

**Michelle Lujan Grisham**  
Governor

**Howie C. Morales**  
Lt. Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

**Solid Waste Bureau**  
1190 Saint Francis Drive, Room N-2150  
PO Box 5469  
Santa Fe, NM 87502-5469  
Telephone (505) 827-0197  
[www.env.nm.gov/solid-waste/](http://www.env.nm.gov/solid-waste/)



**James C. Kenney**  
Cabinet Secretary

**Jennifer J. Pruett**  
Deputy Secretary

**Certified Mail – Return Receipt Requested No. 7019 1640 0000 7894 4141**

February 5, 2021

Mary K. Bevier, CFO and Registered Agent  
Rehoboth McKinley Christian Health Care Services  
1901 Red Rock Drive  
Gallup, New Mexico 87301

**Re: Notice of Violation – Rehoboth McKinley Christian Hospital**

Dear Ms. Bevier:

On January 12, 2021, the New Mexico Environment Department (“NMED”) was notified of an unauthorized waste incident at the McKinley County Transfer Station (“MCTS”), Gallup, New Mexico, in which infectious waste was improperly transported to the MCTS within a City of Gallup solid waste collection vehicle. An inspection of the load identified the presence of four red biohazard bags. Three of the bags were determined to be empty and one of the bags held apparent infectious waste, including intravenous bags, blood transfusion kits, rubber gloves, blue cloth coveralls, facemasks, caps, bandage wrappers, plastic oxygen tubes and clear plastic tube containing or contaminated with apparent human blood, bloody liquid or other potentially infectious material (“OPIM”). The infectious waste was not properly segregated, containerized, manifested, transported, treated or disposed at a solid waste facility permitted to accept infectious waste.

On January, 13, 2021, RMCH’s Environmental Services Director and Director of Plant Operations responded to the MCTS to inspect the medical waste. The inspection determined that the medical waste, including the used intravenous bags and dialysis equipment, was consistent with waste from the RMCH, and that lot numbers on the used intravenous bags matched the lot numbers for items used at the RMCH.

In consideration of the foregoing and the findings of NMED’s investigation, the following violations of the New Mexico Solid Waste Rules (“SWR”), 20.9.2 – 20.9.10 NMAC, have occurred:

1. **Unauthorized disposal of special waste (infectious waste)** – On January 12, 2021, the RMCH improperly disposed of infectious waste at the MCTS, as evidenced by its transportation from the RMCH within a load of the hospital’s municipal solid waste (“MSW”) and its subsequent discovery at the MCTS – a solid waste facility that is not permitted to accept infectious waste.

The SWR, 20.9.2.10.A(1) NMAC, states that no person shall “dispose of solid waste except by means approved by the secretary and in accordance with [Environmental Improvement Board] regulations...”. The SWR, 20.9.2.10.A(2) NMAC, states that no person shall “dispose of any solid waste in this state in a manner that the person knows or should know will harm the environment or endangers the public health, welfare or safety...”. The SWR, 20.9.2.10.A(4) NMAC, states that no person shall “dispose of any solid waste, including special waste, in a solid waste facility when that facility’s permit does not authorize the disposal of the particular type of solid waste in that facility...”. The SWR, 20.9.8.8 NMAC states that “[t]he generator of special waste shall assure that the special waste is disposed of in a solid waste facility permitted to accept the special waste or treated at a permitted facility, prior to disposal, to render it non-special waste.” The SWR, 20.9.8.13.D NMAC, further states that “[a]ll generators of infectious waste shall dispose of the infectious waste at a facility permitted to process, store or dispose of infectious waste.”

2. **Failure to segregate infectious waste** – On or before January 12, 2021, the RMCH failed to segregate infectious waste by separate containment from other waste at the point of origin, as evidenced by its transportation from the RMCH within a load of the hospital’s MSW and its subsequent discovery at the MCTS.

The SWR, 20.9.8.13.C(2) NMAC, states that “[i]nfectious waste shall be segregated by separate containment from other waste at the point of origin.”

3. **Failure to contain infectious waste inside rigid containers** – On or before January 12, 2021, the RMCH failed to contain a biohazard bag holding infectious waste within a rigid container, as evidenced by its transportation from the RMCH within a load of the hospital’s MSW, without the use of a rigid container, and its subsequent discovery at the MCTS.

The SWR, 20.9.8.13.C(3) NMAC, states that “[e]xcept for sharps, infectious waste shall be contained in plastic bags inside rigid containers.”

4. **Failure to manifest special waste (infectious waste)** – On January 12, 2021, the RMCH failed to assure the use of a special waste manifest, as evidenced by the transportation of infectious waste from the RMCH within a load of the hospital’s MSW, without an accompanying special waste manifest, and its subsequent discovery at the MCTS.

The SWR, 20.9.8.10.F NMAC, states that “[a]ny generator or hauler of special waste shall assure that a manifest in accordance with 20.9.8.19 NMAC accompanies each load of special waste originating in or to be disposed in New Mexico...”.

Pursuant to the NMED Delegation Order dated September 14, 2020, the Cabinet Secretary has delegated the authority to issue Solid Waste Bureau (“SWB”) Notices of Violation to the Chief of the SWB in the Resource Protection Division. The NMED is seeking your voluntary cooperation in the immediate correction of these violations. Please respond in writing within 10 calendar days of receipt of this notice as to what action you have taken, or plan to take, to correct the violations. Send your response to George W. Akeley, Jr. (“Chuck”), Manager, Enforcement Section, Solid Waste Bureau, NMED District I, 121 Tijeras Avenue NE, Suite 1000, Albuquerque, New Mexico 87102-3400. Alternately, you may send a signed,

written response via electronic mail to [chuck.akeley@state.nm.us](mailto:chuck.akeley@state.nm.us). The failure to assure corrective action or continued non-compliance will result in additional enforcement action.

**NOTICE**

***The NMED reserves its right to pursue additional enforcement action for the above violations, including the issuance of an Administrative Compliance Order compelling compliance and assessing a civil penalty of up to \$5,000 per day, per violation.***

All documentation submitted to NMED's SWB related to this Notice of Violation must include the following certification, signed by you or a delegated responsible official:

"I certify under penalty of law that this document and all its attachments were prepared under my directions or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for the gathering of the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

If you have any questions, please contact Mr. Akeley at (505) 670-3283 or [chuck.akeley@state.nm.us](mailto:chuck.akeley@state.nm.us).

Sincerely,

Joan M. Snider  
Chief, Solid Waste Bureau

Enclosure – Copy of NWNMRSWA's Incident Report

JMS:gwa:jr:gwa

cc: Chuck Akeley, Manager, Enforcement Section, Solid Waste Bureau *[via electronic mail]*  
Teri D. Monaghan, Enforcement Coordinator, Solid Waste Bureau *[via electronic mail]*  
Jaime Rodriguez, Enforcement Officer, Solid Waste Bureau *[via electronic mail]*

# *Northwest New Mexico Regional Solid Waste Authority*

101 Red Mesa Bluffs Drive • P.O. Box 1330 • Thoreau, New Mexico 87323

Tel. (505) 905-8400 • Fax: (505) 905-8401

January 14, 2021

Chuck Akeley

NMED – Solid Waste Bureau

Enforcement Section Manager

On 1-12-2021 at about 10:45 am unauthorized medical waste (red bags) was found in a load of trash being disposed of at McKinley County Transfer Station (MCTS) by City of Gallup solid waste truck #334 driven by Henry Crump.

MCTS staff was conducting a medical load inspection of the load when the red bags were found. The driver of the truck stated he had picked up trash from Gallup Indian Medical Center (GIMC), Genesis Healthcare Clinic, Red Rock Healthcare Clinic and Rehoboth McKinley Christian Hospital (RMCH). Three empty bio-hazard red bags and one red bag containing medical gloves, clothing, I V bags and tubing containing blood and other fluids were found. The contents of the entire load were inspected and no other unauthorized waste was found. The red bags were removed from the Transfer Station floor and placed in a Bio-Hazard Container.

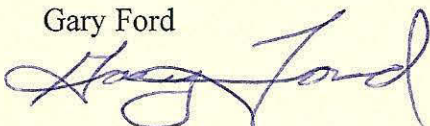
Cameron Thomas, MCTS Supervisor, notified NWNMRSWA, Operations Manager Gary Ford and Gallup Solid Waste Department Supervisor, Anson Denetdale of the unauthorized waste.

I, Gary Ford, have talked with Housekeeping Supervisors from both RMCH and GIMC and it has been determined that the unauthorized waste originated from RMCH.

I have contacted Stericycle Inc and removal of the red bags from MCTS is scheduled for 1-21-2021. I will provide a copy of the manifest upon removal.

I have talked with Christopher Lang, Director of Plant Operations at RMCH. He says that RMCH is working to create new safeguards and additional training to prevent Biohazardous Waste from ending up in the regular trash. He will send the new/additional procedures to me when they are completed and I will forward them to you when I get them.

Gary Ford



NWNMRSWA, Operations Manager



DUPLICATE TICKET

McKinley County Transfer  
NWNMRSWA Bx1330 ThoreauNM87323  
(505)863-5776

002225 CITY OF GALLUP  
110 WEST AZTEC-PO BOX 1270  
GALLUP NM 87305

SITE	TICKET	GRID		WEIGHMASTER		
03	00363756			MMCCABE		
DATE IN	DATE OUT	TIME IN	TIME OUT	VEHICLE	ROLL OFF	
01/12/21	01/12/21	10:40	10:40	CGL334		
REFERENCE		ORIGIN				
GIMC RMCH		MCKINLEY COUNTY				

Scale 1 Gross Wt. 42500 LB  
Stored Tare Wt. 37320 LB  
Net Weight 5180 LB

Inbound - Charge ticket

QTY.	UNIT	DESCRIPTION	RATE	EXTENSION	FEE	TOTAL
2.59	TON	CGL Misc Waste	38.000	98.42	0.00	98.42

Operating hours 8AM to 4:30PM Monday thru Saturday  
This is to certify that this load does not contain any  
hazardous materials, medical waste or liquids of any  
type.

TAX 0.00  
SCALE FEE 0.00

NET AMOUNT
98.42
TENDERED
CHANGE
CHECK NO.

WW6T1 TO REORDER CONTACT CAROLINA SOFTWARE (910) 799-6767

SIGNATURE \_\_\_\_\_

NORTHWEST NEW MEXICO REGIONAL SOLID WASTE AUTHORITY

INDICENT REPORT

DATE: 1-12-21

DATE OF INCIDENT: 1-12-21

TIME OF INCIDENT: 10:48 A.M.

LOCATION: Regional solid waste facility - Gallup

WEATHER CONDITION: Clear - Cold

EMPLOYEE INVOLVED: HARRY CRAMP

OTHER'S INVOLVED: \_\_\_\_\_

NARRATIVE: Biological Bag Found

I HARRY CRAMP - Solid Waste Driver,  
City of Gallup was on Route and  
and picked up loads from, in order,  
Genesis, GMS, and Rock Clinic, RMCH

EMPLOYEE SIGNATURE: Harry Cramp

DISPOSITION WITNESS: [Signature]

DATE: 1-12-21

NORTHWEST NEW MEXICO REGIONAL SOLID WASTE AUTHORITY

INDICENT REPORT

DATE: 1-12-21

DATE OF INCIDENT: 1-12-21

TIME OF INCIDENT: 10:48 AM

LOCATION: MCTS Warehouse

WEATHER CONDITION: Sunny & Clear

EMPLOYEE INVOLVED: Cameron Thomas

OTHER'S INVOLVED: Daniel L. Rodriguez, Patrick Metteba,  
Ronald Bennett, Randy Lee & Henry Crump

NARRATIVE: HAZMAT Bags Found

Daniel L was doing a medical inspection  
and found red bio hazard bags. He called me  
(Cameron Thomas) over to inspect. I blocked off  
the area and took pictures. I then moved  
the bags to a safe area and had the rest  
of the load inspected. Nothing else was  
found. I opened the bag to inspect the contents.  
I found I.V. bags, Blood transfusion Kits, rubber  
gloves, Cloth coveralls (blue), Caps, Face masks,  
bandage wrappers, oxygen tubes & clear tubes  
with blood in them.

EMPLOYEE SIGNATURE: [Signature]

DISPOSITION WITNESS: [Signature]

DATE: 1-12-21

NORTHWEST NEW MEXICO REGIONAL SOLID WASTE AUTHORITY

INDICENT REPORT

DATE: \_\_\_\_\_

DATE OF INCIDENT: \_\_\_\_\_

TIME OF INCIDENT: \_\_\_\_\_

LOCATION: \_\_\_\_\_

WEATHER CONDITION: \_\_\_\_\_

EMPLOYEE INVOLVED: \_\_\_\_\_

OTHER'S INVOLVED: \_\_\_\_\_

NARRATIVE: \_\_\_\_\_

Patrick assisted and took pictures.  
I (Cameron Thomas) called Gary Ford to  
inform him of what was found. I sent  
the pictures to Gary Ford. I then  
placed the bags and contents in a  
seal container. Anson Denetdale the  
Solid Waste Dept Supervisor was also  
informed

EMPLOYEE SIGNATURE: \_\_\_\_\_

DISPOSITION WITNESS: \_\_\_\_\_

DATE: \_\_\_\_\_









F160NR

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(16)20L U611012  
(17)P200820



FRESENIUS  
MEDICAL CARE

NE-201-20-001-11111







Route # 135700

IN CASE OF EMERGENCY CONTACT: CHEMTREC 1-800-424-9300

CUSTOMER NO. 21132

MEDICAL WASTE TRACKING FORM NUMBER

STANDARD MANIFEST 001-10-06-STD

MDAQ00ACXB

## 1. Generator's Name, Address and Telephone Number

ATTN: Gary Ford

McKinley County Transfer Stati

107 Hasler Valley Road

Gallup, NM 87301

(505) 290-1267

1/21/2021

CUSTOMER NUMBER

6064079-003

GENERATOR'S REGISTRATION #

RMCH Am

## 2A. DESCRIPTION OF WASTE

## 2B.

## CONTAINER TYPE

2C. NO. OF  
CONTAINERS

## 2D. VOLUME

UN3291, Regulated Medical Waste, n.o.s.,  
6.2, PGII

TB04/TY04/TB28/TY28 - 28 Gal Reusable Tub (3.7 cu ft)

1 3.7 Cu Ft.

UN3291, Regulated Medical Waste, n.o.s.,  
6.2, PGII

TB01/TY01 - 30 Gal Reusable Tub (4.0 cu ft)

Cu Ft.

UN3291, Regulated Medical Waste, n.o.s.,  
6.2, PGII

TB38/TY38 - 39 Gal Reusable Tub (5.81 cu ft)

Cu Ft.

UN3291, Regulated Medical Waste, n.o.s.,  
6.2, PGII

TB14/TY14 - 44 Gal Reusable Tub (5.9 cu ft)

Cu Ft.

UN3291, Regulated Medical Waste, n.o.s.,  
6.2, PGII

BX24/BY24 - Corrugated Box (4.18 cu ft)

Cu Ft.

UN3291, Regulated Medical Waste, n.o.s.,  
6.2, PGII

WW43/VV43 - Corrugated Box (4.3 cu ft)

Cu Ft.

UN3291, Regulated Medical Waste, n.o.s.,  
6.2, PGII

RX36 - Corrugated Box (2.98 cu ft)

Cu Ft.

UN3291, Regulated Medical Waste, n.o.s.,  
6.2, PGII

SH28 - 12 Gal Sharps Container (1.6 cu ft)

Cu Ft.

UN3291, Regulated Medical Waste, n.o.s.,  
6.2, PGII

SG91 - 18 Gal Sharps Container (2.41 cu ft)

Cu Ft.

3. Generator's Certification: "I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labelled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations."

TOTALS ▶

1 3.7 Cu Ft.

X

Printed/Typed Name

Signature

Date

## 4. TRANSPORTER 1 ADDRESS:

Stericycle, Inc.

1920 First St NW,

Albuquerque, NM 87102



This is a Through Shipment

Phone #:

(505) 247-8454

Applicable Permit Numbers:

0101341

TRANSPORTER CERTIFICATION: Receipt of medical waste as described above.

Print/Type Name

Signature

Date

1/21/2021

## 5. INTERMEDIATE HANDLER 2 / TRANSPORTER 2 ADDRESS:

Stericycle 1920 First St NW Albuquerque, NM 87102

Phone #:

(505) 247-2144

Applicable Permit Numbers:

Permit # NMED #0101341

INTERMEDIATE HANDLER / TRANSPORTER CERTIFICATION: Receipt of medical waste as described above.

Print/Type Name

Signature

Date

## 6. INTERMEDIATE HANDLER 3 / TRANSPORTER 3 ADDRESS:

Phone #:

Applicable Permit Numbers:

INTERMEDIATE HANDLER / TRANSPORTER CERTIFICATION: Receipt of medical waste as described above.

Print/Type Name

Signature

Date

## 7. DISCREPANCY INDICATION

Transferred containers, cu ft to

☒ 8A. Designated Facility:

Stericycle, Inc. (Autoclave)  
1920 First St NW,  
Albuquerque, NM 87102  
(866) 783 - 7422

☐ 8B. Alternate Facility:

Stericycle, Inc. (Incinerator)  
90 N. Foxboro Drive  
North Salt Lake, UT 84054  
(801) 936 - 1171  
3A-448UA-36

☐ 8C. Alternate Facility:

Stericycle, Inc. (Autoclave)  
245 W. Lodge Dr.  
Tempe, AZ 85283  
(866) 783 - 7422  
EPA# TR079801.02

☐ 8D. Alternate Facility:

Stericycle, Inc. (Incinerator)  
90 N. Foxboro Drive  
North Salt Lake, UT 84054  
(801) 936 - 1171  
EPA# 3A-448UA-36

TREATMENT FACILITY: I certify that I have been authorized by the applicable state agency to accept untreated medical wastes and that I have received the above indicated wastes in accordance with the requirement outlined in that authorization.

Print/Type Name

Signature

Date

LEAVE AT GENERATOR

New Mexico Environment Department  
Solid Waste Bureau  
1190 St. Francis Drive  
P.O. Box 5469  
Santa Fe, New Mexico 87502-5469

## Report of Investigation

**Report By:** Jaime Rodriguez, Enforcement Officer, EA-IV J.R. *GWA*

**Report Date:** February 1, 2021

**Report Period:** January 12, 2021 – January 21, 2021

### Facility/Site/Individual(s):

Rehoboth McKinley Christian Health Care Services, Inc. ("RMCHCS"), Mary K. Bevier, Registered Agent and Chief Financial Officer, 1901 Red Rock Drive, Gallup, New Mexico 87301, (505) 863-7144 (**Generator**);

Rehoboth McKinley Christian Hospital ("RMCH"), Christopher Lang, Director, Plant Operations, RMCH, 1901 Red Rock Drive, Gallup, New Mexico 87301, (505) 863-7152 (**Generating Location**);

City of Gallup Solid Waste Department, 1820 Warehouse Lane, Gallup, New Mexico 87301, (505) 863-1212, Henry Crump, Vehicle Operator, Collection Vehicle No. 334 (**Transporter**);

Northwest New Mexico Regional Solid Waste Authority ("NWNMRSWA"), Gary Ford, Operations Manager, 101 Red Mesa Bluffs Drive, P.O. Box 1330, Thoreau, New Mexico 87323, (505) 905-8402 (**Owner/Operator of McKinley County Transfer Station**); and

McKinley County Transfer Station ("MCTS"), Permit No. SWM-171004, 107 Hasler Valley Road, Gallup, New Mexico 87301, (505) 863-5776 (**Transfer Station**).

### Introduction

#### General Information

1-1. This Report of Investigation ("ROI") documents activity by Jaime Rodriguez, Enforcement Officer, EA-IV, Solid Waste Bureau ("SWB"), New Mexico Environment Department ("NMED"), regarding violations of the New Mexico Solid Waste Act ("SWA"), NMSA 1978, Sections 74-9-1 to -42 (1990, as amended through 2011), and the New Mexico Solid Waste Rules ("SWR"), 20.9.2 – 20.9.10 NMAC, by the RMCHCS. The ROI documents an incident occurring on January 12, 2021, when infectious waste generated at the RMCH was comingled with its municipal solid waste ("MSW") and transported by the City of Gallup to the MCTS – a transfer station that is not permitted to accept infectious waste. Such improper management and disposal of infectious waste is contrary to the SWA, the SWR and represents a potential risk to human health.



## Report of Inspection

Re: Rehoboth McKinley Christian Health Care Services

By: Jaime Rodriguez, NMED/SWB

Report Date: February 1, 2021

### History of Facility

1-2. The RMCHCS is a nonprofit, fully integrated health care system with 60 beds, two outpatient clinics, hospice, home health and outpatient behavioral health counseling services. The RMCHCS owns and operates the RMCH.

1-3. A review of SWB records disclosed prior instances of infectious waste mismanagement at the RMCH, resulting in formal enforcement action by the NMED, including the 2012 issuance of an Administrative Compliance Order ("ACO"), No. SWB 12-06 (CO), alleging four separate instances of the improper disposal of infectious waste at the MCTS during 2011. The RMCHCS paid \$15,000 in settlement of the 2012 ACO.

### Inspection/Investigative Activities

#### Predication

2-1. On January 12, 2021, Gary Ford, Operations Manager, NWNMRSWA, notified the SWB of the arrival of a load of MSW containing infectious waste. As described below, it was subsequently determined that the infectious waste was generated at the RMCH. Jaime Rodriguez, Enforcement Officer, SWB, was notified of the incident on January 15, 2021 and began an inquiry.

#### Investigation and Documentation

2-2. On January 14, 2021, Mr. Ford provided a MCTS incident report (**Exhibit 1**) to the SWB. The report included copies of written statements, photographs and the corresponding MCTS disposal ticket. The incident report stated that a City of Gallup MSW collection vehicle (Vehicle No. 334) tipped a load of MSW at the MCTS on January 12, 2021. A waste screening inspection performed by Daniel L. Rodriguez, MCTS, disclosed the presence of four red biohazard bags (which are used for the containment of infectious waste at medical facilities). The vehicle's driver, Henry Crump, stated that his collection route included MSW collected at Genesis Healthcare Clinic, Gallup Indian Medical Center ("GIMC"), Red Rock Healthcare Clinic and at the RMCH.

The four biohazard bags were moved to a more isolated area and inspected by Mr. (Daniel) Rodriguez and Cameron Thomas, Supervisor, MCTS. Photographs documenting the bags and the

## Report of Inspection

Re: Rehoboth McKinley Christian Health Care Services

By: Jaime Rodriguez, NMED/SWB

Report Date: February 1, 2021

contained waste were taken. Three of the bags were determined to be empty and one of the bags held apparent infectious waste, including intravenous bags, blood transfusion kits, rubber gloves, blue cloth coveralls, facemasks, caps, bandage wrappers, plastic oxygen tubes and clear plastic tube containing or contaminated with apparent human blood, bloody liquid or other potentially infectious material ("OPIM"). Upon completion of the inspection, the infectious waste was placed in a biohazard-labeled rigid container pending collection by a registered commercial hauler authorized to transport infectious waste.

2-3. On January, 13, 2021, at approximately 11:00 AM, William Fladd, Environmental Services Director, RMCH, and Christopher Lang, Director, Plant Operations, RMCH, responded to the MCTS, met with Mr. Ford, and examined the infectious waste. The inspection ("bag check") determined that the medical waste, including the used intravenous bags and dialysis equipment, was consistent with waste from the RMCH. Messrs. Fladd and Lang verified that the lot numbers on the used intravenous bags matched the lot numbers for items used at the RMCH. Mr. Lang stated that RMCH was the only medical facility in the area capable of administering dialysis, so he was sure the infectious waste was generated at the RMCH.

2-4. On January 21, 2021, Stericycle, Inc. manifested (**Exhibit 2**) and transported the infectious waste generated by RMCH from the MCTS for treatment and disposal.

## Summary of Findings

3-1. This report documents the following violations of the SWR by the RMCHCS:

1. **Unauthorized disposal of special waste (infectious waste)** – On January 12, 2021, the RMCH disposed of infectious waste at the MCTS, a solid waste facility not permitted to accept infectious waste, in violation of the SWR, 20.9.2.10.A(1), 20.9.2.10.A(2), 20.9.2.10.A(4), 20.9.8.8 and 20.9.8.13.D NMAC, which require generators of infectious waste to safely dispose of infectious waste at a facility permitted to process, store or dispose of infectious waste;

2. **Failure to segregate infectious waste** – On or before January 12, 2021, the RMCH failed to segregate infectious waste by separate containment from other waste at the point of origin, as evidenced by the transportation of infectious waste from the RMCH to the MCTS within the RMCH's MSW, in violation of the SWR, 20.9.8.13.C(2) NMAC, which requires infectious waste to be segregated by separate containment from other waste at the point of origin;

**Report of Inspection**

**Re: Rehoboth McKinley Christian Health Care Services**

**By: Jaime Rodriguez, NMED/SWB**

**Report Date: February 1, 2021**

**3. Failure to contain infectious waste inside rigid containers** – On or before January 12, 2021, the RMCH disposed of infectious waste at the MCTS without the use of a rigid container, in violation of the SWR, 20.9.8.13.C(3) NMAC, which requires infectious waste – except for sharps – to be contained in plastic bags inside rigid containers; and

**4. Failure to manifest special waste (infectious waste)** – On January 12, 2021, the RMCH disposed of infectious waste without an accompanying special waste manifest, as evidenced by the unmanifested transportation of infectious waste from the RMCH to the MCTS within the RMCH's MSW, in violation of the SWR, 20.9.8.10.F NMAC, which requires any generator of special waste to assure that a manifest in accordance with 20.9.8.19 NMAC accompanies each load of special waste originating in or to be disposed in New Mexico.

**Exhibits**

4-1. The following items are attached to this report (cross-reference):

1. MCTS Incident Report..... (Ref. Para. 2-2)
2. Stericycle, Inc. Manifest, 1/21/2021 ..... (Ref. Para. 2-4)

cc: Chuck Akeley, Manager, Enforcement Section, Solid Waste Bureau



Rehoboth McKinley

Christian Health Care Services

RECEIVED

MAR 26 2021

SOLID WASTE BUREAU

jm

February 22, 2021

George W. Akeley, Jr., Manager, Enforcement Section  
Solid Waste Bureau, NMED District I  
121 Tijeras Avenue NE, Suite 1000  
Albuquerque, New Mexico 87102-3400

**RE: Response to Notice of Violation – Rehoboth McKinley Christian Health Care Services**

Mr. Akeley,

This is in response to the Notice of Violation we received from your office. RMCHCS is committed to following all State and Federal guidelines. We are also very committed to ensure we deliver safe and quality care to our community. We also value our reputation in our community and want to ensure this will never occur again.

We therefore took action immediately upon learning of the circumstance as described in your letter as follows:

- An internal assessment was conducted to find the root cause of error.
- Once we recognized how this occurred, we placed safety procedures in our daily workflow to protect the segregation of infectious waste and ensure its safe transport.
- Our policies and procedures are updated with these changes that add multiple safeguards that will protect us from this error moving forward.
- The Environmental Services (EVS) Manager has completed training of these new processes with all of his staff.
- All EVS employees are currently enrolled into additional mandatory training through Stericycle.
- Our Infection Preventionist is retraining all nursing staff on segregation and handling of infectious waste.

Please let us know if you have any questions or would like additional information. We value our community partnership with you, and thank you for your notification.

Sincerely,

Christopher Lang  
Director of Plant Operations, RMCHCS

"I certify under penalty of law that this document and all its attachments were prepared under my directions or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for the gathering of the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."



Rehoboth McKinley  
Christian Health Care Services  
1901 Red Rock Drive  
Gallup, New Mexico 87301

CERTIFIED MAIL

ALBUQUERQUE NM 870

NEOPOST

10 MAR 2021 PM 4 L

03/10/2021

US POSTAGE \$006.96

FIRST-CLASS MAIL



7006 2810 0001 4069 2213



ZIP 87301  
041M11457523

NM ENVIRONMENT DEPT.  
RECEIVED

MAR 12 2021

NMED/EHB

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MAR 26 2021

SOLID WASTE BUREAU

George W. Akleley, Jr.  
Solid Waste Bureau, NMED District I  
121 Tijeras Avenue NE, Suite 1000  
Albuquerque, NM 87102-3400

87102-340050

