



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

CERTIFIED MAIL - RETURN RECEIPT REQUIRED

August 16, 2023

Matthew Ebert
CEO
Crash Champions, LLC
601 Oakmont Lane, Suite 4000
Westmont, IL 60559

**RE: NOTICE OF VIOLATION AND RESOLUTION
CRASH CHAMPIONS – ALBUQUERQUE - CANDELARIA
EPA ID# NMR000008474**

Dear Mr. Ebert,

On May 31, 2023, the New Mexico Environment Department ("NMED") conducted a hazardous waste Compliance Evaluation Inspection ("Inspection") at Crash Champions – Albuquerque – Candelaria ("Crash Champions") located at 11209 Candelaria Road NE, Albuquerque, NM. Crash Champions offers collision and auto body repair options for customers. These operations generate paint-related hazardous waste.

Based on observations and review of the information obtained, NMED has determined that Crash Champions is a Very Small Quantity Generator of hazardous waste as defined in 40 Code of Federal Regulations ("CFR") 262.13. Furthermore, NMED has determined that Crash Champions has violated the New Mexico Hazardous Waste Management Regulations ("HWMR") 20.4.3 and 20.4.1 New Mexico Administrative Codes ("NMAC") as specified below.

NMED inspectors observed the following violations:

1. Failure to pay Hazardous Waste Generator fees. Specifically, generator fees for calendar years 2020 and 2021 had not been paid. Generator fees are due by the first of August of the following year. This is a violation of 20.4.3.201(A) NMAC.
2. Failure to conduct a proper waste determination. Specifically, NMED observed one 55-gallon container storing paint-related waste, however facility representatives

were unable to verify if waste solvents had made it into the container. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.11.

3. Failure to mark or label containers with the words "Used Oil "or other wording to identify the contents of the container. NMED observed one 10-gallon yellow container with used oil that was unlabeled. This is a violation of 20.4.1.1002 NMAC, incorporating 40 CFR 279.22(c)(1) and 20.4.1.1003(A) NMAC.

NMED has determined that the violations have been adequately addressed. On July 25, 2023 Crash Champions submitted documentation of corrective actions to NMED. No further action is required.

This Notice of Violation is considered an informal enforcement response in accordance with NMED's Enforcement Response Protocol. Please be aware that failure to address the above violations and any future substantial deviations from regulatory requirements may result in Crash Champions being considered for an elevated enforcement action. Also, be aware that any corrective action taken during our inspection, or in response to this letter, does not relieve Crash Champions of its obligation to comply with any and all other applicable laws and regulations.

Pursuant to the NMED Delegation Order dated March 24, 2023, the Cabinet Secretary has delegated the authority to issue Notices of Violation under the Hazardous Waste Act and HWMRs to the Chief of the Hazardous Waste Bureau. If you have any questions regarding this letter, please contact Neil Dolly of my staff at 505-660-9488 or by email at neil.dolly@env.nm.gov.

Sincerely,

Ricardo Maestas
Acting Chief
Hazardous Waste Bureau

RM: nd

cc: Neil Dolly, NMED HWB
Frank Rodarte, NMED HWB
Aaron Coffman, NMED HWB
Levi Cole, NMED District I Manager

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