



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

CERTIFIED MAIL - RETURN RECEIPT REQUIRED

August 1, 2023

Dr. Daryl Hauck
Manager
U.S. Department of Energy
National Nuclear Security Administration
Sandia Field Office
P.O. Box 5400
Albuquerque, NM 87185-5400

David Stuhan
Director
Environment, Safety and Health
Sandia National Laboratories
P.O. Box 5800, MS-1512
Albuquerque, NM 87185-1512

**RE: NOTICE OF VIOLATION AND RESOLUTION
SANDIA NATIONAL LABORATORIES
EPA ID# NM5890110518**

Dear Messrs. Hauck and Stuhan:

On April 3, 2023, the New Mexico Environment Department ("NMED") conducted a hazardous waste Compliance Evaluation Inspection ("Inspection") at Sandia National Laboratories ("Sandia"), located at 1515 Eubank Blvd. NE, Albuquerque, New Mexico. This Facility supports national security objectives through research and development and other classified activities in the development of nuclear weapon systems. Sandia generates waste streams to include used oil, aerosol cans, solvents, solvent contaminated rags/wipes, and lead acid batteries for recycle.

Based on observations and review of the information obtained, NMED has determined that Sandia is a Large Quantity Generator and Permitted Treatment/Storage Facility of hazardous waste as defined in 40 Code of Federal Regulations ("CFR") Parts 262.13 and 270.2. Furthermore, NMED has determined that Sandia 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 mark or label containers with the words "Used Oil "or other wording to identify the contents of the container. NMED observed two pump stations leaking used oil unto the catch containers without the words "Used Oil". Both containers were located at building 858EL room 3264 (Basement). This is a violation of 20.4.1.1002 NMAC, incorporating 40 CFR 279.22(c)(1) and 20.4.3.1003(A) NMAC.
2. Failure to mark a satellite container of hazardous waste with an indication of the relevant hazards. NMED observed 5-cans of Rustoleum aerosols. The container was located inside the Satellite Accumulation Area "SAA" at building BA60 room 115. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.15(a)(5)(ii).
3. Failure to mark or label a container with an indication of the hazards of the waste content. NMED observed one 100-gram amber bottle accumulating bismuth hazardous waste without identifying the hazards associated with the content of the container. The container was located inside the central accumulation area ("CAA") at building 878. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.17(a)(5)(i)(B).
4. Failure to maintain emergency equipment. One eye wash station from Building B-894 (Room 151A3) in the ("CAA") were expired from 2021. The date on the eye wash stations were dated with an expiration date of October 2021. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.17(a)(6) referring to 262.253.

NMED has determined that the violations were adequately addressed during the Inspection, and remedied by the time of the inspection exit conference; therefore, 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 Sandia 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 Sandia 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.

Messrs. Hauck and Stuhan

August 1, 2023

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If you have any questions regarding this letter, please contact Tyre Jameson of my staff at 505-690-4884 or by email at tyre.jameson@env.nm.gov

Sincerely,

Ricardo Maestas

Acting Chief

Hazardous Waste Bureau

RM: tj

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

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