NMED HWB
W. Moats, NMED HWB
D. Strasser, NMED HWB
L. King, EPA Region 6 (6PD-N)
File: SKFA 2010 and Reading
HWB-SKFA-10-001

**CONTINGENCY PLAN ATTACHMENT 7-3
EMERGENCY CONTACTS**

**SAFETY-KLEEN SYSTEMS, INC.
4210 A HAWKINS ROAD
FARMINGTON, NM 87401
Phone: 505-327-9070
Fax: 505-327-3023**

A) FACILITY EMERGENCY COORDINATOR

NAME: RANDY WOOD
TITLE: BRANCH GENERAL MANAGER
HOME ADDRESS: 405 SWIRE AVE
AZTEC, NM 87410
TELEPHONE: 505-334-0665
CELL PHONE: 505-860-6580

ALTERNATE EMERGENCY COORDINATOR

NAME: TRAVIS FLOREZ
TITLE: MATERIAL HANDLER
HOME ADDRESS: 1105 RIO BRAZOS
AZTEC, NM 87410
TELEPHONE: 505-801-4010
CELL PHONE: 505-860-6585

B) EMERGENCY NOTIFICATION TELEPHONE NUMBERS

INTERNAL (24 HOUR) SAFETY KLEEN	1-800-468-1760
EXTERNAL: A: NATIONAL RESPONSE CENTER	1-800-424-8802
B: NMED HAZARDOUS WASTE BUREAU	1-505-827-9329

C) DESIGNATED EMERGENCY RESPONSE AUTHORITIES

A: FARMINGTON FIRE DEPARTMENT	EMERGENCY	911
	NON EMERGENCY	505-599-1430
B: FARMINGTON POLICE DEPARTMENT	EMERGENCY	911
	NON EMERGENCY	505-334-6622
C: SAN JUAN REGIONAL MEDICAL CENTER	EMERGENCY	911
	NON EMERGENCY	505-325-5011
D: CLEANUP CONTRACTOR	24 HOUR	800-468-1760
E: POISON CONTROL CENTER	24 HOUR	505-843-2551



ATTACHMENT 7 CONTINGENCY PLAN

7.1 INTRODUCTION AND PURPOSE

The contingency plan describes the actions to be taken by each employee in the event of a spill, fire, explosion, or other emergency. It includes information necessary to address emergency situations efficiently and in such a manner as to prevent or minimize hazards to human health or the environment due to fire, explosion, or any other release of hazardous materials to the air, soil, surface water, or ground water at, and around the Safety-Kleen Farmington NM, Service Center (Facility). The provisions of the plan shall be carried out immediately whenever there is a threat to human health or the environment.

7.2 DISTRIBUTION AND AMENDMENT OF THE PLAN

The most current version of the contingency plan shall be maintained at the Facility and copies shall be distributed to:

1. Farmington Police Department
2. San Juan Regional Medical Center
3. Farmington Fire Department

This plan shall be subject to review and amendment if any of the following occurs:

1. The Facility Permit is modified to allow new wastes to be stored or treated, or applicable regulations are revised;
2. The list or location of emergency equipment changes;
3. The Facility changes in its design, construction, operation maintenance, or other circumstances in a way that:
 - a. Increases the potential for fires, explosions, or releases of hazardous constituents, or;
 - b. Changes the response necessary in an emergency;
4. The names, addresses, or phone numbers of emergency coordinators change;
5. The employee assigned to each emergency task changes;

or;

6. The plan fails when implemented in an emergency;

7.3 ARRANGEMENTS WITH LOCAL AUTHORITIES

Appropriate local authorities have toured the Facility and are familiar with the Facility layout, possible evacuation routes, the general operations of the Facility and the properties and hazards of the waste handled at the Facility. In case of an emergency at the Service Center such as a fire or hazardous material disaster, Safety-Kleen has already made an agreement with local authorities designating primary emergency authority. The Senior Operating Fire Department personnel shall assume command of the field Incident Commander and provide direct assistance, planning and information control to the scene. The City of Farmington and San Juan County Fire Departments shall coordinate joint use of all fire protection services.

Arrangements shall be made with the San Juan Regional Medical Center to familiarize them with the properties of the hazardous waste handled at the Facility and the types of injuries or illnesses which could result from fires, explosions or releases at the Facility. If a Safety-Kleen employee needs to be treated, the medical center and the ambulance service, if any is being used, shall be informed ahead of time, as much as possible, of the employee's name, the nature of the injury and any contamination involved.

Copies of the Contingency Plan transmittal letters to local authorities are located in Attachment 7-1.

7.4 FACILITY EMERGENCY EQUIPMENT

The list of the emergency equipment maintained at the Facility including the equipment's description/capabilities and location in the Facility is located in Attachment 7-2.

7.5 EMERGENCY COORDINATOR

The Emergency Coordinator (EC) or Alternate Emergency Coordinator(s) is responsible for implementing the Contingency Plan during an emergency. However, all employees shall be familiar with the procedures in this plan and are responsible for proper implementation of the plan should the emergency coordinator or alternate emergency coordinator be unavailable. The Branch Manager (which may include the resource recovery manager, branch automotive manager, etc., or designate) is the emergency coordinator and the alternate emergency coordinator is a trained employee designated to this position by the branch

manager.

The Emergency Coordinator and appointed alternates at the Facility shall be thoroughly familiar with all aspects of the contingency plan, all operations and activities at the Facility, the location and characteristics of the wastes handled, the location of all records within the Facility and the Facility layout. The EC and the alternates shall also have the authority to commit the resources needed to carry out this contingency plan.

The Emergency Coordinator or one of his alternates shall always be on the premises or on-call and available to respond to an emergency situation by reaching the Facility within a short time. In the event all of them are out of reach on the same day, a surrogate shall be designated for that period of absence. The EC and his alternates in descending order of priority are shown in Attachment 7-3.

7.5.1 Responsibilities During an Emergency

Whenever there is an emergency situation that requires implementation of this contingency plan, the Emergency Coordinator (or alternate when the Emergency Coordinator is not available) shall immediately:

1. Activate the internal facility communication system to notify all facility personnel;
2. Notify Safety-Kleen's Emergency Response Coordinator using the 24-hour telephone number after working hours - 1-800-468-1760; and
3. Notify appropriate state or local agencies with designated response roles.

Whenever there is a release, fire, or explosion, the emergency coordinator shall immediately try to identify the character, exact source, amount, and extent of any contamination. Because of the limited number of materials handled at the Facility, the emergency coordinator may be able to do this by observation or by review of Facility records. If necessary, outside laboratories may be contacted to perform chemical analyses.

Concurrently, the emergency coordinator shall assess possible hazards to human health or the environment that may result from the release, fire, or explosion. This assessment shall consider both direct and indirect effects of the release, fire, explosion (i.e. the effects of any toxic, irritating, or asphyxiating

gases that may be generated, or the effects of any hazardous run-off).

During an emergency, the EC shall take all measures necessary to ensure that fires, explosions, and releases do not occur, recur, or spread to other hazardous waste at the Facility. These measures shall include where applicable, stopping processes and operations, collecting and containing released waste, and removing or isolating containers.

7.5.2 Remedial Action Responsibilities

If the environment has been contaminated or there is a potential for contamination as a result of a fire, explosion, or spill, the EC shall contact Safety-Kleen's Emergency Response Coordinators to report the incident. The treatment, storage and/or disposal of recovered waste, contaminated soil or surface water that results from an emergency situation shall be arranged by Safety-Kleen and carried out as expeditiously as possible.

The Emergency Coordinator shall ensure that, in the affected area(s) of the Facility that:

1. No substance that may be incompatible with the released materials is brought on site until cleanup procedures are completed; and
2. All emergency equipment listed in the Contingency Plan is cleaned and fit for its intended use before operations are resumed.

7.5.3 Reporting Responsibilities

If the Emergency Coordinator determines that the Facility has had a release that could threaten human health or the environment, the Emergency Coordinator shall report those findings as follows:

1. If the assessment indicates that evacuation of local areas may be advisable, the emergency coordinator shall immediately notify appropriate authorities;
2. The emergency coordinator shall immediately notify Safety-Kleen Emergency Response Coordinator and the New Mexico Environment Department (NMED) of any spill or release or hazardous waste within 24-hours (except for spills of one pound or less that are immediately cleaned up). The emergency coordinator will report to NMED the following as required in 20.4.1.500 NMAC (incorporating 40 CFR 264.56(d)(2)):

- a. Name and telephone number of reporter;
- b. Name and address of the Facility;
- c. Time and type of incident (i.e. release, fire);
- d. Name and quantity of material(s) involved, to the extent known;
- e. The extent of injuries, if any, and
- f. The possible hazards to human health, or the environment outside the Facility.

Safety-Kleen shall notify the appropriate state and local authorities that the affected facility is in compliance with Section 7.5.2 before operations are resumed in the affected area(s) of the Facility.

The EC shall document the time, date, and details of any incident that requires the implementation of the contingency plan in the Facility Operating Record. Within 15 days of the incident, Safety-Kleen shall submit a written report on the incident to the New Mexico Environment Department. This report shall contain the information specified in 20.4.1.500 NMAC (incorporating 40 CFR 264.56(j));

1. Name, address, and telephone number of the owner or operator;
2. Name, address, and telephone number of the Facility;
3. Date, time, and type of incident (i.e. fire, explosion);
4. Name and quantity of material(s) involved;
5. The extent of injuries, if any;
6. An assessment of actual or potential hazards to human health or the environment, where this is applicable; and
7. Estimated quantity and disposition of recovered material that resulted from the incident.

7.5.4 Chain of Command

Based on the emergency response procedures described above, the chain of command during an emergency is as follows:

1. The person who discovers/causes the spill reports to the Emergency Coordinator; and
2. The Emergency Coordinator contacts the Safety-Kleen Emergency Response Coordinator and the New Mexico Environment Department.

7.5.5 Government Agencies and Local Authorities to Be Notified

During an emergency, the following government agencies and local authorities may be contacted:

<u>Agency or Authority</u>	<u>Rationale</u>
Police Department	Notify if there is imminent danger to human health.
Fire Department	Notify if there is a fire, explosion, uncontrolled spill, or other imminent danger.
Hospital	Notify if there are any injuries.
NMED	Report releases, fires, and explosions.
Safety-Kleen 24-Hour Emergency Response Service	Call to assist with remedial action after a release.

Arrangements have been made to familiarize the police department, fire department and local emergency response teams with the layout of the facility, the properties of hazardous materials handled and associated hazards, locations where facility personnel normally work, entrances to and roads inside the facility, and possible evacuation routes. Arrangements have also been made to familiarize the local hospital with the types of injuries or illnesses which could result from fires, explosions, or releases at the facility.

7.6 EMERGENCY RESPONSE PROCEDURES

Response actions to be taken in specific emergency situations are described in the following sections.

7.6.1 Minor Spills

If a spill should occur while pouring spent solvent into a drum washer/dumpster or filling containers with solvent product at the return and fill station, and it is contained in the secondary containment at the base of the return and fill station, remedial action will not be necessary. Should the spill occur outside the containment, different actions must be taken depending on whether the spill occurs on a paved or unpaved area:

1. If the solvent spills on a paved area, it must be collected with sorbent sheets and/or sorbent clay (such as "Oil Dry"). The sorbents will be collected, drummed and shipped to a Safety-Kleen recycle center or other permitted facility for proper treatment and/or disposal.
2. If the solvent spills on an unpaved area, the free solvent must be collected with sorbent material. The sorbent material and any contaminated soil must be collected, drummed and shipped to a Safety-Kleen recycle center or other permitted facility for proper treatment and/or disposal.

If a spill occurs while moving or delivering containers outside of the container storage area, the response actions described in '1' and '2' above shall be followed. Spills inside the container storage unit will be prevented from contaminating the environment by the concrete floor and the secondary containment trenches. In the event of a spill indoors, the doors and windows should be opened to improve the ventilation in the confined area. If solvent is spilled in a non-explosion rated area or is flowing in such, insure that all sources of ignition (i.e., thermostats or light switches) are left in the same position (either on or off) as at the time of the spill. Procedures specified on the appropriate Material Safety Data Sheet (MSDS) will be used to respond to an emergency (Safety-Kleen MSDSs are contained in Attachment 3-2), the worker will enter the area wearing rubber gloves, aprons, safety glasses, and/or a respirator, collect the liquid, drum it and return it to storage.

Cleanups are completed only when the workers have cleaned themselves and the emergency equipment with soap and water. All minor spills must be reported to the Safety-Kleen Emergency Response Coordinator and the coordinator will contact the New Mexico Environment Department (if the spill is of a reportable quantity).

7.6.2 Major Spills

Any spill, which cannot be completely remediated using the methods described in '1' and '2' of section 7.6.1, is a major spill. A major spill is usually the result of a vehicular accident, tank overfilling, equipment failure or a fire. Spilled material, which escapes collection, can contaminate soil, surface water, ground water, sanitary sewer systems and storm sewer systems. Emergency response to this type of spill should be as follows:

1. Assist any injured people;
2. Stop the flow of materials, if possible;
3. Retain, contain or slow the flow of the materials if it can not be stopped;
4. If solvent escapes containment efforts, immediately call the local Fire Department, and report to the emergency coordinator and the Safety-Kleen Emergency Response Coordinator;
5. Immediately recover the spilled solvent to reduce property and environmental damage. Start recovery operations immediately.

The emergency coordinator shall report any incident as soon as possible to Safety-Kleen Emergency Response Coordinator using the 24-hour telephone number, (800) 468-1760. The Emergency Coordinator shall call an emergency cleanup response contractor, if it is deemed necessary, and report the incident to the National Response Center (telephone: 800/424-8802) and New Mexico Environment Department (telephone: (505) 827-9329 - 24 hour number).

The person reporting a spill should be prepared to give his name, position, company name, address and telephone number. The person reporting should also describe the material spilled and, if possible, some estimate of the amount, and the containment status and specify any equipment needed. Contaminated material resulting from remedial actions for major spills, will usually be disposed of at a properly permitted treatment or disposal facility.

Incidents will be documented and kept on file as part of the operating record. The incidents will be reviewed with branch personnel to prevent similar spills from occurring in the future.

7.6.3 Fire Control Procedures

If a small fire occurs, personnel must act quickly with an appropriately rated fire extinguisher to put out the fire before it spreads. If it cannot be extinguished immediately the facility will be evacuated and the fire and police departments will be contacted.

It is Safety-Kleen's policy that personnel only respond to incipient fires; that is, those that can immediately be extinguished using a fire extinguisher. Any fire which cannot be brought under control immediately or which has the potential to become uncontrollable, warrants implementation of the evacuation plan. Ignitable waste at the Farmington facility is stored in specially designed tanks, or in containers in the container storage area.

Safety-Kleen personnel and local authorities must be aware of appropriate response procedures, should a fire occur at the facility. This may include isolating the hazardous area and donning an appropriate positive pressure breathing apparatus.

7.7 EVACUATION PLAN

Exits are clearly marked in the warehouse and office area. Employees are trained to be aware of all potential escape routes. The facility evacuation plan is included in Attachment 7-4.

When an uncontrolled fire or release has occurred, all personnel are to be evacuated from the area and assemble across Hawkins Road to assure that all personnel are accounted for and out of the hazardous area. The fire department must be notified at the time of evacuation either from a safe on-site building or from a neighboring facility.

7.8 ARRANGEMENT WITH EMERGENCY RESPONSE CONTRACTORS

An emergency response contractor will provide emergency assistance during a release and/or cleanup and is contacted via Safety-Kleen's emergency response service.

7.9 POLLUTION INCIDENT HISTORY

There are no records of a pollution incident having occurred at this Facility.

7.10 IMPLEMENTATION SCHEDULE

Where a hazard is imminent or an accident has already occurred, remedial action shall be taken immediately. The branch manager

has the overall responsibility for remediating any discrepancies found during a routine inspection, and will consult with the corporate environmental and engineering staffs to design an implementation schedule.

7.11 AVAILABILITY AND REVISION OF THE CONTINGENCY PLAN

This plan and all revisions to the plan are kept at the Facility and regularly updated throughout the operating life of the Facility. The Contingency Plan and all revisions to the Plan shall be made readily available to employees working at the Facility.