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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

March 8, 2016

Nahid Toossi
Senior Environmental Health and Safety Manager
Safety-Kleen Systems, Inc.
2120 S. Yale Street
Santa Ana, CA 92704

Jane Kinsey
Owner
Comet Corporation
108 Hummingbird CV
Georgetown, TX 78633

**RE: SECOND NOTICE OF DISAPPROVAL
PERMIT RENEWAL APPLICATION FOR SAFETY KLEEN SYSTEMS, INC.
FARMINGTON CENTER, NEW MEXICO
EPA ID # NMD980698849, HWB-SKFA-13-001**

Dear Ms. Toossi and Ms. Kinsey:

The New Mexico Environment Department (NMED) has reviewed the revised Permit Renewal Application (Application) dated September 3, 2015, for the Safety-Kleen Systems, Inc., (hereafter the Applicant, Permittee or Safety-Kleen) Farmington Center Container and Tank Storage Facility ("Facility"). The Application is required under the New Mexico Hazardous Waste Management Regulations at 20.4.1.900 NMAC incorporating 40 CFR § 270.30(b) for continuing operation of the Facility, which is located at 4210A Hawkins Road, Farmington, New Mexico.

Pursuant to its authority under the New Mexico Hazardous Waste Act, N.M.S.A. 74-4-1 et seq., and promulgating regulations, NMED has determined that the Application is not technically adequate. This Notice of Disapproval (NOD) identifies the deficiencies that the Applicant must address before the Application can be further evaluated.

The Applicant must respond to this NOD in writing by providing a revised Permit Application with, as appropriate, corrected, new, or augmented information that addresses the following comments.

1. **FACILITY DESCRIPTION, Section A.2.1, Page 7, Exhibit A-6: “Regional Map of New Mexico showing the facility’s location in Bernalillo County”:**

- a) The regional map shown and submitted as Exhibit A-6 (Regional Map) in response to the NOD of March 20, 2015 does not satisfy the requirement of a regional map. Although Exhibit A-6 is an aerial photograph of San Juan County, the text on page 7 of Section A states that it is in Bernalillo County. Correct the discrepancy. Additionally, revise Exhibit A-6 because it is hard to decipher, since the text on the map is in white ink, and is illegible.
- b) Provide a regional map of New Mexico depicting the Facility’s location in San Juan County. Provide an additional map that depicts the Facility’s location in the City of Farmington. Include a scale, figure number and north arrow on the map.

2. **Section A.2.1, Page 7, Exhibit A-7, “Topographic Map Depicting 1,000-foot Radius around the Facility, Topographic Contours”:**

Section A, Exhibit A-7, does not satisfy the requirements of 20.4.1.900 NMAC incorporating 40 CFR 270.14(b)(19), which specifies the features that must be shown on a topographic map of a hazardous waste management facility. Although the map in Attachment E-1 (Facility Drawings), labelled Figure 2 in the original application, was inadequate, it was still better than its replacement map Exhibit A-7, where the features depicted on the latter are completely indecipherable.

Therefore, in order to meet the regulatory requirements cited in the preceding paragraph, Safety-Kleen must provide a topographic map of the Facility showing the features listed below that occur within a distance of 1,000 feet from the Farmington Facility and at a scale of 1 inch equal to not more than 200 feet. Elevation contours must also be shown on the map. The contour interval must be sufficient to clearly show the pattern of surface water flow in the vicinity of and from each operational unit of the Facility. The map must clearly show the following features:

- a. Map title, orientation (north arrow), and date;
- b. Surface-waters, including intermittent streams;
- c. Wind rose placed on the topographic map in a manner that does not obscure map details. Alternatively, the wind rose may be included as a separate figure in the revised Application. The wind rose must show prevailing wind-speeds and directions;
- d. The legal boundaries of the Facility;
- e. Access control features (such as fences and gates);
- f. Buildings, tanks and other areas and structures (such as recreation areas, runoff control systems, access and internal roads, storm, sanitary, and process sewage systems, loading and unloading areas, fire control facilities);
- g. Barriers for drainage or flood control;

- h. Location of operational units within the Facility where hazardous waste is, or will be stored or otherwise managed; and,
- i. Horizontal bar scale, in addition to a relational scale (e.g., Scale: not more than 1 inch equals 200 feet).

3. **Surrounding Land Use**

Provide a description of land use at the Facility under the title “Surrounding Land Use”, and reference the map shown as Exhibit A-11, to meet the requirements of 20.4.1.900 NMAC incorporating 40 CFR § 270.14(b)(19)(iv). In addition, reference the map in the description.

4. **Exhibit K-6, Evacuation Diagram:**

The evacuation plan was not described anywhere in the application. Therefore, the Permittee must include the following information in response to this NOD:

- a. Provide or correct, as indicated, the following information on the map comprising Exhibit K-6 (Evacuation Plan):
 - i) Provide a legend that explains that the arrows on the map indicate the evacuation routes that personnel will take during an emergency;
 - ii) The evacuation route map is dated 03/16/01. Revise Exhibit K-6 to indicate the date that the map was last revised or updated;
 - iii) Indicate alternate evacuation routes in cases where the primary routes could be blocked by releases of hazardous waste, fires or other causes; and,
 - iv) Show on the map the gathering point(s) where headcounts will be taken.
- b. Provide a description of the evacuation plan in Section J.10. Also, reference in the description the Emergency Evacuation Map in Section J.10.

4. **Page 50, Section J.1.2, “Drum Storage”, third paragraph: “A diagram and example pallet layout of the Container Storage Area is included as Exhibit J-10 ...”**

The text on Exhibit J-10 states that a field inspection to verify construction, equipment, components, dimensions, and existing conditions, was conducted on February 28, 2001. Revise this drawing and the text to indicate when the most recent inspection was conducted since 2001. Include the frequency of field inspections.

Provide detailed design specifications and drawings showing the container storage areas, including aisle space and secondary containment systems.

5. **SECTION J.1.1, Page 46, "Tank Storage", fourth paragraph, "As discussed in 'Consideration of design assessment', Item 3 of Exhibit J-1 (Tank System Assessment) the tank system and all components are compatible with the petroleum naphtha solvent managed in the system."**

The text in Exhibit J-1 indicates that the Tank Installation Assessment therein was last revised in July 1990. The Permittee must provide an updated Exhibit J-1, pages 1 through 9. Include an updated description of the integrity assessment, since the visual inspection conducted on June 13, 1990 (See page 5 of the exhibit). Also describe the frequency at which the integrity assessment of the tanks is conducted.

6. **Attachment J, Pages 51-52, Section J.2.2, Container (Drum Management), Exhibits A-2 and A-3: "All containers are stored on pallets as shown on the site Plan in Exhibit A-3."**

Although Exhibit A-2 (Facility Aerial photo) includes the loading/unloading areas of the facility, Exhibit A-3 (Site Plan), which is referenced in the text does not illustrate the loading/unloading areas.

Revise Exhibit A-3 showing the loading/unloading areas of the Facility and the secondary containments discussed in Attachment J, Sections J.1.1.2 and J.1.2. The text on the Exhibit must also be legible.

7. **Aisle Space Section J.2.2, page 52, "Proper aisle space will be maintained in the Container Storage Area."**

The above sentence taken from the permit application does not contain any specific detailed information regarding aisle space dimensions. Indicate whether each waste storage unit has aisle space that is wide enough for unobstructed movement of personnel, medical and fire protection equipment, spill control equipment, and decontamination equipment in case of emergency, as required by 20.4.1.500 NMAC incorporating 40 CFR § 264.35. Provide a description of the minimum aisle space that will be maintained. This information must be in a stand-alone section or paragraph.

8. **Management of Ignitable or Reactive Wastes in Containers:** Indicate whether ignitable wastes are stored no closer than 50 feet (15 meters) from the Facility property line as required by 20.4.1.900 NMAC incorporating 40 CFR § 270.15(c) and 20.4.1.500 NMAC incorporating 40 CFR § 264.176. The Permittee's response to this comment referenced Section J.1.2, which does not contain any description or mention of whether or not ignitable or reactive wastes are stored at locations greater than that minimum distance from the Facility property line.

9. **Section J.2.4, page 53, Management of Incompatible Wastes in Containers, “The only waste containers routinely opened at the facility is the solvent waste, which is comingled in the aboveground storage tank.”**

Provide a detailed description of the types of solvent wastes, and their associated EPA waste codes, that are comingled, the volumes comingled, and why they are comingled. If the comingled wastes have different EPA waste codes, then the Permittee must discuss the process for verifying the compatibility of the wastes in the Application.

10. **Section L.3, Container Storage Area, Page 75, Second paragraph, third sentence, “Wipe samples will be collected in accordance with appropriate guidance, using laboratory-supplied wipe sampling kits with appropriate solvent.”**

Provide a detailed description of the methods for closure wet-wipe sampling of equipment and structures that the Permittee plans to use during facility closure activities. Describe the sampling locations and the number of samples that will be collected from each designated indoor loading and unloading zone, each wall, floor, ceiling, at the lowest level of each sump or secondary containment in the interior of a structure, structures, and equipment at the Indoor and Outdoor Components at the Hazardous Waste Storage Unit. Also describe the structure surface wipe sampling frequencies (e.g., one sample per every 400 square feet on structure surfaces, one sample per every 2 linear feet on piping). Summarize the sampling analytical information in accordance with the following example Table:

Parameter	Laboratory Method(s)	Preservation	Holding Time
Metals (Total: Ag, As, Ba, Be, Cd, Cr, Hg, Ni, Pb, Sb, Se, and Tl)	6010/6020/ 7470/7471	HNO ₃ and Cool to 4°C	6 months (except Hg 28 days)
VOCs	8260	Headspace free, HCl and Cool to 4°C	14 days
SVOCs	8270	HCL and Cool to 4°C	14 days
Cyanide	9010/9012	Na OH and Cool to 4°C	14 days

¹ Methods are EPA SW-846 Methods, as revised and updated.

11. **Section L.3, Container Storage Area, Page 75, Second paragraph, fifth(last) sentence, “As there are no screening levels or risk standards for comparison of wipe samples results, the results will be evaluated by the certifying engineer in the closure report...”**

In order to analyze for NMED to accept any data generated from the analysis of VOCs and SVOCs wipe samples, the Permittee must revise the second paragraph on page 75 to reference these sources and the applicable methods of analysis for VOCs and SVOCs presented in 1) the New Mexico Environment Department *Risk Assessment Guidance for Site Investigation and Remediation, July 2015*, and 2) the U.S. Army Center for Health Promotion and Preventive Medicine, *Technical Guide 312, 2009, “Health Risk Assessment Methods and Screening Levels for Evaluating Office Worker Exposures to Contaminants on Indoor Surfaces Using Surface Wipe Data,” June 2009.*

12. **Closure Soil Sample Locations and Cleanup Standards:**

This comment was not addressed satisfactorily. Therefore, the Permittee must provide the following:

- a. Provide maps of the whole Facility that depict proposed closure soil sample locations.
- b. Indicate the locations and depths of samples proposed to be collected around the buildings and the paved areas of the Facility where hazardous waste management activities are or have been conducted.
- c. Include, on the map, the locations where background soil samples will be collected. The latter should be from areas that have not been impacted by waste management activities.

In addition, include the following:

- d. A description of sample collection method, sample preservation, handling and shipment, analytical methods, and chain-of-custody procedures;
- e. Proposed acceptable clean up levels consistent with all applicable State and Federal regulations.
- f. Incorporate, into Attachment G, a provision for the analysis of soil samples for metals, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), and all wastes (and their associated hazardous constituents) listed in Part A of the Application and all other wastes (and their associated hazardous constituents) which have been, or are anticipated to be managed at the Facility. The information may be presented on an operating unit-by-operating unit basis.

Ms. Toossi and Ms. Kinsey

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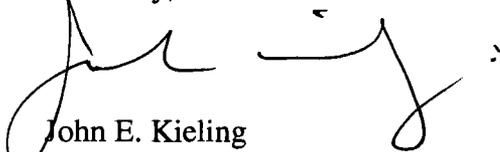
Final Direction

The Applicant must submit the required information in the form of a revised Application that corrects the deficiencies documented in this NOD. The submittal must be in the form of two bound paper copies and two CDs or DVDs compatible with Microsoft Word™, indicating added information in highlighted text, and deleted information in strike-out text. Furthermore, in order to expedite review of the responses, provide a table referencing each of NMED's numbered comments and the Applicant's corresponding responses, and where the appropriate information has been incorporated into the revised Application.

The Applicant must submit the required information no later than **June 22, 2016**. The Applicant may request an extension to this deadline, for good cause, in writing to NMED.

If you have any questions please contact Mr. Cornelius Amindyas of my staff at (505) 222-9543.

Sincerely,



John E. Kieling
Chief

Hazardous Waste Bureau

cc: D. Cobrain, HWB NMED
C. Amindyas, HWB NMED
L. King, Chief, EPA Region VI (6PD-N)

File: SKFA 2016 and Reading