



Bill Richardson
Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Office of the Secretary

Harold Runnels Building
1190 Saint Francis Drive (87505)
PO Box 26110, Santa Fe, NM 87502
Phone (505) 827-2855 Fax (505) 827-2836
www.nmenv.state.nm.us



Ron Curry
Secretary
Jon Goldstein
Deputy Secretary

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Contact: Marissa Stone, NMED Communications Director
Telephone: (505) 827-0314 or (505) 231-0475

Environment Department Issues Compliance Orders with Civil Penalties of \$985,254 to Chava Trucking in South Valley for Hazardous Waste Act and Water Quality Act Violations

Violations Posed a Direct Threat to Groundwater

(Santa Fe, N.M.) The New Mexico Environment Department issued two administrative compliance orders with civil penalties of \$985,254 to Chava Trucking in the South Valley of Albuquerque today for violating state hazardous waste and water quality protection regulations. The company violated those regulations by improperly managing lead-acid batteries and used oil that led to releases of contaminants to the environment.

The Chava Trucking Facility, at 6313 Broadway Boulevard Southeast, is owned by Salvador and Patricia Guzman. The company hauls construction debris and other materials.

“The company’s violations reveal a total disregard for hazardous waste management and water quality protection rules and pose a direct threat to groundwater in Albuquerque’s South Valley,” said State Environment Department Spokeswoman Marissa Stone. “Chava Trucking has an obligation to residents and the state to ensure its wastes are properly managed. The company violated state hazardous waste management and water quality protection rules intended to protect the health of New Mexico residents and the environment.”

The department assessed a civil penalty of \$581,000 to Chava and the Guzmans for violations of the New Mexico hazardous waste management regulations, including failure to properly manage thousands of gallons of used oil and hundreds of waste lead-acid batteries and failure to determine the hazardous characteristics of a number of unknown wastes. In addition, Chava and the Guzmans were assessed a civil penalty of \$404,254 for violations of the New Mexico’s water quality regulations, including failure to notify the department of the discharge of petroleum hydrocarbons and water contaminants from its facility and failure to report on cleanup measures and submit abatement plan proposals.

In addition to the civil penalties, the orders require Chava and the Guzmans to remove the used oil and waste batteries from the site and submit plans for investigating the nature and extent of environmental contamination and abate the contamination. The hazardous waste order also places limits on future accumulation of used oil and waste batteries allowed at the facility.

The department discovered the violations during unannounced inspections of the Chava Trucking facility between 2004 and 2007 as a result of the work of NMED and the Mountain View Neighborhood Association joint Environmental Task Force. That joint Task Force was established in 2004 to identify environmental concerns and provide environmental justice in the South Valley through the enforcement of environmental regulations in the area.

Chava has 30 days to respond to the compliance orders by requesting a settlement conference or a hearing.

For more information, call Marissa Stone at (505) 827-0314 or (505) 231-0475.

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