



Allen, Pam, NMENV

From: Baros, Vanessa, NMENV
Sent: Monday, August 5, 2019 8:55 AM
To: legals@abqpubco.com
Cc: HOLTON, BRIAN, NMENV; Cobrain, Dave, NMENV; Allen, Pam, NMENV
Subject: Public Notice 19-04 Comment Period & Request for Public Hearing on Draft Permit SKFA
Attachments: PUBLIC NOTICE draft permit 5-8-19.docx; Public notice draft permit Navajo 6-7-19.docx; HWB_SPANISH_6-11-19_PUBLIC NOTICE draft permit 5-8-19 (1).pdf; 0000033974_ABQJournal.pdf

Good Morning,

Can you please publish the attached advertisement for Public Notice 19-04 SKFA Notice of Public Comment Period & Opportunity to Request a Public Hearing, as a classified legal ad, in English, Spanish and Navajo in the ABQ Journal on **Friday, August 16, 2019**? We will need an affidavit of publication and a copy of the newspaper clipping. I have also attached the purchase document, if you could please reference this PO number on the invoice.

Please send the invoice, newspaper clipping, and affidavit of publication to the attention of:

Brian Holton
State of New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East Bldg. 1
Santa Fe, NM 87505

Thanks much and have a great day!

Vanessa

Vanessa Baros
NMED/Hazardous Waste Bureau
2905 Rodeo Park Drive East, Bldg. 1
Santa Fe, New Mexico 87505
Phone: (505) 476-6003
vanessa.baros@state.nm.us



Michelle Lujan Grisham
Governor

Howie C. Morales
Lt. Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov



James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

PUBLIC NOTICE NUMBER 19-04

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO 87505
August 16, 2019**

**NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO REQUEST A
PUBLIC HEARING ON A DRAFT HAZARDOUS WASTE PERMIT FOR SAFETY-
KLEEN SYSTEMS, INC., FARMINGTON, SAN JUAN COUNTY, NEW MEXICO
EPA ID NUMBER NMD980698849**

The New Mexico Environment Department (NMED) is issuing for public comment a draft Hazardous Waste Facility Permit which would authorize J.D. & Joy M. Kinsey, the Owners, and Safety-Kleen Systems, Inc., the Operators (the Permittees) to continue to manage and store hazardous waste at the Safety-Kleen Container and Tank Storage Facility (Facility) located in Farmington, New Mexico. The draft Permit is a proposed renewal of a permit that was issued to the Permittee in 2003.

Under authority of the New Mexico Hazardous Waste Act (HWA; NMSA 1978 §74-4-1 *et. seq.*) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC), the NMED can approve, modify and approve, or deny hazardous waste management permits, permit modifications, and permit renewals. NMED is charged with issuing permits that ensure that the Permittees' hazardous waste operations are conducted in a manner that is protective of human health and the environment.

The Safety-Kleen Systems, Inc., Container and Tank Storage facility is located in the City of Farmington, San Juan County, New Mexico. The facility is located on approximately one acre that contains a 1,530 square foot building with offices and a container storage unit used for drum storage; two 12,600-gallon aboveground storage tanks that store spent solvent or solvent product, two aboveground storage tanks with a capacity of 24,500 gallons and 21,000 gallons used for storage of used oil and antifreeze, respectively, associated loading docks and a solvent Return and Fill station. The address of the facility is: 4210A Hawkins Road, Farmington, New Mexico 87401. The Facility Contact is Mr. Brian Cochran, Area General Manager.

The Facility is an accumulation point for used solvents generated by Safety-Kleen customers. All wastes stored at the Facility are ultimately shipped to a Safety-Kleen recycling facility or a contract reclaimer. The Facility accepts, manages, and stores wastes that are regulated under the Federal

Resource Conservation and Recovery Act (RCRA), and the New Mexico Hazardous Waste Act (HWA) and the New Mexico Hazardous Waste Management Regulations at 20.4.1 NMAC. The draft Permit addresses the storage of hazardous wastes in containers and an aboveground storage tank. The Applicant does not seek, and the NMED is not issuing, a permit for treatment or disposal of hazardous waste.

NMED also announces the availability of a Fact Sheet providing the basis for the proposed action on the draft permit and the significant factual and regulatory issues considered in preparing the draft permit. The Fact Sheet explains the basis for the draft permit and permit conditions, including applicable statutory and regulatory support.

PUBLIC REVIEW OF DRAFT PERMIT

The Administrative Record for this proposed action consists of the Permit application, the draft Permit, this Public Notice, a Fact Sheet, and supporting documentation. The Administrative Record may be reviewed, with prior appointment, at the following location during the public comment period.

NMED - Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone: (505) 476-6000
Monday – Friday: 8:00 a.m. to 5:00 p.m.
Contact: Pam Allen

Copies of the draft Permit, this Public Notice, and Fact Sheet are also available on the NMED website at: <http://www.nmenv.state.nm.us/HWB/skfaperm.html> at the link for *SKFA Draft Permit*. To obtain a copy of the Administrative Record or a portion thereof, please contact Ms. Pam Allen at (505) 476-6000, or at the address given above. NMED will provide copies, or portions thereof, of the Administrative Record at a cost to the requestor.

NMED issues this public notice on **August 16, 2019**, to announce the beginning of a 60-day comment period that will end at **5:00 p.m. MDT, October 15, 2019**. Any person who wishes to comment on the draft Permit or request a public hearing should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the respective address below. Only comments and/or requests received before **5:00 p.m. MDT on October 15, 2019** will be considered.

Dave Cobrain, Program Manager
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
(505) 476-6000
E-mail: dave.cobrain@state.nm.us
Ref: SKFA Draft Permit

Written comments must be based on reasonably available information and include, to the extent practicable, all referenced factual materials. Documents in the Administrative Record need not be re-submitted if expressly referenced by the commenter. Requests for a public hearing must provide: (1) a clear and concise factual statement of the nature and scope of the interest of the person requesting the hearing; (2) the name and address of all persons whom the requestor represents; (3) a statement of any objections to the draft Permit, including specific references to any conditions being addressed; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing. Written comments and requests for public hearing must be filed with Dave Cobrain on or before **5:00 p.m. MDT, October 15, 2019**. NMED will provide a minimum 30-day notice of a public hearing, if scheduled.

NMED must ensure that the approved draft Permit is consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted will be considered in formulating a final decision and may cause the draft Permit to be modified. The NMED will respond in writing to all public comments. This response will specify which provisions, if any, of the draft Permit have been changed in the final decision and the reasons for the changes. All persons presenting written comments or who requested notification in writing will be notified of the decision by mail. These responses will also be posted on the NMED website.

After consideration of all the written public comments received, the NMED will issue, or modify and issue, the Permit. The Permittees will be provided by mail a copy of any relevant modified documents and a detailed written statement of reasons for the modifications. The Secretary of the New Mexico Environment Department will make the final decision publicly available and shall notify the Permittees by certified mail. The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the HWA (Chapter 74, Article 4 NMSA 1978).

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Stephanie Sloman no less than ten days prior to the end of the public comment period at the following address: New Mexico Environment Department, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-6110, telephone number: (505) 827-9769. TDD or TDY users, please access Ms. Sloman's number via the New Mexico Relay Network at 1 (800) 659-8331.

The NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. The NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, or if you believe that you have been discriminated against with respect to a NMED program or activity, you may contact: Kristine Yurdin, Non-Discrimination Coordinator, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@state.nm.us. You may also visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how to file a complaint of discrimination./



Michelle Lujan Grisham
Gobernadora

Howie C. Morales
Vicegobernador

**DEPARTAMENTO DE MEDIO AMBIENTE
DE NUEVO MÉXICO**

Oficina de Residuos Peligrosos

2905 Rodeo Park Drive East, Building 1
Santa Fe, Nuevo México 87505-6313
Teléfono (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov



James C. Kenney
Secretario de Gabinete

Jennifer J. Pruett
Subsecretaria

AVISO PÚBLICO NÚMERO 19-04

**DEPARTAMENTO DE MEDIO AMBIENTE DE NUEVO MÉXICO
OFICINA DE RESIDUOS PELIGROSOS
SANTA FE, NUEVO MÉXICO 87505
16 de agosto de 2019**

**AVISO DE PERÍODO DE COMENTARIOS PÚBLICOS Y OPORTUNIDAD DE
SOLICITAR UNA AUDIENCIA PÚBLICA SOBRE UN BORRADOR DE PERMISO DE
RESIDUOS PELIGROSOS PARA SAFETY-KLEEN SYSTEMS, INC., FARMINGTON,
CONDADO DE SAN JUAN, NUEVO MÉXICO
NÚMERO DE IDENTIFICACIÓN DE EPA NMD980698849**

El Departamento de Medio Ambiente de Nuevo México (NMED, por sus siglas en inglés) está emitiendo para comentarios públicos un borrador de Permiso para la Instalación de Residuos Peligrosos que autorizaría a JD y Joy M. Kinsey, los Propietarios, y Safety-Kleen Systems, Inc., los Operadores (Permisionarios), a continuar la administración y almacenaje de residuos peligrosos en la Instalación de Almacenamiento de Contenedores y Tanques (Instalación) de Safety-Kleen ubicada en Farmington, Nuevo México. El borrador del Permiso es una renovación propuesta de un permiso que se emitió al Permisionario en 2003.

Bajo la autoridad de la Ley de Residuos Peligrosos de Nuevo México (HWA; NMSA 1978 §74-4-1 et. seq.) y el Reglamento de Manejo de Residuos Peligrosos de Nuevo México (20.4.1 NMAC), el NMED puede aprobar, modificar y aprobar, o denegar permisos de manejo de residuos peligrosos, modificaciones de permisos y renovaciones de permisos. NMED tiene a su cargo la emisión de permisos que aseguran que las operaciones de residuos peligrosos de los Permisionarios se lleven a cabo de una manera que proteja la salud humana y el medio ambiente.

La Instalación de Almacenamiento de Contenedores y Tanques de Safety-Kleen Systems, Inc. está ubicada en la ciudad de Farmington, condado de San Juan, Nuevo México. La instalación está ubicada en aproximadamente un acre que contiene un edificio de 1.530 pies cuadrados con oficinas y una unidad de contenedor de almacenamiento utilizada para almacenamiento de tambores; dos tanques de almacenamiento de superficie de 12.600 galones que almacenan solvente gastado o producto solvente, dos tanques de almacenamiento de superficie con una capacidad de 24.500 galones y 21.000 galones utilizados para el almacenamiento de aceite usado y anticongelante, respectivamente, muelles de carga asociados y una estación de retorno y

llenado de solvente. La dirección de la instalación es: 4210A Hawkins Road, Farmington, NM 87401. El nombre de la persona de contacto de la instalación es el Sr. Brian Cochran, Gerente General del Área.

La Instalación es un punto de acumulación para los solventes usados generados por los clientes de Safety-Kleen. Todos los residuos almacenados en la Instalación se envían en última instancia a una instalación de reciclaje de Safety-Kleen o un recuperador de contrato. La Instalación acepta, administra y almacena residuos que están regulados por la Ley Federal de Conservación y Recuperación de Recursos (RCRA, por sus siglas en inglés), la Ley de Residuos Peligrosos de Nuevo México (HWA, por sus siglas en inglés) y el Reglamento de Manejo de Residuos Peligrosos de Nuevo México en 20.4.1 NMAC. El borrador del Permiso trata el almacenamiento de residuos peligrosos en contenedores y un tanque de almacenamiento de superficie. El solicitante no busca, y el NMED no emite, un permiso para el tratamiento o eliminación de residuos peligrosos.

NMED también anuncia la disponibilidad de una hoja informativa que proporciona la base de la acción propuesta sobre el borrador del Permiso y las importantes cuestiones fácticas y reglamentarias consideradas en la preparación del borrador del Permiso. La hoja informativa explica las bases para el borrador del Permiso y las condiciones del Permiso, incluido el apoyo legal y reglamentario aplicable.

REVISIÓN PÚBLICA DEL BORRADOR DEL PERMISO

El Registro Administrativo para esta acción propuesta consiste en la solicitud del Permiso, el borrador del Permiso, este aviso público, una hoja informativa y la documentación de respaldo. El Registro Administrativo puede ser revisado, con cita previa, en la siguiente ubicación durante el período de comentarios públicos.

NMED - Hazardous Waste Bureau (Oficina de Residuos Peligrosos)
2905 Rodeo Park Drive East, Edificio 1
Santa Fe, NM 87505-6313
Teléfono: (505) 476-6000
Lunes a viernes de 8:00 a.m. a 5:00 p.m.
Contacto: Pam Allen

También hay disponibles copias del borrador del Permiso, este aviso público y la hoja informativa en el sitio web de NMED en: <http://www.nmenv.state.nm.us/HWB/skfaperm.html> en el enlace de *SKFA Draft Permit*. Para obtener una copia del Registro Administrativo o una parte de este, comuníquese con la Sra. Pam Allen llamando al (505) 476-6000, o en la dirección indicada anteriormente. NMED proporcionará copias, o partes del Registro Administrativo a un costo para el solicitante.

NMED emite este aviso público el **16 de agosto de 2019** para anunciar el comienzo de un período de comentarios de 60 días que finalizará a las **5:00 p.m. MDT, el 15 de octubre de 2019**. Cualquier persona que desee comentar sobre el borrador del Permiso o solicitar una audiencia pública debe enviar los comentarios por escrito o por correo electrónico (e-mail) con el nombre y la dirección del comentarista a la dirección que hay a continuación. Solamente los

comentarios y/o solicitudes recibidos antes de las **5:00 p.m. MDT del 15 de octubre de 2019** serán considerados.

Dave Cobrain, Program Manager
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
(505) 476-6000
Correo electrónico: dave.cobrain@state.nm.us
Ref: SKFA Draft Permit

Los comentarios escritos deben basarse en la información razonablemente disponible e incluir, en la medida de lo posible, todos los materiales fácticos a los que se hace referencia. Los documentos en el Registro Administrativo no tienen que volver a enviarse si el comentarista hace referencia expresa. Las solicitudes para una audiencia pública deben proporcionar: (1) una declaración objetiva clara y concisa de la naturaleza y el alcance del interés de la persona que solicita la audiencia; (2) el nombre y la dirección de todas las personas a quienes representa el solicitante; (3) una declaración de cualquier objeción al borrador del Permiso, incluidas referencias específicas a cualquiera de las condiciones que se abordan; y (4) una declaración de las cuestiones que el comentarista propone plantear para su consideración en la audiencia. Los comentarios escritos y las solicitudes de audiencia pública deben presentarse ante Dave Cobrain a más tardar a las **5:00 p.m. MDT, 15 de octubre de 2019**. NMED proporcionará un aviso mínimo de 30 días de una audiencia pública, si está programada.

NMED debe garantizar que el borrador del Permiso aprobado sea consistente con el Reglamento de Manejo de Residuos Peligrosos de Nuevo México. Todos los comentarios escritos que se envíen serán considerados al formular una decisión final y pueden hacer que se modifique el borrador del Permiso. NMED responderá por escrito a todos los comentarios públicos. Esta respuesta especificará qué disposiciones, si las hubiera, del borrador del Permiso se han modificado en la decisión final y las razones de los cambios. Todas las personas que presenten comentarios por escrito o que hayan solicitado una notificación por escrito serán notificadas de la decisión por correo postal. Estas respuestas también se publicarán en el sitio web de NMED.

Después de considerar todos los comentarios públicos escritos recibidos, NMED emitirá, o modificará y emitirá el Permiso. Los Permisionarios recibirán por correo una copia de cualquier documento relevante modificado y una declaración detallada por escrito de las razones de las modificaciones. El secretario del Departamento de Medio Ambiente de Nuevo México hará pública la decisión final y notificará a los Permisionarios por correo certificado. La decisión del secretario constituirá una decisión final de la agencia y podrá ser apelada según lo dispuesto por la HWA (Capítulo 74, Artículo 4 de la NMSA 1978).

ARREGLOS PARA PERSONAS CON DISCAPACIDAD

Cualquier persona con una discapacidad que requiera ayuda o un dispositivo auxiliar para participar en este proceso debe comunicarse con Stephanie Sloman al menos diez días antes de que

finalice el período de comentarios públicos en la siguiente dirección: New Mexico Environment Department, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, NM, 87502-6110, número de teléfono: (505) 827-9769. Los usuarios de TDD o TDY, pueden acceder al número de la Sra. Sloman a través de New Mexico Relay Network (Red de Transmisión de NM) llamando al 1 (800) 659-8331.

NMED no discrimina por motivos de raza, color, origen nacional, discapacidad, edad o sexo en la administración de sus programas o actividades, según lo exigen las leyes y regulaciones aplicables. NMED es responsable de la coordinación de los esfuerzos de cumplimiento y la recepción de consultas sobre los requisitos de no discriminación implementados por 40 C.F.R. Partes 5 y 7, incluido el Título VI de la Ley de Derechos Civiles de 1964, según enmendada; Sección 504 de la Ley de Rehabilitación de 1973; la Ley de Discriminación por Edad de 1975, el Título IX de las Enmiendas de Educación de 1972 y la Sección 13 de las Enmiendas de la Ley de Control de la Contaminación del Agua de 1972. Si tiene alguna pregunta sobre este aviso o alguno de los programas, políticas o procedimientos de no discriminación de NMED o si cree que ha sido discriminado con respecto a un programa o actividad de NMED, puede comunicarse con: Kristine Yurdin, coordinadora de no discriminación, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, teléfono (505) 827-2855, correo electrónico nd.coordinator@state.nm.us. También puede visitar nuestro sitio web en <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> para saber cómo y dónde presentar una queja de discriminación.

NEW MEXICO
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ENVIRONMENT DEPARTMENT
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Hazardous Waste Bureau
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2905 Rodeo Park Drive East Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476- 6030

www.env.nm.gov

PUBLIC NOTICE No. 19-04
T'!!' A{TSOH YINIIH DOO N!H!T'\$& TS'!ADAH N!ZB@S D((

NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO
August 16, 2019

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Bina'lant'11nts'0s7 Hast3'ts'11dah, Naakidi Dim771 d00 N1h1t'47 ts'11dah

NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO REQUEST A
PUBLIC HEARING ON A DRAFT HAZARDOUS WASTE PERMIT FOR SAFETY-KLEEN
SYSTEM, INC., FARMINGTON, SAN JUAN COUNTY, NEW MEXICO
EPA ID NUMBER: NMD980698849

T'!!' A{TSOHN& YINIIH K'AD NIH!'ASHJA'IILAA SAFETY-KLEEN SYSTEM, INC., T)TA' SAN
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The New Mexico Environment Department (NMED) is issuing for public comments a draft Hazardous Waste Facility Permit which would authorize J.D. and Joyce M. Kinsey, the owners, and Safety-Kleen Systems, Inc., the operators (the Permittees) to continue to manage and store hazardous waste at the Safety-Kleen Containers and Tank Storage Facility (Facility) located in Farmington, New Mexico. The draft Permit is a proposed renewal of a permit that was issued to the Permittee in 2003.

The New Mexico Environment Department--Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish (NMED) nih1' 33'77l44h a[tah d66' baa hadohdzih binii4 d77 Naaltsos-Permit B1't'e' H0l0onii Naaltsos Bik'4sti'doogi y0keed7g77' 47 J.D. d00 Joyce M. Kinsey, binaanish bi[haz3agi Safety-Kleen Systems, Inc., w0ly4, naanish b7 d00 yiyo[wo[ii t'11' b7ni' t'11 n11s ba't'e' dah0l0onii baa naho dig8'go ba't'e' dah0l0onii chidaoz 88'dii kwii Safety-Kleen Systems, Inc.,j8' neehh yeehgo 1kwii nooh daal chi'go bi[haz3adi Biihi doo giy44[ii bee naaznilgo kwii T0ta'gi, Yoot0 Hahoodzohj7 n11'oonish doo. Naaltsos w0keed7g77' 47 t'11 n1hd66' naakidi dim77l d00 t11' yihahd33' b47 y7ltsooz7g77 t'0 hazh0'7 n7dook'3s7g77' 1t'4.

Under authority of the New Mexico Hazardous Waste Act (HWA; NMSA 1978 §74-4-1 et. Seq.) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC), the NMED can approve, modify and approve, or deny hazardous waste management permits, permit modifications, and permit renewals. NMED is charged with issuing permits that ensure that the Permittees' hazardous waste operations are conducted in a manner that is protective of human health and the environment.

Yoot0j7 Hahoodzohj7 Ba't'e' Dah0l0onii B1dahadziidii Bibee Hazlanii (HWA: MNSA 1978 §74-4-1 et.seq.) D77 t'11'1[ah 47 Yoot0j7 Hahoodzohj7 Ba't'e' Dah0l0onii B1dahadziidii Bibee Hazlanii (20.4.1. NMAC), kod00' Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish -- NMED 'Oonishii b22h sil1lg0 yeeh yilnish; Ba't'e' Dah0l0onii B1dahadziidii bee da'7n77shg00 Naaltsos-Permit daw0keedgi sh99' 47 l3'adoolee[, n47dook'3s d00 l3'adoo[e], d00 doodago' 47 Naaltsos-Permit doo yeeh l3'ado[ee[da' 7nda Naaltsos-Permit n7dook'3s d00 Naaltsos-Permit 1niid7' 1n7dooln77[gi k0t'10 yee has3. Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish -- NMED 47 Ba't'e' Dah0l0onii B1dahadziidii ts'7d1 baa hasti'goo bee' oonish doogi b22h sil1go yik'ih d44z99' h11la b7la'ashdla'ii d00 ni'asd1 1n baa h33hasin7g77 biniinaa '1k0t'4.

The Safety-Kleen Systems, Inc., Containers and Tank Storage facility is located in the city of Farmington, San Juan County, New Mexico. The facility is located approximately one acre that contains a 1,530 square foot building with offices and a container storage unit used for drum storage; two 12, 600-gallon aboveground storage tanks that store spent solvent or solvent product, two aboveground storage tanks with the capacity of 24, 500 gallons and 21,000 gallons used for storage of used oil and antifreeze, respectively, associated loading docks and a solvent Return and Fill station. The address of the facility is: 4210A Hawkins Road, Farmington, New Mexico 87401. The Facility Contact is Bill Cochran, Area General Manager.

Safety-Kleen Systems, Inc., Ba't'e' Dah0l0onii B1dahadziidii biihi doo y44[ii d00 bee naznil7g77' 47 T0ta' kintahgi, San Juan bi[hahoodzoh, Yoot0 ndtsaa hahoodzoh bii' bi[haz3. Da'7n77sh7g77' 47 ts'7d1 t'11[a'7 k4yah si'32go t'11[a'7 dim77l d00 bi'aan ashdladi neezn1diin d00 bi'aan t1diin dik'33go k4 sil1' 1n7[tsohgo bik11'gi kin bii' da'7n77sh7g77 d00 Ba't'e' Dah0l0onii B1dahadziidii biihi doo y44[ii d00 bee naznili bi[haz3. &nda naakigo' naakits'ladadi dim77l d00 bi'aan hast'32di neezn1diin gal00n haagiz 1n7[tsohgo t'11 k4yah bik11'gi t0shjeeh da ndtxsaago dah sinil 47 Ba't'e' h0l0onii naago'go d7kw77g00 t'11doole'4gi chid10'7go [ahgo 1kwii bi[haz3, naakigo n1 1n1 naadiin d99'dim77l y1zh7 d00 bi'aan ashdladi neezn1diin gal00n hagiz 1n7[tsxohgo t0shjeeh ak'ah [ijin7 chidaoz88d7g77 d00 naadiin [a'di dim77l y1zh7 gal00n hagiz 1n7[toshgo d0' [a' dabiyy'go sinil d77 Ba't'e' Dah0l0onii B1dahadziidii naago'go a[k44' dasinil. '!1d00 [a' nahg00 hidigeehgi b1 haz3, d00 Ba't'e'

h0l0onii naago'go d7kw77g00 t'11doole'4gi chid10'7go nin1h1 geeh d00 kwii t0shjeeh bii'j8' yah n1lhii geehgo b1 haz3.
Bi[haz3 bee' 44h0zin7g77' 477: 4210A Hawkins Road, T0ta', Yoot0 Hahoodzoh bii' 87401.
T'11' 1kwii Din4 bee' 44hozin7g77' 47 Brian Cochran, Naat'1anii j7l9.

The facility is an accumulation point for used solvents generated by Safety-Kleen customers. All waste stored at the facility are ultimately shipped to a Safety-Kleen recycling facility or a contract re-claimer. The facility accepts, manages, and stores wastes that are regulated under the Federal Resources Conservation and Recovery Act (RCRA), and the New Mexico Hazardous Waste Act (HWA) and the New Mexico Hazardous Waste Management Regulations at 20.4.1 NMAC. The draft Permit addresses the storage of hazardous waste in containers and in aboveground storage tank. The applicant does not seek, and the NMED is not issuing, a permit for treatment or disposal of hazardous waste.

Kwii Safety-Kleen naanish bi[haz3n7g77' sh88' 47 Ba't'e' Dah0l0onii B1dahadzidii naago'ii d7kw77sh88' a[22' ldaat'4h7g77' bee da'7n77sh d66' t'11 koj8' nidayiiyeeh. Ba't'e' Dah0l0onii B1dahadzidii doo chin1n10doo' i[7g77 koj8' nehegeeh 7nda [a' 47 t'11' chi n1n10doo'i[b1 b0h0n44dz1n7g77 t'11 h1lsh99 bich'8' nin1h1niih. Kwii naanish bi[haz3n7g77 Ba't'e' Dah0l0onii B1dahadzidii baa hageeh 7nda yaa'1h1ly3 d00 noh dei[chi' 1koBee Haz1anii bik'4sti'7g77 Federal Resources Conservation and Recovery Act (RCRA) woly4ego yelnish, d00 Yoot0j7 Hahoodzohj7 Ba't'e' Dah0l0onii B1dahadzidii Bibee Haz1anii (HWA) d00 Yoot0j7 Hahoodzohj7 Ba't'e' Dah0l0onii B1dahadzidii Bibee Haz1anii kwii haadz0oh7gi 20.4.1. NMAC. Naaltsos-Draft Permit 7g77 sh99' 1yis77 baa'1h1y32 noh doolch77[gi--storage t0shjeeh daa bii'go k4yah bik1l'gi danaaznilgi '1k0t'10 bik'4sti' doolee[. Naaltsos y0keed7g77' 47 doo Ba't'e' Dah0l0onii B1dahadzidii nahg00 k0dooln7[gi biny4 naaltos y0keedah d00 Baah1dzidii b22h 1n dool n7[gi dah b1 w0keeda; Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish--NMED d00 d0' doo naaltsos t'0 w0keedgi yei do[tsos da.

NMED also announces the availability of a Fact Sheet providing the basis for the proposed action on the draft permit and the significant factual and regulatory issues considered in preparing the draft permit. The Fact Sheet explains the basis for the draft permit and permit comment period.

Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish --NMED d0' Fact sheet—Naaltsos—Permit w0keedgi yaa halne'' ak==h nihich'8' yaa yidlee' y7d0[tah biny4 hei yit'4ego '11hyi[n7 Naaltsos --Permit h1lna'7g77 b7 dad44t'i' d00 Bee Haz32nii bi[naazl1agi da yaahalne' doo, &nda n7l1d44' Beenahaz32nii bi[ah7naa da d44t'i'gi da ni[b44hodoozi[.

PUBLIC REVIEW OF THE DRAFT PERMIT

T'!!' A[TSOHN& NAALTSOS-- PERMIT A[TSS H!! NA'&G&& N& N!! D& N]((I

The Administrative Record for this proposed action consists of the Permit application, the draft Permit, this Public Notice, a Fact Sheet, and supporting documentation. The Administrative Record may be reviewed, with prior appointment, at the following location during the public comment period.

Kwii Naaltsos w0keedgo' a[hiih nid4e'7g77 Naaltsos—Permit bee w0keedgi b1 ha'd4t'e77, Naaltsos – Permit 1d t'10 chiidoo'i[gi yaahalne', T'11' A[tsohn7 Yido[ts4e[-Public Notice, d00 Fact Sheet—Naaltsos W0keedgi yaahalne'h7g77, d00 naaltsos 11j7 1yis77 B7dad44t'I'ii t'11 [ahj8' a[hii'sinil. Naaltsos – Administrative Record 47 N4I9 biniy4, nahd66' d7neesh 88[jiniih go, k00h bi[nahaz31 doo ![ah Da'alehgo:

NMED – Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone: (505) 476-6000

Monday – Friday: 8:00 a.m. to 5:00 p.m.

Dam00 Bisk1n7 – Nda'iin77sh: Tseebiidi' ab7n7 –Ashdla'dij8'

Contact: *Pam Allen*

Copies of the draft Permit, this Public Notice, and the Fact Sheet are also available on the NMED website at: <https://www.nmenv.state.nm.us/HWB/skfaperm.html> at the link for *SKFA Draft Permit*. To obtain a copy of the Administrative Record or a portion thereof, please contact Ms. Pam Allen at (505) 476-6000, or at address given above. NMED will provide copies or portion thereof, of the Administrative Record at a cost to the requestor.

Naaltsos--Permit a[ts4 h11 na'7g77 b44'4lyaago, T'11' a[tsohn7 Yiniih Doo Bik1'7g77, d00 Fact sheet – naaltsos Permit yaahalne'7g77, 477 Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish d00 b44sh nits4kees woly4h7g77 bii'di bik11' kw4'4:

<https://www.env.nm.gov/HWB/giantperm.htm>. D77 naaltsos bee'44 dah0 zin7g77 [a' shaa doot'1[n7n7zin go' 488 t'11 sh--d7 Ms. Pam Allen bich'8' b44sh bee h0lne' (505) 476-6000, doodago' 477 w0dahdi naaltsos nin1h1 jeeh bik1'7gi bich'i' 1'd77177[. Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish d00' a[d0' Naaltsos – Administrative Record woly4h7g77 n1b44' doo n77[bik'4'ezl1ago.

NMED issues this public notice on **August 16, 2019**, to announce the beginning of a 60-day comment period that will end at **5:00 p.m. MDT, October 15, 2019**. Any person who wishes to comment on the draft Permit, or request a public hearing should submit written or electronic mail (e-mail) comment(s) with the commenter's name and physical address to the address below. Only comments and /or requests received before **5:00 p.m. MDT on October 15, 2019** will be considered.

Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish d00' d77 T'11' a[tsohn7 Yiniih doo naaltsos bik1'7g77 **Bina'aant'11n ts'0s7 hast'1'ts'1adah yo[k1]go, Naakidi Dim771 Y1zh7 d00 bi'aan N1h1st'47 ts'1adah yihaah go** k'ad h1st3diin j89j8'd77 Naaltsos-Permit baa ha' doo dzih biniy4, 33'1lyaa n7idoo' 11d00 t'1adoo **Asdla'j8' e'elkeed7 Gh22j8' asdla'ts'1adah yo[k11] Naakidi Dim771 Yazh7 d00 bi'aan N1h1st'47 Ts'1adah yihahgo** 1[ch'8' 1n7dooln77[. A132j8' oolki[7g77. T'11 hai sh99 d77 kwe'4 Naaltsos Permit a[ts4 h11 na'7g77 [ahgo baa hadeesdzih nohsin7g77 doodago baa' 1[ah a doolee[go da y7n0hkeedgo 47 naaltsos bik11'go bee y7doh ki[doodago da 47 b44sh nits4kees7 da bii'j8' saad hadi doh [77[go y7doh ki[, nih7 zhi' d00 ts'7d1 nihighan si'3n7gi'—physical address d0' bik11' 1doh[77[d00 k== naaltsos nin1h1jeeh w0yahgo bik1'7j8' 1doh[77[. T'11doo **Gh22j8' ashdla' ts'1adah yo[k1] d00**

Naakidi Dim77l Y1zh7 d00 bi'aan N1h1st'47 Ts'1adah Yihaah go t'11doo ashdla' j8' e'elkeed7 1d77[77[1ko n1' 7l98 doo.

Koj8' naaltsos hadido[77[:

David Cobrain, Program Manager
Hazardous Waste Bureau – New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone: (505) 476-6000
E-mail: dave.cobrain@state.nm.us
Ref: SKFA Draft Permit

Written comments must be based on reasonably available information and include, to the extent practicable, all referenced factual materials. Documents in the administrative record need not be re-submitted if expressly referenced by the commenter. Requests for a public hearing must provide: (1) a clear and concise factual statement of the nature and scope of the interest of the person requesting the hearing; (2) the name and physical address of all persons whom the requestor represents; (3) a statement of any objections to the draft Permit. Including specific references to any conditions; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing. Written comments and requests for public hearing must be filed with Dave Cobrain on or before 5:00 p.m. MDT, October 15, 2019. NMED will provide a minimum of 30-day notice of a public hearing, if scheduled.

Saad bee hada'iidzih7g77' 47 k0t'10 bik'ehgo ha d4 t'4e doo –factual materials—t'11 doo n7d7 1t'4egi beeb44h0zinii bee hadohdzih. Naaltsos ni'doo nishgi d00 bini' doo nishii nizh0n7go baa ho[ne'gi bee'had4t'4h7g77 sh99' 47 t'0 '1adi bii' yis dzoh7g77 '1h dishn7 t'0 k0t'10' bee b44 h0zingo' alyaa doo. D77 Naaltsos –Permit baa' 1[ah adool4[go y7n0hkeego' 47 kwii bi'do[77[: (1) Ts'7d1 nizh0n7go 1[ts'7s7go bik'izh doo t88h7gi' 1t'10 bee ha'oodzihgo biniy4' a[ah adoolee[gi baa ho do[nih; (2) T'11' 1n0[tsoh 1[ah aleeh y7n0h keed7g77 nih7zhi' d00 ts'7d1 nihighan s8'3n7gi – physical address baa hodo[nih ; (3) 1[ts'7s7go biniinaanii baa ha'doh dzih7gi' 1doh[77[, d00 ts'7d1 hait'4ego' 47 nihi'di[1ago' d00 nanit['ahgo 1y0sin7g7' 1do[77[: (4) D77 nihi' dii[1h7g77' hait'4ego' baa nits0kees go' d00 bee hadesdzih nohsin a[ah aleeh di. Dave Cobrain 47 d77 ha'oodz77' naaltsos saad bik11' shijaa'go bich'8' 1do[77[**Gh22j8' asdla' ts'1adah yo[k11[go Naakidi Dim77 Y1zh7 d00 bi'aan N1h1t'47 Ts'1adah yihah t'11doo asdla' bik'ih dah 1k66s7 MDT**, Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish d00'sh99 t1diin j98 j8' t'11'a[tsohn7 yiniihgo' 77dool77[, t'11'an77 baa'a[ah adoolee[hodoo' niid go.

NMED must ensure that the approved draft Permit is consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted will be considered in formulating a final decision and may cause the draft permit to be modified. The NMED will respond in writing to all public comments. This response will specify which provisions, if any, of the draft Permit have been changed in the final decision and the reasons for the changes. All

persons presenting written comments or who requested notification in writing will be notified of the decision by mail. These responses will also be posted on the NMED website.

Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish d00'd77 Naaltsos –Permit aan1ltsos7gi Yoot0 B1'1te' H0100nii B1dahadzidii Bi'oonishj7 Bi bee Haz32nii ts'7d1 bik'ehg00' 1lyaa doo.
Hada'iisdz7'7g77 t'11' a[tsoh yah an7idee'go d00 n44188'go [ah d00' y4ego' nahat'1agi y7ka'adoolwo[dii Naaltsos –Permit aan1ltsos7gi, 7nda Naaltsos –Permit daats'7 hada'isdz'7g77 binaj8' [ahg00 n7da doo k'33s. Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish d00' baa hada'iisdzi'7g77 'a[tsoh n1t'33' yich'i' h11doodzih. Binaj8' b44 h0zin doo ts'7d1 haa'7gi ha da' isdzi'7g77 daats'7 Naaltsos – Permit bi[a h7d44t'i' 7g77 [ahgo 1lyaa 7nda biniinaago [ahgo' 1lyaagi d0' yaa halne' doo. T'11' a[tsoh n7 naaltsos bik11'j8 haadzi'7g77 'a[d0' bich'i' naaltsos n1t'33' 1n7da' dooln77[. &nda Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish d00'n1't'33' h11' oodzi'7g77' a[d0't'11 b44sh nits4k4s7 bii' bik11' go' 1dooln7].

After consideration of all the written comments received, the NMED will issue, modify and issue, the Permit. The Permittees will be provided by mail a copy of any relevant modified documents and a detailed written statement of reasons for the modifications. The Secretary of the New Mexico Environment Department will make the final decision publicly and shall notify the Permittees by certified mail. The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the HWA (Chapter 74, Article 4 NMSA 1978)

Hada'ishdz77' yahan77deeh y66 a[tsoh dan44199' go 47 Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish d00' Naaltsos—Permit ch'77 doo'a[n1sk'33zgo. Naaltsos—Permit y0keed7g77 bich'8' 1dooln7[d77 kwe'4 nidaask'33z bidi'n7igo d77 biniinaa n7dask'33zgi d0' bi[hodoonih. Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish bi Secretarty – Naat'a1nii h11sh99 l3 daats'7 doodago dooda daats'7 yeeh nihoo'ah doo d77 Naaltsos –Permit aan1ltsos7gi nahg00 deinihgo 11d00 naaltsos bich'i' 1dooln77[. Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish d00' Binanit'1'7 yee nihin7'1n7g77' 47 n1t'33' h11dooltsos go '1t'4 HWA (Chapter 74, Article 4 NMSA 1978) bik'ehgo has3.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Hasht'ehodin44h Bila'ashdla'ii Bich'i' an7dahwiit'4ehii B1.

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Stephanie Sloman no less than ten days prior to the end of the public comment period at the following address: New Mexico Environment Department, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-6110, telephone number: (505) 827-9769. TDD or TDY users please access Ms. Sloman's number via the New Mexico Relay Network at 1-(800) 659-8331.

T'11 hash99 Bila'ashdla'ii Bits'77s Bee bich'8' an1h00t'i'go sh7' atah shidoona[nizingo'd00 bich'i' an1 h00t'i'7g77 biniinaa b7k1'1n1'1wo'go da doodago' t'11doole'4 ats'77s b22h nin1daa'ni[go bee b7k1'1n1'1wo'go Stephanie Sloman t'11doo neezn1 j8' hada'iidzih a[ch'8' 1n7dooln77[go koj8' bee' 44h0zin: New Mexico Environment Department, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87505-6110, telephone number: (505) 827-9769, TDD or TZDY cho[9n7g77 Ms. Sloman bich'8' b44sh bee hodo[nih 1-(800) 659-8331.

The NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. The NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972 and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, or if you believe that you have been discriminated against with respect to a NMED program or activity, you may contact: Kristine Yurdin, Non-Discrimination Coordinator, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@state.nm.us. You may also visit our website at <http://www.env.nm.gov/non-employee-discrimination-complaint.page/> to learn how to file a complaint of discrimination./

Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish d00'doo'o[ch'99n da, l[tah dine'4, a[tah ldt'477, k4yah n7zaad66' da yighl1l[go, bits'77s da bee'bi[1n1h00t'i'go da, d00 bin1 lhaigi da d00 asdzl1n d00 hastxih da nil98go doo yiilch'99n da koj7' oonish7g77, t'11 bee haz32nii bich'33h nida dii'1h. Yoot0 K4yah Bik'i'ad44st'99' Bi'oonish d00' b22h sillago 'bee haz32nii k==h 1d7d44lt'i'7g77 – 40 C.F.R. Ashdla' d00 Tsosts'id gi haadzoh7g77 d00 Title VI d77 Civil Rights Act 1964N1h1st'47 ts'ladah d00 bi'aan h1st3diin d00 bi'aa d99' yihah d66' n1sk3z7g77; Asdladi N44zn1 diin d00 bi' aan d99gi haadzoh7g77 -- Section 504 Rehabilitation 1973 N1h1st'47 ts'ladah d00 bi'aan tsosts'id diin d00 bi'aan t11' yihah d33' d00 Jootx'ih bee Ak'e'dinihgi Bee haz1anii -- Age Discrimination Act 1975 d33', Bee Haz1anii Title IX Education Amendments)lta'j7 Bi[N7t'i' Biih n1heisdzoh8g77 -- 1972 d33' 1lyaa, 7nda Section 13 of the Federal Water Pollution Control Act Amendment of 1972. {ahgo b7na'7d0[kidgo k=h bee nihi[h00ne'7g77 7nda bee Nahaz1anii y1zh7 d00 da Ndtsaaj8' da [ahg00' 1d7d7n0[t'44hgo 47: Kristine Yurdin, Non-Naat'1anii, NMED, 1190 St. Francis Dr., Suite N4050, PO Box 5469, Santa Fe, NM 87502, B44sh bee hane'4': (505) 827-2855, nd.coordinator@state.nm.us doodago' b44sh nits4kes7 bii' d7d77' i[: <https://www.env.nm.gov/non-employee-discrimination-complaints-page/> 11j7 hazh0'0 ni[ch'ih hodoo' 11[.



State of New Mexico Purchase Order

PO Number to be on all Invoices and Correspondence

Page: 1

NM Environment Department

NMED-1190 St. Francis Drive Rm. S4051
Santa Fe NM 87502
United States

Dispatched

Purchase Order 66700-0000033974	Date 07-03-2019	Revision
Payment Terms Pay Now	Freight Terms FOB Destination	Ship Via Best Way
Buyer VANESSA BAROS	Phone	Currency USD

Dispatch Via Print

Supplier: 0000049778
ALBUQUERQUE PUBLISHING
COMPANY
PO BOX 561281
DENVER CO 80256-1281
United States

Ship To: 2905 Rodeo Park Drive
East
Bldg. 1
Santa Fe NM 87505
United States

Bill To: 2905 Rodeo Park Drive
East
Bldg. 1
Santa Fe NM 87505
United States

Origin: EXE **Exc\Excl#:** 13-1-98-V

Line-Sch	Item/Description	Quantity	UOM	PO Price	Extended Amt	Due Date
1 - 1	Encumbering funds for Public Notices as needed for HWB for FY20. 66700-06400-3500000000-546900-HWB3391- - - -120-D0000	1.00	EA	\$7,000.00	\$7,000.00	07/03/2019
Schedule Total					\$7,000.00	
Item Total					\$7,000.00	
2 - 1	Encumbering funds for Public Notices as needed for HWB for FY20. 66700-06400-3500000000-546900-HWB3394- - - -120-D0000	1.00	EA	\$2,500.00	\$2,500.00	07/03/2019
Schedule Total					\$2,500.00	
Item Total					\$2,500.00	
Total PO Amount					\$9,500.00	

Agency Approval - I certify that the proposed purchase represented by this document is authorized by and is made in accordance with all State (and if applicable Federal) legislation rules and regulation. I further certify that adequate unencumbered cash and budget expenditure authority exists for this proposed purchase and all other outstanding purchase commitments and accounts payable.

Authorized Signature

STATE OF NEW MEXICO
GENERAL SERVICES DEPARTMENT- PURCHASING DIVISION
TERMS AND CONDITIONS UNLESS OTHERWISE SPECIFIED

SPD-101A (04/19)

1. GENERAL: When the State Purchasing Agent issues a purchase document in response to the Vendors bid, a binding contract is created.
2. VARIATION IN QUANTITY: No variation in the quantity of any item called for by this order will be accepted unless such variation has been caused by conditions of loading, shipping, packing or allowances in manufacturing process, and then only to the extent, if any, specified elsewhere in this order.
3. ASSIGNMENT:
 - A: Neither the order, nor any interest therein, nor claim thereunder, shall be assigned or transferred by the Vendor, except as set forth in subparagraph 3B below or as expressly authorized in writing by the STATE PURCHASING AGENTS OFFICE. No such assignment or transfer shall relieve the Vendor from the obligations and liabilities under this order.
 - B: Vendor agrees that any and all claims for overcharge resulting from antitrust violations which are borne by the State as to goods, services, and materials purchased in connection with this bid are hereby assigned to the State.
4. STATE FURNISHED PROPERTY: State furnished property shall be returned to the state upon request in the same condition as received except for ordinary wear, tear, and modifications ordered hereunder.
5. DISCOUNTS: Prompt payment discounts will not be considered in computing the low bid. Discounts for payment within 20 days will be considered after the award of the contract. Discounted time will be computed from the date of receipt of the merchandise or invoice, whichever is later.
6. INSPECTION: Final inspection and acceptance will be made at the destination. Supplies rejected at the destination for non-conformance with specifications shall be removed, at the Vendors risk and expense, promptly after notice of rejection.
7. INSPECTION OF PLANT: The State Purchasing Agent may inspect, at any reasonable time, the part of the contractors, or any subcontractors plant or place of business, which is related to the performance of this contract.
8. COMMERCIAL WARRANTY: The Vendor agrees that the supplies or services furnished under this order shall be covered by the most favorable commercial warranties the Vendor gives to any customer for such supplies or services, and that the rights and remedies provided herein shall extend to the State and are in addition to and do not limit any rights afforded to the State by any other cause of this order. Vendor agrees not to disclaim warranties of fitness for a particular purpose or merchantability.
9. TAXES: The unit price shall exclude all State taxes.
10. PACKING, SHIPPING AND INVOICING:
 - A: The States purchase document number and the Vendors name, users name and location shall be shown on each packing and delivery ticket, package, bill of lading and other correspondence in connection with the shipment. The users count will be accepted by the Vendor as final and conclusive on all shipments not accompanied by a packing ticket.
 - B: The Vendors invoice shall be submitted in triplicate, duly certified and shall contain the following information: order number, description of supplies or services, quantities, unit prices and extended totals. Separate invoices shall be rendered for each and every complete shipment.
 - C: Invoices must be submitted to the using agency and NOT THE STATE PURCHASING AGENT.
11. DEFAULT: The State reserves the right to cancel all or any part of this order without cost to the State, if the Vendor fails to meet the provisions of this order and, except as otherwise provided herein, to hold the Vendor liable for any excess cost occasioned by the State due to the Vendors default. The Vendor shall not be liable for any excess costs if failure to perform the order arises out of causes beyond the control and without the fault or negligence of the Vendor, such causes include, but are not restricted to, acts of God or of the public enemy, acts of the State or of the Federal Government, fires, floods, epidemics, quarantine restrictions, strikes, freight embargos, unusually severe weather and defaults of subcontractors due to any of the above, unless the State shall determine that the supplies or services to be furnished by the subcontractor where obtainable from other sources in sufficient time to permit the Vendor to meet the required delivery scheduled. The rights and remedies of the State provided in this paragraph shall not be exclusive and are in addition to any other rights now being provided by law or under this order.
12. NON-COLLUSION: In signing this bid, the Vendor certifies he/she has not, either directly or indirectly, entered into action in restraint of free competitive bidding in connection with this proposal submitted to the State Purchasing Agent.
13. NON-DISCRIMINATION: Vendors doing business with the State of New Mexico must be in compliance with the Federal Civil Rights Act of 1964 and Title VII of that Act, Rev., 1979.
14. THE PROCUREMENT CODE: Sections 13-1-28 through 13-1-199 NMSA 1978 imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kickbacks.
15. All bid items are to be NEW and most current production, unless otherwise specified.
16. PAYMENT FOR PURCHASES: Except as otherwise agreed to: late payment charges may be assessed against the user state agency in the amount and under the conditions set forth in section 13-14158 NMSA 1978.
17. WORKERS COMPENSATION: The Contractor agrees to comply with state laws and rules pertaining to workers compensation benefits for its employees. If the Contractor fails to comply with Workers Compensation Act and applicable rules when required to do so, this (Agreement) may be terminated by the contracting agency.
18. GENERAL SERVICES STATEWIDE PRICE AGREEMENT: Any purchase order entered into pursuant to a Statewide Price Agreement incorporates by this language all the terms and conditions of that Statewide Price Agreement and by accepting payment under this purchase order the Contractor agrees to and accepts all the terms and conditions of the Statewide Price Agreement.