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BUTCH TONGATE
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BRUCE YURDIN
Acting Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 3, 2018

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

Scott Dolk
Branch Manager
Safety-Kleen Systems, Inc.
2720 Girard Blvd. NE
Albuquerque, NM 87108

**RE: APPROVAL
CLASS 2 PERMIT MODIFICATION REQUEST FOR SAFETY-KLEEN
SYSTEMS, INC. ALBUQUERQUE, NM SERVICE CENTER
EPA ID # NMD000804294
HWB-SKAL-18-002**

Dear Ms. Toossi and Mr. Dolk:

The New Mexico Environment Department (NMED) received the Safety-Kleen Systems, Inc., (Permittee) *Request for Class 2 Permit Modification* for the Facility's Albuquerque Service Center Resource Conservation and Recovery Act Hazardous Waste Storage Permit on September 7, 2018. The permit modification request (PMR) sought to modify the current Permit to update the following portions of the Permit:

- Permit Condition 2.2.3 (Hazardous Waste from Off-Site Sources);
- Permit Condition 2.4.4 (Waste Characterization Review);
- Permit Condition 2.13.2 (Distribution), to clarify distribution of the facility Contingency Plan (CP) to emergency agencies when any changes are made to the CP;
- Permit Attachment C, Section C.3.1.2 (Quantitative Analysis); and

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- Permit Attachment D, Table D.1 (Emergency Coordinator List for the Facility).

Pursuant to 20.4.1.900 NMAC, incorporating 40 CFR 270.42 (b), the Permittee issued the Permit Modification Request (PMR) public comment for 60 days from September 5 through November 4, 2018. No comments were received during the comment period.

Following review of the PMR, the NMED hereby approves the PMR and issues the permit as modified. The modification becomes effective 30 days after the date of this letter.

The Permittee must incorporate the attached copies of the modified permit pages into the appropriate sections of the Permit upon receipt of this letter. An electronic version of the Permit that incorporates the modifications is available on the NMED Hazardous Waste Bureau website at <http://www.env.nm.gov/HWB/skalperm.html>.

If you have any questions regarding this correspondence, please contact John Kieling at (505) 476-6035.

Sincerely,



Bruce Yardin
Acting Deputy Secretary
New Mexico Environment Department

Attachments

cc:

J. Kieling, NMED HWB
D. Cobrain, NMED HWB
C. Amindyas, NMED HWB
L. King, EPA, Region 6 (6MM-RC)

File: 2018 SKAL, Class 2 PMR

PERMIT PART 2 GENERAL FACILITY REQUIREMENTS

2.1 DESIGN, CONSTRUCTION, MAINTENANCE, AND OPERATION OF THE FACILITY

The Permittee shall design, construct, maintain, and operate the Permitted Units to minimize the possibility of a fire, explosion, or any sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, sediment, groundwater, or surface water which could threaten human health or the environment, as required by 40 CFR § 264.31.

2.2 WASTE SOURCES

2.2.1. Permitted Waste

The Permittee shall store only those hazardous wastes specified in Permit Part 3 and Permit Attachment B (Authorized Wastes).

2.2.2. Hazardous Waste from Foreign Sources

The Permittee shall not accept, store, treat, or otherwise manage hazardous wastes from foreign sources at the Facility.

2.2.3. Hazardous Waste from Off-site Sources

The Permittee may accept, store, or otherwise manage at the permitted units at the Facility, only the hazardous wastes from off-site sources with an available final disposal path.

The Permittee shall not store the wastes for more than one year prior to shipping the wastes off-site.

The Permittee shall receive from off-site sources only the hazardous waste types listed in Permit Attachment B (Authorized Wastes) for storage at the Facility.

2.2.4. Restrictions on PCB-Contaminated Waste

The Permittee is prohibited from storing liquid hazardous wastes containing polychlorinated biphenyls (PCBs) at concentrations equal to or greater than 50 parts per million (ppm) unless such storage is in compliance with all requirements of the Toxic Substance Control Act at 40 CFR § 761.65(b). The Permittee is prohibited from storing liquid hazardous wastes containing PCBs at concentrations equal to or greater than 50 ppm for more than one year from the date such wastes are first placed into storage, pursuant to 40 CFR § 268.50(f).

shall ensure that the analytical method detection limits are appropriate for making such a determination. (*See* 40 CFR § 270.32(b)).

2.4.3 Acceptable Knowledge

If the Permittee uses Acceptable Knowledge for waste characterization, the Permittee shall include as part of the Acceptable Knowledge documentation all of the background information assembled and used in the characterization process. Acceptable Knowledge documentation must be maintained in writing or in an electronic format in the Facility Operating Record. Acceptable Knowledge records must document the resolution of any data discrepancies between Acceptable Knowledge sources. When Acceptable Knowledge is insufficient to characterize a waste, the Permittee shall perform the necessary sampling and analysis to characterize the waste in accordance with Section 2.4.1 of this Permit Part.

The Permittee shall assign a traceable identification number to this documentation to facilitate access to this information by the Permittee and the Department and maintain the documentation in the Facility Operating Record in accordance with Permit Section 2.14.2.

2.4.4 Waste Characterization Review

The Permittee shall ensure that the initial characterization of any hazardous waste is reviewed or repeated according to the frequency established in Permit Attachment C (Waste Analysis Plan) to verify that characterization is accurate and up-to-date, as required by 40 CFR § 264.13(b)(4). The Permittee shall also:

1. Annually review the characterization of hazardous wastes per the Safety-Kleen's waste analysis plan and annual recharacterization process to verify that the characterization is accurate.
2. Recharacterize a hazardous waste whenever there is a change in waste-generating processes that may affect the physical or chemical properties, listed status of the waste, or the land disposal restriction status of the waste.
3. Recharacterize a hazardous waste whenever the Permittee is notified by an off-site facility that has received a hazardous waste from the Facility that the characterization of the waste received at the off-site facility does not match a pre-approved waste analysis certification or accompanying waste manifest or shipping paper.

All waste characterization reviews shall be documented in the Operating Record.

2.4.5 Wastes Received from Off-Site

If a hazardous waste is received at the Facility from an off-site source identified at Permit Section 2.2.3, the Permittee shall obtain waste characterization information from the source. If acceptable knowledge is used for the waste characterization, the Permittee shall require the source to provide all process, testing and other acceptable knowledge documentation used to characterize the waste as required by 40 CFR § 264.13. In addition, the Permittee shall ensure

2.12.3. Preventing Contamination of Water Supplies

Releases of waste or chemicals shall be cleaned up promptly. Releases occurring outside of buildings shall be immediately contained upon discovery. (40 CFR § 270.32(b)(2)).

2.12.4. Mitigating Effects of Equipment Failure and Power Outages

In the event of a power loss or equipment failure at the Facility, the Permittee shall place the affected equipment in a safe state, close or cover all open containers and tanks of hazardous wastes, stop operations until power is restored, or take other measures to ensure the failure or outage does not adversely affect human health or the environment. (40 CFR §§270.30(d)).

2.12.5. Preventing Undue Exposure

Facility personnel and visitors at the storage areas and at SWMUs/AOCs undergoing corrective action shall be required to use appropriate PPE to protect themselves from hazards, including, but not limited to, handling heavy containers, operating waste-handling equipment, weather conditions, and contact with or other exposure to hazardous wastes and hazardous waste constituents.

2.12.6. Arrangements with Local Authorities

The Permittee shall maintain Coordination Agreements with the police, fire department, State and local emergency response teams, and one or more local hospitals that would respond to emergencies at the Facility. The Coordination Agreements shall be in writing executed by the Permittee and the local authorities and shall include the requirements provided in 40 CFR § 264.37(a). Any such agreements shall be listed in Attachment D (Contingency Plan).

2.13. CONTINGENCY PLAN

2.13.1 Implementation of Contingency Plan

The Permittee shall implement the Contingency Plan (Attachment D) in accordance with this Permit and 40 CFR § 264.51(b) immediately whenever at a permitted unit (including any unit undergoing post-closure care) in the event of:

1. A release of a hazardous waste or hazardous waste constituents occurs which could threaten human health or the environment;
2. an explosion; or
3. a fire.

2.13.2 Distribution

The Permittee shall maintain current copies of the Contingency Plan in the main Facility office and in the Facility Operating Record. The Permittee also shall distribute copies of the current

Contingency Plan to all entities with which the Permittee has arrangements in accordance with Permit Section 2.12.6.

The Permittee shall distribute any modifications to the Contingency Plan within fifteen days of the effective date of any modification of the Contingency Plan to all entities with which the Permittee has arrangements in accordance with Permit Section 2.12.6 in accordance with 40 CFR § 264.53. The Permittee shall ensure that all copies of the Contingency Plan distributed outside the Facility are sent in hard copy by mail. The Permittee shall obtain a record of receipt to ensure distribution to each recipient. A record of compliance with this requirement shall be maintained in the Facility Operating Record.

The Permittee shall ensure that evacuation routes for the Facility are prominently posted at each Permitted Unit. (40 CFR § 264.52f).

2.13.3 Amendments to Plan

Pursuant to 40 CFR § 264.54 the Permittee shall review the Contingency Plan and amend the Plan, if necessary, whenever:

1. This Permit is revised;
2. The Contingency Plan fails during an emergency;
3. The Permittee modifies the Facility in either its design, construction, operation, maintenance, or other circumstances;
4. A change in the Facility design or operation affects the response necessary in an emergency;
5. The Permittee modifies the list of Emergency Coordinators;
6. The Permittee modifies the list of emergency response equipment; or
7. The Permittee reviews and evaluates its emergency response resources and capabilities with respect to hazardous waste management and finds deficiencies.

The Permittee shall ensure that all amendments to the Contingency Plan adhere to the permit modification requirements at 40 CFR §§ 270.42, including the modification classifications listed in 40 CFR § 270.42 Appendix 1, Category B.6.

2.13.4 Emergency Coordinator

The Permittee shall designate an Emergency Coordinator required at 40 CFR § 264.55, who shall be responsible for coordinating all emergency response measures related to the management of hazardous wastes. An Emergency Coordinator shall be on call at all times, be familiar with the Contingency Plan, and shall have the authority to commit promptly the personnel and financial resources needed to implement the Contingency Plan in accordance with 40 CFR § 264.55. The Permittee shall name at least one alternate Emergency Coordinator who shall assume the responsibilities of the Emergency Coordinator in accordance with Permit Attachment D (Contingency Plan).

At the Facility, the personnel managing the hazardous waste observe the quantity, odor, and appearance prior to emptying the parts washer solvent into the wet dumpster. Drums with questionable contents shall be managed as described in Section C.3.1.4. of this Waste Analysis Plan (i.e., Procedures for Unacceptable Shipments).

In addition, receipt analysis is performed by the facility's Recycle Centers on all inbound bulk solvent deliveries. Receipt analysis includes a screen for atypical flash point, PCBs, and halogenated organics.

C.3.1.2 Quantitative Analysis (Lab Analysis)

All new waste streams generated on- or off-site shall be characterized by laboratory chemical analysis, acceptable knowledge in accordance with Permit Section 2.4.3, or a combination of the two methods. Chemical analyses shall be conducted by a qualified contract chemical analytical laboratory using the appropriate EPA SW 846 analytical methods. Chemical analyses shall, at a minimum include testing for volatile organic compounds (EPA Method 8260D, as updated), semi-volatile organic compounds (EPA method 8270C, as updated), RCRA metals (EPA Method 6010/6020, as updated), flashpoint (EPA Method 1010 or 1020) and pH (EPA Method 9045D, as updated) and any other constituent listed on the product SDS or that could be present as a result of the use of the product. Sampling of waste streams shall be conducted in accordance with EPA SW 846 sampling methods and EPA's RCRA Waste Sampling Guidance (EPA530-D-02-002, August 2002) appropriate for the container(s) being sampled and the analyses being performed.

The homogeneity of waste streams shall be evaluated annually through the Safety-Kleen Recharacterization Process (Quantitative Analysis) and through site evaluation of waste characteristics (e.g., volume differences, color, odor) observed during pickup of wastes from customers. Should the site evaluation identify significant differences in the waste stream from the anticipated waste condition, the Permittee shall require additional testing and information from the generator. Such information shall be placed in the Facility Operating Record, if the waste is accepted for pickup by Safety-Kleen.

In addition to the waste characterization procedures included in this Permit, the Permittee shall submit a random sample received during each month to a chemical analytical laboratory for the analyses listed above. The random samples will be collected from customers who are infrequent generators (e.g., customers that are serviced less frequently than monthly, new customers, or will call customers). One sample each quarter shall be from a solvent-based waste stream. Samples of aqueous cleaner must be collected during each of the other two months of each quarter. The samples shall be analyzed for Total Metals (using EPA SW846 6010), Total Volatiles (using SW846 8260), flashpoint and pH. If the sample analytical results indicate the characteristic of ignitability or corrosivity or the D-listed constituents in the samples are detected at concentrations greater than the concentrations listed in 40 CFR 261.24, then the waste stream shall be deemed a hazardous waste and the customer/generator will be converted to a profiled hazardous waste and assigned the appropriate RCRA characteristic codes. The results of the analysis shall be maintained in the Facility Operating Record.

Recharacterization of Safety-Kleen core waste streams shall be conducted a minimum of once per year or in accordance with the Safety-Kleen Annual Recharacterization process and shall include chemical analyses conducted by a qualified contract chemical analytical laboratory using the appropriate EPA SW 846 analytical methods. Sampling of waste streams shall be conducted in accordance with EPA SW 846 sampling methods and EPA's RCRA Waste Sampling Guidance (EPA530-D-02-002, August 2002) appropriate for the container(s) being sampled and the analyses being performed. Chemical analyses shall, at a minimum include testing for volatile organic compounds (EPA Method 8260D, as updated), semi-volatile organic compounds (EPA method 8270C, as updated), RCRA metals (EPA Method 6010/6020, as updated), flashpoint (EPA Method 1010 or 1020) and pH (EPA Method 9045D, as updated) and any other constituent listed on the product SDS or that could be present as a result of the use of the product.

Hazardous wastes currently included in the re-characterization process are shown below in Table C-2.

**TABLE C-2
WASTE TYPES GENERATED BY THE FACILITY AND ITS CUSTOMERS**

CUSTOMER GENERATED	SAFETY-KLEEN GENERATED
Immersion Cleaner	Branch Debris
Petroleum-Based Parts Washer Solvent	Bulk Solvent
Paint Gun Cleaner/Paint Wastes/Clear Choice	Dumpster Sludge
Dry Cleaning Related Wastes (Perc and Naphtha, filters, bottoms, and separator water)	Tank Bottoms

The purpose of the re-characterization is to determine the waste codes applicable to waste types managed and generated by Safety-Kleen facilities. As such, a waste stream may be excluded from re-characterization once it has been designated as non-hazardous. Hazardous waste categories that are expected to be phased out of the re-characterization program in coming years include the Dry Cleaning related wastes and Paint Gun Cleaner/Paint Wastes/Clear Choice wastes. Lastly, a set of analytes shall not be omitted if they are not expected; or demonstrated to not be present in a waste stream. Pesticides and herbicides have never been included in the re-characterization process as these constituents are not allowed in wastes picked up by the Facility.

C.3.1.3 Off-Site Waste is analyzed Upon Receipt to verify that the Waste Matches the Description on the Manifest

A Safety-Kleen representative inspects each load of hazardous waste at the generator's facility for conformance with the Qualitative/Visual Analysis described in Section C.3.1. If the waste does not conform to these criteria, a paper profile may be completed, or a sample collected for additional analysis to determine if the waste can be accepted. The waste will be retained at the customer location until the analysis is complete.

The Emergency Coordinator and Alternate must be familiar with all aspects of this Contingency Plan, the operations and activities at the facility, the location and characteristics of hazardous waste managed and stored at the Facility, the location of all records within the facility, and the facility layout. In addition, these coordinators have the authority to commit the resources necessary to carry out the Contingency Plan. Their home addresses and telephone numbers, as well as the office telephone number, are listed in Table D.1. At least one employee shall be at the facility or on call to respond to an emergency. A list of emergency equipment available at the facility is included as Table D.3. In addition, facility personnel shall be aware of the location of emergency equipment.

TABLE D.1
Emergency Coordinator List for the Facility

Facility Emergency Coordinators

Primary

Scott Dolk
Market Sales Specialist
2720 Girard Blvd. NE
Albuquerque, NM 87108
Main (office) Phone (505) 884-2277
Cell Phone (505) 506-6360

Alternate

Elizabeth Thomas
Lead Secretary
2720 Girard Blvd. NE
Albuquerque, NM 87107
Main (office) Phone (505) 346-4122
Cell Phone (505) 328-7243

Additional Emergency Notification Phone Numbers

Internal (24-Hour)
Safety-Kleen (800) 468-1760
(800) 468-1760

External

National Response Center (800) 424-8802
New Mexico Environment Department (505) 476-6000; (505) 827-9329 (24 Hour)

Designated Emergency Response Authorities

Albuquerque Fire Department (emergency) 911; Station #13 [Non-emergency (505)888-8178]

Albuquerque Police Department (emergency) 911; [Non-emergency (505) 242-2677]

Presbyterian Hospital (emergency) (505) 222-2995; [Non-emergency (505) 841-1234]

Clean-up contractor; 24-hour (800) 468-1760

Poison Control Center (505) 843-2551

Internal Branch Paging System

Intercoms are located on all telephones and can page all offices and warehouse areas to notify employees of an emergency.