



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

CERTIFIED MAIL - RETURN RECEIPT REQUIRED

February 8, 2024

Matthew Vigil
Store Manager
Walgreens #10808
100 Rosedale Rd.
Silver City, New Mexico 88061

**RE: NOTICE OF VIOLATION AND RESOLUTION
WALGREENS #10808
EPA ID# NMR000030759**

Dear Mr. Vigil:

On September 18, 2023, the New Mexico Environment Department ("NMED") conducted a hazardous waste Compliance Evaluation Inspection ("Inspection") at Walgreens #10808, ("WA 10808") located at 100 Rosedale Rd., Silver City, New Mexico ("Facility"). WA 10808 is a pharmaceutical business focused on medical prescriptions, beauty products, a small retailer of everyday use products and photo services. These activities generate waste aerosols, hazardous waste flammable, corrosive and/or toxic damaged commercial chemical products, pharmaceuticals, and universal waste batteries.

Based on that inspection and review of the information obtained, NMED has determined that WA 10808 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 WA 10808 has violated the New Mexico Hazardous Waste Management Regulations ("HWMR") 20.4.1 New Mexico Administrative Code ("NMAC") as specified below.

NMED Inspector observed the following violation:

1. Failure to pay Hazardous Waste Generation fees, which is a violation of 20.4.3.201.A NMAC. Specifically, WA 10808 generated VSQG amounts of hazardous waste in calendar year 2022. Generator fees are due by the 1st of August of the following calendar year. Fees for 2022 were due by August 1, 2023.

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Hazardous Waste Bureau - 2905 Rodeo Park Drive, Santa Fe, New Mexico 87505 - (505) 476-6000
www.env.nm.gov

NMED has determined that the violations were adequately addressed from the remittance of payment received November 27, 2023; 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 WA 10808 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 WA 10808 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 Peter J. Garcia Sr. of my staff at 505-490-5868 or by email at PeterJ.GarciaSr@env.nm.gov.

Sincerely,

Ricardo Maestas
Acting Chief
Hazardous Waste Bureau

RM:pg

cc: Aaron Coffman, Program Manager, NMED HWB
Peter J. Garcia Sr., NMED HWB
Tyre Jameson, NMED HWB
Michael B. Kesler, NMED District III Manager

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