



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

CERTIFIED MAIL - RETURN RECEIPT REQUIRED

July 20, 2023

Obed Castro
Operator
Castro Customs, LLC
7121 Menaul Blvd. NE
Albuquerque, NM 87110

**RE: NOTICE OF VIOLATION AND RESOLUTION
CASTRO CUSTOMS'S, LLC.
EPA ID# NMR000028431**

Dear Mr. Castro,

On August 31, 2021, the New Mexico Environment Department ("NMED") conducted a hazardous waste Compliance Evaluation Inspection ("Inspection") at Castro's Customs, LLC, ("Castro's Customs") located at 7121 Menaul Blvd. NE., Albuquerque, New Mexico. Castro's Customs provides general automotive detailing services. Castro's Customs generates waste streams to include used oil from maintenance of his personal vehicles, and aerosol cans from the detailing process.

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

NMED inspectors observed the following violations:

1. Failure to label containers storing used oil with the words "Used Oil" or other wording that accurately identifies the contents of the containers. Specifically, NMED inspectors observed several unlabeled containers throughout the property. This is a violation of 20.4.1.1002 NMAC, incorporating 40 CFR 279.22(c)(1) and 20.4.1.1003(A) NMAC.

2. Failure to keep containers storing used oil located outdoors closed, unless adding or removing used oil. Specifically, NMED inspectors observed several containers not properly closed throughout the property. This is a violation of 20.4.1.1003.B(1) NMAC.
3. Failure to respond to the releases of used oil to the environment upon detection of that release. Specifically, NMED inspectors observed one large used oil release on the property. This is a violation of 20.4.1.1002 NMAC, incorporating 40 CFR 279.22(d)(3)

NMED has determined that the violations have been adequately addressed based upon reinspection that occurred on November 18, 2021, and all corrective actions have been implemented. No further action is necessary.

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 Castro's Customs 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 Castro's Customs 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 Tyre Jameson of my staff at 505-660-4884 or by email at tyre.jameson@env.nm.gov.

Sincerely,

Ricardo Maestas
Acting Chief
Hazardous Waste Bureau

RM: tj

cc: Tyre Jameson, NMED HWB
Aaron Coffman, NMED HWB CTAP Manager
Frank Rodarte, NMED HWB
Levi Cole, NMED District I Manager

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