BMP – 001

Documents

SIERRA CHEMICALS L.C.
Phone 505-334-0447 FAX 505-334-9530
104 Bison Trail, Aztec, NM 87410

August 12, 2009

Mr. Leonard Lowe
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

Dear Leonard:

In response to your Inspection Report dated June 17, 2009, Sierra Chemicals is providing the following information:

1) Identification of all waste streams
2) Waste profiles (Attachment A)
3) Best management plans(Attachment B)
4) Address OCDs concerns as stated in letter

Waste streams:

- Sierra does not generate waste oils onsite, all vehicle maintenance is conducted by a third party off site.
- All chemicals are used in our off-site process; no spent chemicals are removed from work sites and returned to the yard. Miscellaneous, small amounts of chemicals from drip pans, small spills, container residual, etc. are segregated and stored in drums on the chemical storage pad. Full drums are disposed of by Waste Management (Attachment A).
- Non hazardous solid waste (office trash, rubbish, etc,) is disposed of in a dumpster and removed by Waste Management, a licensed waste hauler.
- Universal wastes, batteries, spent light bulbs, etc. are either sent for recycling or disposed of by a licensed waste handler.
- Sharps used in the lab are stored in approved sharps containers and properly disposed of using Safety Kleen.

Best Management Plans: Sierra Chemicals has several BMP plans in place including a stormwater management plan, emergency and spill response plan, and a hazard communication plan (Hazcom). (Attachment B)

OCD Concerns:
#1-Portable secondary containments will be kept clean to prevent any surface discharge.
#2-This drain is permanently sealed.
#3-All empty storage containers are now stored in bermed, impermeable, engineered containments.
#4-All sumps have been cleaned out and their integrity verified. They will be monitored and kept dry.

If you have any questions regarding this letter or need more information from Sierra Chemicals, please do not hesitate to contact me at (505)330-7171.

Thank you,

Mark Hudson, CSP, CHMM
Manager HS&E

ATTACHMENT A

SAFETY-KLEEN
WASTE MATERIAL PROFILE

PROFILE #:

Customer #: 3047012 *Analytical Part #:* *LOB #:* ☐28 ☐26 ☑24 ☐20 ☐19

Sales Name: TIMOTHY MIRABAL *Employee #:* *Rep Email:* timothy.mirabal@safety-kleen.com *Location/Branch #:* 700804

A. CUSTOMER INFORMATION ☐ *Check if Billing Same*

Generator: SIERRA CHEMICALS — *Billing Company:*

Facility Address (No P.O. Box): 104 BISON TRAIL — *Billing Address:*

City/State/Zip:

City/State/Zip: AZTEC / NM / 87410 — *Billing Contact:*

Technical Contact: MARK HUDSON — *Phone:* *FAX:*

Phone: 505-334-0447 FAX: *Email:*

NAICS #: 1389 ☑ CESQG ☐ SQG ☐ LQG EPA ID#: CESQG State ID#:

B. SHIPPING INFORMATION

US DOT Shipping Name:

Hazardous Class/Division #: UN/NA #: Packing Group: RQ:

Size: 55G Container Type: STEEL Quantity: 7 Frequency: ONCE A YEAR

C. GENERAL MATERIAL & REGULATORY INFORMATION

Name of Material: CONTAMINATED WATER

Process Generating the Material: WATER RUN - OFF

Yes	No		Yes	No	
☐	☑	Regulated or Licensed Radioactive Waste	☐	☑	Contains UHCs/Constituents of Concern: List in section D
☐	☑	Regulated Medical/Infectious Waste	☐	☑	Exempt Waste: If yes, list ref. 40 CFR
☐	☑	Waste Subject to Benzene NESHAP regulations	☐	☑	*For Artesia, MS*: Does waste material contain, or is derived from, dioxin-listed wastes with F020-F023 or F027 waste codes?
☐	☑	TSCA Regulated PCB Waste: List PCB level in section D	☐	☑	State Hazardous Waste: List Codes
☐	☑	Regulated Ozone Depleting Substance	☐	☑	EPA Hazardous Waste: List Codes
☐	☑	CERCLA Regulated (Superfund) Waste			Source Code G G12 Form Code W W113 Mgt. Method H H141

D. MATERIAL COMPOSITION (Range Total > or = 100%) or ppm

WATER	95 - 100%
FLOWGAURD 1114	1 - 5%
WSKT 10	1 - 5%
BUSAN 1202	1 - 5%

☑ MSDS Attached **Total:** 100%

E. REACTIVE CHARACTERITSTICS

Yes☐ No☑ Oxidizer

Yes☐ No☑ React. Sulfides ____ ppm Yes☐ No☑ Shock/Explosive

Yes☐ No☑ React. Cyanides ____ ppm Yes☐ No☑ Polymerizable

Yes☐ No☑ Water/Air (Pyrophoric) React. Yes☐ No☑ Other-Comments

Elemental Constituents (ppm):

☑ No detectable Elements

Sb	NR	As	NR	Ba	NR	Be	NR	Cd	NR	Cr	NR
Pb	NR	Hg	NR	Ni	NR	Se	NR	Ag	NR	Tl	NR
V	NR										

Metals Data based on: ☐TCLP ☐Total Analysis ☑Generator Knowledge (no testing)

F. PHYSICAL CHARACTERISTICS

Flash Point: ____ °F (if <73°F) pH Range: ☐ ≤2

☐ 73-<100 ☐ 100-141 ☐ >2-4 ☑ >4-10

☐ 142-<200 ☑ ≥200 ☐ >10-<12.5 ☐ ≥12.5

Phases: 2 % Liquid: 95 - 100% Viscosity cps: 0-3,999

% Sludge: % Solid: 1 - 5% % Halogens:

BTU's/lb: <5,000 Specific Gravity: 1

G. COMMENTS

Customer Restrictions: ☐ Yes ☐ No

H. GENERATOR'S CERTIFICATION

I hereby certify that I am an authorized agent of the generator, and warrant on behalf of the generator that the information supplied on this form and on any attachments or supplements hereto is complete and accurate, and that all known or suspected hazards of the material(s) described herein have been disclosed. I agree that if there is a discrepancy between the waste received and any information supplied on this form, that either Safety-Kleen or the generator may initiate further testing and evaluation in accordance with the terms and conditions of the contract between Safety-Kleen and the generator; that this profile certification may be amended accordingly; and that *additional expenses incurred by Safety-Kleen in order to manage the waste in accordance with Federal, State, and Local regulatory requirements will be the sole* responsibility of the generator, including the return of the material to the generator at generator's expense.

Generator Signature: Printed Name and Title: MARK HUDSON - HSE MANAGER Date: 8/3/2009 8:38:24 PM

Rev: 09/23/08

SAFETY-KLEEN
WASTE MATERIAL PROFILE

PROFILE #: _____

Customer #: 3047012 *Analytical Part #:* _____ *LOB #:* ☐28 ☐26 ☑24 ☐20 ☐19

Sales Name: TIMOTHY MIRABAL *Employee #:* _____ *Rep Email:* timothy.mirabal@safety-kleen.com *Location/Branch #:* 700804

A. CUSTOMER INFORMATION ☐ *Check if Billing Same*

Generator SIERRA CHEMICALS — *Billing Company* _____

Facility Address (No P.O. Box) 104 BISON TRAIL — *Billing Address* _____

_____ — *City/State/Zip* _____

City/State/Zip AZTEC / NM / 87410 — *Billing Contact* _____

Technical Contact MARK HUDSON — *Phone* _____ *FAX* _____

Phone 505-334-0447 FAX _____ *Email* _____

NAICS # 1389 ☑ CESQG ☐ SQG ☐ LQG EPA ID# CESQG State ID# _____

B. SHIPPING INFORMATION

US DOT Shipping Name _____

Hazardous Class/Division # _____ UN/NA # _____ Packing Group _____ RQ _____

Size 55G Container Type STEEL Quantity 1 Frequency ONCE A YEAR

C. GENERAL MATERIAL & REGULATORY INFORMATION

Name of Material CONTAMINATED SOIL

Process Generating the Material CLEAN-UP

Yes	No		Yes	No	
☐	☑	Regulated or Licensed Radioactive Waste	☐	☑	Contains UHCs/Constituents of Concern: List in section D
☐	☑	Regulated Medical/Infectious Waste	☐	☑	Exempt Waste: If yes, list ref. 40 CFR _____
☐	☑	Waste Subject to Benzene NESHAP regulations	☐	☑	*For Artesia, MS*: Does waste material contain, or is derived from, dioxin-listed wastes with F020-F023 or F027 waste codes?
☐	☑	TSCA Regulated PCB Waste: List PCB level in section D	☐	☑	State Hazardous Waste: List Codes _____
☐	☑	Regulated Ozone Depleting Substance	☐	☑	EPA Hazardous Waste: List Codes _____
☐	☑	CERCLA Regulated (Superfund) Waste			Source Code G G33 Form Code W W301 Mgt. Method H H141

D. MATERIAL COMPOSITION (Range Total > or = 100%) or ppm

DIRT GRAVEL AND SAND	95 - 100%
WATER	1 - 5%
FLOWGAURD 1114	1 - 5%
WSKT 10	1 - 5%
BUSAN 1202	1 - 5%

☑ MSDS Attached **Total:** 100%

E. REACTIVE CHARACTERITSTICS

Yes☐ No☑ React. Sulfides _____ ppm — Yes☐ No☑ Oxidizer

Yes☐ No☑ React. Cyanides _____ ppm — Yes☐ No☑ Shock/Explosive

Yes☐ No☑ Water/Air (Pyrophoric) React. — Yes☐ No☑ Polymerizable

Yes☐ No☑ Other-Comments

Elemental Constituents (*ppm*):

☑ No detectable Elements

Sb	NR	As	NR	Ba	NR	Be	NR	Cd	NR
Cr	NR	Pb	NR	Hg	NR	Ni	NR	Se	NR
Ag	NR	Tl	NR	V	NR				

Metals Data based on: ☐TCLP ☐Total Analysis ☑Generator Knowledge (no testing)

F. PHYSICAL CHARACTERISTICS

Flash Point: _____ °F (if <73°F) — pH Range: ☐ ≤2

☐ 73-<100 ☐ 100-141 — ☐ >2-4 ☑ >4-10

☐ 142-<200 ☑ ≥200 — ☐ >10-<12.5 ☐ ≥12.5

Phases 2 % Liquid 1 - 5% Viscosity cps >50,000

% Sludge _____ % Solid 95 - 100% % Halogens _____

BTU's/lb: <5,000 Specific Gravity: 1

G. COMMENTS _____

Customer Restrictions: ☐ Yes ☐ No

H. GENERATOR'S CERTIFICATION

I hereby certify that I am an authorized agent of the generator, and warrant on behalf of the generator that the information supplied on this form and on any attachments or supplements hereto is complete and accurate, and that all known or suspected hazards of the material(s) described herein have been disclosed. I agree that if there is a discrepancy between the waste received and any information supplied on this form, that either Safety-Kleen or the generator may initiate further testing and evaluation in accordance with the terms and conditions of the contract between Safety-Kleen and the generator; that this profile certification may be amended accordingly; and that additional expenses incurred by Safety-Kleen in order to manage the waste in accordance with Federal, State, and Local regulatory requirements will be the sole responsibility of the generator, including the return of the material to the generator at generator's expense.

Generator Signature: M y Hudr Printed Name and Title: MARK HUDSON - Date: 8/3/2009 8:51:55 PM

Rev: 09/23/08

SAFETY-KLEEN
WASTE MATERIAL PROFILE

PROFILE #: _____

Customer #: 3047012 *Analytical Part #:* _____ *LOB #:* ☐28 ☐26 ☑24 ☐20 ☐19

Sales Name: TIMOTHY MIRABAL *Employee #:* _____ *Rep Email:* timothy.mirabal@safety-kleen.com *Location/Branch #:* 700804

A. CUSTOMER INFORMATION ☐ *Check if Billing Same*

Generator: SIERRA CHEMICALS — *Billing Company:* _____

Facility Address (No P.O. Box): 104 BISON TRAIL — *Billing Address:* _____

_____ — *City/State/Zip:* _____

City/State/Zip: AZTEC / NM / 87410 — *Billing Contact:* _____

Technical Contact: MARK HUDSON — *Phone:* _____ *FAX:* _____

Phone: 505-334-0447 FAX: _____ *Email:* _____

NAICS #: 1389 ☑ CESQG ☐ SQG ☐ LQG EPA ID#: CESQG State ID#: _____

B. SHIPPING INFORMATION

US DOT Shipping Name: CAUSTIC SODA ANHYDROUS (FLAKE)

Hazardous Class/Division #: _____ UN/NA #: _____ Packing Group: _____ RQ: _____

Size: 5G Container Type: POLY Quantity: 3 Frequency: ONCE A YEAR

C. GENERAL MATERIAL & REGULATORY INFORMATION

Name of Material: CAUSTIC SODA

Process Generating the Material: DISCARDING OF PRODUCT

Yes	No		Yes	No	
☐	☑	Regulated or Licensed Radioactive Waste	☐	☑	Contains UHCs/Constituents of Concern: List in section D
☐	☑	Regulated Medical/Infectious Waste	☐	☑	Exempt Waste: If yes, list ref. 40 CFR _____
☐	☑	Waste Subject to Benzene NESHAP regulations	☐	☑	*For Artesia, MS*: Does waste material contain, or is derived from, dioxin-listed wastes with F020-F023 or F027 waste codes?
☐	☑	TSCA Regulated PCB Waste: List PCB level in section D	☐	☑	State Hazardous Waste: List Codes _____
☐	☑	Regulated Ozone Depleting Substance	☐	☑	EPA Hazardous Waste: List Codes _____
☐	☑	CERCLA Regulated (Superfund) Waste			Source Code G: G11 Form Code W: W409 Mgt. Method H: H141

D. MATERIAL COMPOSITION (Range Total > or = 100%) or ppm

CAUSTIC SODA ANHYDROUS	99 - 100%

☑ MSDS Attached Total: 100%

E. REACTIVE CHARACTERITSTICS

Yes☐ No☑ React. Sulfides _____ ppm

Yes☐ No☑ React. Cyanides _____ ppm

Yes☐ No☑ Water/Air (Pyrophoric) React.

Yes☐ No☑ Oxidizer

Yes☐ No☑ Shock/Explosive

Yes☐ No☑ Polymerizable

Yes☐ No☑ Other-Comments

Elemental Constituents (ppm):

☑ No detectable Elements

Sb	NR	As	NR	Ba	NR	Be	NR	Cd	NR	Cr	NR
Pb	NR	Hg	NR	Ni	NR	Se	NR	Ag	NR	Tl	NR
V	NR										

Metals Data based on: ☐TCLP ☐Total Analysis ☑Generator Knowledge (no testing)

F. PHYSICAL CHARACTERISTICS

Flash Point: _____ °F (if <73°F) pH Range: ☐ ≤2

☐ 73-<100 ☐ 100-141 ☐ >2-4 ☑ >4-10

☐ 142-<200 ☑ ≥200 ☐ >10-<12.5 ☐ ≥12.5

Phases: 1 % Liquid: _____ Viscosity cps: >50,000

% Sludge: _____ % Solid: 100% % Halogens: _____

BTU's/lb: <5,000 Specific Gravity: >1

G. COMMENTS _____

Customer Restrictions: ☐ Yes ☐ No

H. GENERATOR'S CERTIFICATION

I hereby certify that I am an authorized agent of the generator, and warrant on behalf of the generator that the information supplied on this form and on any attachments or supplements hereto is complete and accurate, and that all known or suspected hazards of the material(s) described herein have been disclosed. I agree that if there is a discrepancy between the waste received and any information supplied on this form, that either Safety-Kleen or the generator may initiate further testing and evaluation in accordance with the terms and conditions of the contract between Safety-Kleen and the generator; that this profile certification may be amended accordingly; and that additional expenses incurred by Safety-Kleen in order to manage the waste in accordance with Federal, State, and Local regulatory requirements will be the sole responsibility of the generator, including the return of the material to the generator at generator's expense.

Generator Signature: _____ Printed Name and Title: MARK HUDSON - HSE MANAGER Date: 8/3/2009 9:07:44 PM

Rev: 09/23/08

SAFETY-KLEEN
WASTE MATERIAL PROFILE

PROFILE #: _____

Customer #: 3047012 *Analytical Part #:* _____ *LOB #:* ☐28 ☐26 ☑24 ☐20 ☐19

Sales Name: TIMOTHY MIRABAL *Employee #:* _____ *Rep Email:* timothy.mirabal@safety-kleen.com *Location/Branch #:* 700804

A. CUSTOMER INFORMATION ☐ *Check if Billing Same*

Generator: SIERRA CHEMICALS — *Billing Company:* _____

Facility Address (No P.O. Box): 104 BISON TRAIL — *Billing Address:* _____

City/State/Zip: _____

City/State/Zip: AZTEC / NM / 87410 — *Billing Contact:* _____

Technical Contact: MARK HUDSON — *Phone:* _____ *FAX:* _____

Phone: 505-334-0447 FAX: _____ *Email:* _____

NAICS #: 1389 ☑ CESQG ☐ SQG ☐ LQG EPA ID#: CESQG State ID#: _____

B. SHIPPING INFORMATION

US DOT Shipping Name: _____

Hazardous Class/Division #: _____ UN/NA #: _____ Packing Group: _____ RQ: _____

Size: 5G Container Type: POLY Quantity: 1 Frequency: ONCE A YEAR

C. GENERAL MATERIAL & REGULATORY INFORMATION

Name of Material: MULTIPURPOSE R&O

Process Generating the Material: DISCARDING OF PRODUCT

Yes	No		Yes	No	
☐	☑	Regulated or Licensed Radioactive Waste	☐	☑	Contains UHCs/Constituents of Concern: List in section D
☐	☑	Regulated Medical/Infectious Waste	☐	☑	Exempt Waste: If yes, list ref. 40 CFR _____
☐	☑	Waste Subject to Benzene NESHAP regulations	☐	☑	*For Artesia, MS:* Does waste material contain, or is derived from, dioxin-listed wastes with F020-F023 or F027 waste codes?
☐	☑	TSCA Regulated PCB Waste: List PCB level in section D	☐	☑	State Hazardous Waste: List Codes _____
☐	☑	Regulated Ozone Depleting Substance	☐	☑	EPA Hazardous Waste: List Codes _____
☐	☑	CERCLA Regulated (Superfund) Waste			Source Code G: G11 Form Code W: W206 Mgt. Method H: H141

D. MATERIAL COMPOSITION (Range Total > or = 100%) or ppm

MULTIPURPOSE OIL	99 - 100%

☑ MSDS Attached Total: 100%

E. REACTIVE CHARACTERITSTICS

Yes☐ No☑ React. Sulfides _____ ppm — Yes☐ No☑ Oxidizer

Yes☐ No☑ React. Cyanides _____ ppm — Yes☐ No☑ Shock/Explosive

Yes☐ No☑ Water/Air (Pyrophoric) React. — Yes☐ No☑ Polymerizable

Yes☐ No☑ Other-Comments

Elemental Constituents (ppm):

☑ No detectable Elements

Sb	NR	As	NR	Ba	NR	Be	NR	Cd	NR
Cr	NR	Pb	NR	Hg	NR	Ni	NR	Se	NR
Ag	NR	Tl	NR	V	NR				

Metals Data based on: ☐TCLP ☐Total Analysis ☑Generator Knowledge (no testing)

F. PHYSICAL CHARACTERISTICS

Flash Point: _____ °F (if <73°F) pH Range: ☐ ≤2

☐ 73-<100 ☐ 100-141 ☐ >2-4 ☑ >4-10

☐ 142-<200 ☑ ≥200 ☐ >10-<12.5 ☐ ≥12.5

Phases: 1 % Liquid: 100% Viscosity cps: 0-3,999

% Sludge: _____ % Solid: _____ % Halogens: _____

BTU's/lb: >12,000 Specific Gravity: <1

G. COMMENTS _____

Customer Restrictions: ☐ Yes ☐ No

H. GENERATOR'S CERTIFICATION

I hereby certify that I am an authorized agent of the generator, and warrant on behalf of the generator that the information supplied on this form and on any attachments or supplements hereto is complete and accurate, and that all known or suspected hazards of the material(s) described herein have been disclosed. I agree that if there is a discrepancy between the waste received and any information supplied on this form, that either Safety-Kleen or the generator may initiate further testing and evaluation in accordance with the terms and conditions of the contract between Safety-Kleen and the generator; that this profile certification may be amended accordingly; and that additional expenses incurred by Safety-Kleen in order to manage the waste in accordance with Federal, State, and Local regulatory requirements will be the sole responsibility of the generator, including the return of the material to the generator at generator's expense.

Generator Signature: _____ Printed Name and Title: MARK HUDSON - HSE MANAGER Date: 8/3/2009 9:27:12 PM

Rev: 09/23/08

SAFETY-KLEEN
WASTE MATERIAL PROFILE

PROFILE #: _____

Customer #: 3047012 *Analytical Part #:* _____ *LOB #:* ☐28 ☐26 ☑24 ☐20 ☐19

Sales Name: TIMOTHY MIRABAL *Employee #:* _____ *Rep Email:* timothy.mirabal@safety-kleen.com *Location/Branch #:* 700804

A. CUSTOMER INFORMATION ☐ *Check if Billing Same*

Generator: SIERRA CHEMICALS — *Billing Company:* _____

Facility Address (No P.O. Box): 104 BISON TRAIL — *Billing Address:* _____

City/State/Zip: _____

City/State/Zip: AZTEC / NM / 87410 — *Billing Contact:* _____

Technical Contact: MARK HUDSON — *Phone:* _____ *FAX:* _____

Phone: 505-334-0447 FAX: _____ *Email:* _____

NAICS #: 1389 ☑ CESQG ☐ SQG ☐ LQG EPA ID#: CESQG State ID#: _____

B. SHIPPING INFORMATION

US DOT Shipping Name: _____

Hazardous Class/Division #: _____ UN/NA #: _____ Packing Group: _____ RQ: _____

Size: 5G Container Type: POLY Quantity: 1 Frequency: ONCE A YEAR

C. GENERAL MATERIAL & REGULATORY INFORMATION

Name of Material: FLOWGAUARD BCS

Process Generating the Material: DISCARDING OF PRODUCT

Yes	No		Yes	No	
☐	☑	Regulated or Licensed Radioactive Waste	☐	☑	Contains UHCs/Constituents of Concern: List in section D
☐	☑	Regulated Medical/Infectious Waste	☐	☑	Exempt Waste: If yes, list ref. 40 CFR _____
☐	☑	Waste Subject to Benzene NESHAP regulations	☐	☑	*For Artesia, MS*: Does waste material contain, or is derived from, dioxin-listed wastes with F020-F023 or F027 waste codes?
☐	☑	TSCA Regulated PCB Waste: List PCB level in section D	☐	☑	State Hazardous Waste: List Codes _____
☐	☑	Regulated Ozone Depleting Substance	☐	☑	EPA Hazardous Waste: List Codes _____
☐	☑	CERCLA Regulated (Superfund) Waste			Source Code G G11 Form Code W W211 Mgt. Method H H141

D. MATERIAL COMPOSITION (Range Total > or = 100%) or ppm

FLOWGUARD BCS	99 - 100%

☑ MSDS Attached **Total:** 100%

E. REACTIVE CHARACTERITSTICS

Yes☐ No☑ React. Sulfides _____ ppm

Yes☐ No☑ React. Cyanides _____ ppm

Yes☐ No☑ Water/Air (Pyrophoric) React.

Yes☐ No☑ Oxidizer

Yes☐ No☑ Shock/Explosive

Yes☐ No☑ Polymerizable

Yes☐ No☑ Other-Comments

Elemental Constituents (ppm):

☑ No detectable Elements

Sb	NR	As	NR	Ba	NR	Be	NR	Cd	NR
Cr	NR	Pb	NR	Hg	NR	Ni	NR	Se	NR
Ag	NR	Tl	NR	V	NR				

Metals Data based on: ☐TCLP ☐Total Analysis ☑Generator Knowledge (no testing)

F. PHYSICAL CHARACTERISTICS

Flash Point: _____ °F (if <73°F)

☐ 73-<100 ☑ 100-141 ☐ 142-<200 ☐ ≥200

pH Range: ☐ ≤2 ☐ >2-4 ☑ >4-10 ☐ >10-<12.5 ☐ ≥12.5

Phases: 1 % Liquid: 100% Viscosity cps: 0-3,999

% Sludge: _____ % Solid: _____ % Halogens: _____

BTU's/lb: >12,000 Specific Gravity: <1

G. COMMENTS _____

Customer Restrictions: ☐ Yes ☐ No

H. GENERATOR'S CERTIFICATION

I hereby certify that I am an authorized agent of the generator, and warrant on behalf of the generator that the information supplied on this form and on any attachments or supplements hereto is complete and accurate, and that all known or suspected hazards of the material(s) described herein have been disclosed. I agree that if there is a discrepancy between the waste received and any information supplied on this form, that either Safety-Kleen or the generator may initiate further testing and evaluation in accordance with the terms and conditions of the contract between Safety-Kleen and the generator; that this profile certification may be amended accordingly; and that additional expenses incurred by Safety-Kleen in order to manage the waste in accordance with Federal, State, and Local regulatory requirements will be the sole responsibility of the generator, including the return of the material to the generator at generator's expense.

Generator Signature: _____ Printed Name and Title: MARK HUDSON - HSE MANAGER Date: 8/3/2009 9:18:04 PM

Rev: 09/23/08

ATTACHMENT B

2.21 Emergency Response

Organization
SCLC requires that during every emergency an organized effort be made to protect personnel from further injury and to minimize property damage. Each supervisor must be trained to know what to do during an emergency in his or her area and must be certain that his or her employees are trained to understand their roles. In case of an emergency, consider any of the following actions, if appropriate:

- Evacuate people from the area.
- Isolate the area.
- If the material is flammable, turn off ignition and heat sources.
- Call the Fire Department or 911 for assistance.
- Wear appropriate personal protective equipment.
- Pour Sorb-all or appropriate neutralizing agent on spill.
- Clean up; place waste in plastic bag for disposal.

If deemed necessary by management, Fire or Police may be summoned, and a pre-designated succession of management personnel would determine who would take charge. The primary responsibility person designated to be in charge is to ensure that priorities are established, that the response is appropriate and adequately implemented, and that the proper notifications are made.

Emergency Plan
A specific emergency plan for each building or facility must be prepared under the direction of the manager. Included in the Emergency Plan should be floor plans showing evacuation routes, the location of shutoff switches and valves for the utility systems (water, gas, electricity), and the locations of emergency equipment and supplies (including medical). Indications on the floor plans of areas where specific hazards (i.e., toxic, flammable, and/or corrosive materials) exist. Location and description of special hazards or hazardous devices should be included in the text together with shutdown procedures, if applicable.

A meeting place for evacuees will be designated. An alternate site should also be designated in case the first choice cannot be used. No one should reenter an evacuated building or area without specific instructions from the Manager or other person in charge.

Site specific emergency plans shall be coordinated prior to performing work in the field. In most cases, this will be designated by the responsible client and shall be communicated to all SCLC employees during a pre-job briefing. Upon completion of the emergency response, if it is determined that it is necessary to remove hazardous substances, health hazards and contaminated materials a discussion will take place between the incident commander and other supervisors on the best possible post emergency response procedure for the given situation.

Supervisor Responsibilities
During an emergency, the supervisor must:

- Ensure that those under his or her supervision are familiar with the emergency escape routes and how to report an emergency.
- Render assistance to the person in charge during an emergency, as required.
- Maintain familiarity with the shutdown procedures for all equipment used by those under his or her supervision.
- Know the location and use of all safety equipment that pertains to his or her locations.
- Keep the employees from reentering an evacuated area until reentry is safe.

No Loitering Policy
Employees not involved in the emergency must stay away from the scene and follow the instructions issued over the public address system or directly from the person in charge.

Non-Routine Tasks

Do not perform operations without knowing the chemicals involved in the process. For non-routine tasks employees will ensure they are briefed by their supervisor on the precautions required in order to perform the operation safely. If employees encounter systems or containers that are not labeled or marked for contents and hazards, they must stop operations and notify their supervisor.

Multi-Employer Worksite

The potential exists that client employees could be exposed to SCLC chemicals and vice-versa. Therefore this program includes the following:

- SCLC shall ensure all clients receive a copy of the applicable MSDS prior to employees performing work at the client property.
- SCLC shall ensure all client workers involved in SCLC activities or that could be in the near vicinity of SCLC activities are provided with the precautionary measure to protect themselves, including immediate actions that should be taken in the case of an emergency involving SCLC chemicals.
- SCLC shall ensure all client workers involved in SCLC activities or that could be in the near vicinity of SCLC activities are provided with the type of labeling system used by SCLC (NFPA or HMIS).

capabilities of the resources and personal protective equipment available with their unit.
- Know how to implement basic decontamination procedures.
- An understanding of the relevant standard operating procedures and termination procedures.

Hazardous Materials Technician - are individuals who respond to releases or potential releases for the purpose of stopping the release. They assume a more aggressive role than a first responder at the operations level in that they will approach the point of release in order to plug, patch or otherwise stop the release of a hazardous substance. Hazardous materials technicians shall have received at least 24 hours of training equal to the first responder operations level and in addition have competency in the following areas and the employer shall so certify:

- Know how to implement the employer's emergency response plan.
- Know the classification, identification and verification of known and unknown materials by using field survey instruments and equipment.
- Be able to function within an assigned role in the Incident Command System.
- Know how to select and use proper specialized chemical personal protective equipment provided to the hazardous materials technician.
- Understand hazard and risk assessment techniques.
- Be able to perform advance control, containment, and/or confinement operations within the capabilities of the resources and personal protective equipment available with the unit.
- Understand and implement decontamination procedures.
- Understand termination procedures.
- Understand basic chemical and toxicological terminology and behavior.

Hazardous Materials Specialist – Is a third party individual who will be contacted to respond to releases of hazardous materials. Sierra Chemicals will use Daryl Hillyer of Safety Inc. as their Hazardous Materials Specialist. His training meets the requirements of 29 CFR 1910.120 (q) (3) through (q) (6) (iv) (I) and he is required to be in compliance of the personal protective clothing and equipment mentioned in the above requirement when applicable and able to develop a site safety & control plan.. He is required to submit documentation of annual training and certification for a Hazardous Materials Specialists.

Instructors for the above listed training shall meet the requirements of 29 CFR 1910.120 (q).

Initial First Responder training requires an annual refresher that meets the requirements of 29 CFR 1910.120 (q).

On-scene Incident Commander – Is a third party individual who will be contacted to respond to releases of hazardous materials. Sierra Chemicals will use Daryl Hillyer of Safety Inc. as their on-scene incident commander. His training meets the requirements of 29 CFR 1910.120 (q) (6) (v) through (q) (6) (v) (f). He is required to submit documentation of annual training and certification for being an on-scene incident commander.

Spills and Leaks

See Attachment 2-1, Emergency Preparedness/Security Plan.

Medical Surveillance

SCLC has not established an emergency response team for hazardous substance spills. However, employees will be trained in accordance with this section and therefore are not required to perform a baseline medical physical. Nonetheless, SCLC requires several of its trained employees to be Commercial Driver Licensed (CDL) employees who meet DOT required physicals.

In the event an employee is exposed above the permissible exposure level (PEL) for a chemical, SCLC will provide immediate medical consultation for that employee provided at no cost to the employee.

Employee Responsibilities

Employees involved in any emergency greater than a minor incident are expected to act as follows:

- If there is threat of further injury or further exposure to hazardous material, remove all injured persons, if possible, and leave the immediate vicinity. If there is not threat of further injury or exposure, leave seriously injured personnel where they are.
- Report the emergency immediately to the supervisor or by phone. State what happened, the specific location, whether anyone was injured, and your name and phone number.
- Proceed with first aid or attempt to control the incident only if you can do so safely and have been trained in first aid or the emergency response necessary to control the incident.
- Show the ranking emergency-response officer where the incident occurred, inform him or her of the hazards associated with the area, provide any other information that will help avoid injuries, and do as he or she requests.

Training

Employees required performing emergency response actions will be trained in the proper performance of those actions in relationship to the event (e.g. fire, chemical spill, injury, vehicle accident, etc.). Refresher training will be held at a minimum annually and will be provided to employees who feel the need for more training is necessary. Training will be provided by a third party consultant, Daryl Hillyer of Safety Inc. Documentation of his credentials and experience is available upon request.

Employees involved in the emergency response/clean-up of a hazardous substance will trained in accordance with 29 CFR 1910.120 (q) (6). Employees will receive the following level of training:

First Responder Awareness –are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. They would take no further action beyond notifying the authorities of the release.

First responders at the awareness level shall have sufficient training or have had sufficient experience to objectively demonstrate competency in the following areas:

- An understanding of what hazardous substances are, and the risks associated with them in an incident.
- An understanding of the potential outcomes associated with an emergency created when hazardous substances are present.
- The ability to recognize the presence of hazardous substances in an emergency.
- The ability to identify the hazardous substances, if possible.
- An understanding of the role of the first responder awareness individual in the employer's emergency response plan including site security and control and the U.S. Department of Transportation's Emergency Response Guidebook.
- The ability to realize the need for additional resources, and to make appropriate notifications to the communication center.

First Responder Operations - are individuals who respond to releases or potential releases of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. They are trained to respond in a defensive fashion without actually trying to stop the release. Their function is to contain the release from a safe distance, keep it from spreading, and prevent exposures. First responders at the operational level shall have received at least eight hours of training or have had sufficient experience to objectively demonstrate competency in the following areas in addition to those listed for the awareness level and the employer shall so certify:

- Knowledge of the basic hazard and risk assessment techniques.
- Know how to select and use proper personal protective equipment provided to the first responder operational level.
- An understanding of basic hazardous materials terms.
- Know how to perform basic control, containment and/or confinement operations within the

It is the responsibility of employees and all who use SCLC facilities to understand the properties of the chemicals with which they will work and to follow all precautions that apply to each specific task.

SCLC will provide other affected employers on the same job sites with the SCLC written hazard communication program. SCLC will request the other affected employers hazard communication program for review and compatibility. It is important that each employer share information on the hazardous chemicals used, warning systems, and precautionary measures taken.

Chemical Storage

The separation of chemicals (solids or liquids) during storage is necessary to reduce the possibility of unwanted chemical reactions caused by accidental mixing. Use either distance or barriers (e.g., trays) to isolate chemicals into the following groups:

- Flammable liquids (e.g., acetone, alcohol).
- Other liquids (e.g., methylene chloride, cyanides).
- Acids (e.g., nitric, sulfuric, hydrochloric).
- Caustics (e.g., sodium hydroxide, ammonium hydroxide).

Disposal of Chemicals

All SCLC employees, participating guests, and visitors using hazardous chemicals are responsible for disposing of these chemicals safely. Federal and state regulations mandate strict disposal procedures for chemicals. To comply with these regulations, all persons using Company facilities must observe these procedures.

In general, the disposal of hazardous chemicals to the sanitary sewer is not permitted. The SCLC HSE Coordinator will advise on the proper disposal of chemical wastes. In using chemical waste storage containers, certain procedures must be observed, as listed below:

- Incompatible chemicals must not be mixed in the same container (e.g., acids should not be mixed with bases; organic liquids should not be mixed with strong oxidizing agents).
- Waste oils must be collected in 55-gallon drums. Disposable solids and explosive materials must be stored in separate containers.

General Housekeeping Rules

- Maintain the smallest possible inventory of chemicals to meet your immediate needs.
- Periodically review your stock of chemicals on hand.
- Ensure that storage areas, or equipment containing large quantities of chemicals, are secure from accidental spills.
- Rinse emptied bottles that contain acids or inflammable solvents before disposal.
- Recycle unused laboratory chemicals wherever possible.

DO NOT

- Place hazardous chemicals in salvage or garbage receptacles.
- Pour chemicals onto the ground.
- Dispose of chemicals through the storm drain system.
- Dispose of highly toxic, malodorous, or tear-producing chemicals down sinks or sewer drains.

Material Safety Data Sheets (MSDS)

MSDS's for chemicals present on SCLC's premises are available at the main office in Aztec, New Mexico. When employees are required to work on the premises of any other employer, such as a service call or installation situation, the job site will maintain a collection of MSDS's that describe any hazards unique to that site. Check with the other employer's job site coordinator or supervisor for the exact location of the MSDS information.

Attachment 2-1

EMERGENCY PREPAREDNESS/SECURITY PLAN

SPILLS AND LEAKS – Emergency Procedures

The proper response to a spill or leak must ensure the safety of personnel while minimizing the adverse affects on property and the environment. Procedures taken will depend on the material spilled, the degree of hazard posed and the size of the spill. Spill and leak procedures are required information on a Material Safety Data Sheet to which reference should always be made.

There are steps that should be taken which all personnel must be familiar.

1. Prevent additional discharge of material if possible to do so without hazard. Close valve on related sump.
2. Advise a Sierra Chemicals representative of the nature of the spill.
3. Obtain appropriate protective equipment.
4. Isolate or contain the spill.
5. Consult qualified personnel on the most appropriate response procedures.
6. Neutralize the spilled material if appropriate.
7. Pick up spilled material with appropriate pumping equipment or absorbent and place in sealed containers for recovery or disposal in accordance with all local environmental regulations.
8. Where necessary make sure that the appropriate regulatory authorities are notified.
9. Make sure that the spill area is properly cleaned and restored to the original condition.

General Response Guidelines

You should familiarize yourself with the following types of spill response as they present the greatest hazard. Speed of response to these situations is very important to minimize the extent of the danger.

1. Acidic Liquids

This is one of the most immediately dangerous types of spill because of the CORRISIVE hazards of the material and associated fumes or vapors. After obtaining the proper protective equipment, the typical response is to neutralize the SODA ASH and flush to the sewer with large volumes of water.

2. Flammable Liquids

Eliminate all potential ignition sources and contain the spill. This will include turning off all circuit breakers and turning off all heaters until the area is cleaned up. Pick up with explosion proof pump or absorbent material and transfer to a sealed container for recovery or disposal.

3. Combustible Liquids

These spills do not present the same degree of fire hazard as flammables, but their spills are treated in essentially the same way.

4. Other Materials

Other materials that do not present the hazards of corrosive, flammable or combustible vapors do not normally require such a rapid response once the spill have has been contained. There is often much more time available to properly assess the best response to the spill, including referring to the MSDS.

All **internal** spills of any size must be reported to your immediate supervisor. While most of these spills will not require reporting to outside officials, we will require an internal report including the following information:

1. Principals involved
2. Amount of spill
3. Cause of spill
4. Corrective action
5. Cost of procedure
6. Time spent

After Hours Emergency

Notification of a **plant disaster or emergency** will come to Sean Griswold, or Joe MacLaren.

They will then notify employees as needed to respond to the emergency.

Responsibilities during the disaster will be as follows:

Disaster Manager	Sean Griswold (970) 749-8262
Media Manager	Sean Griswold
On Scene Co-coordinator	On Site Supervisor

It is important to note that in the event of a disaster that any comments made to the media should come from our Media Manager only. Any other employee should direct all inquiries to Sean Griswold.

2.19 Hazard Communication

Introduction

To avoid injury and/or property damage, persons who handle chemicals in any area of the company must understand the hazardous properties of the chemicals with which they will be working. Before using a specific chemical, safe handling methods must always be reviewed. Supervisors are responsible for ensuring that equipment needed to work safely with chemicals is provided.

A hazard communication program consists of six elements: A written program (this section), list of hazardous materials in the workplace, material safety data sheets (MSDS), labeling and warning system, employee training, and procedures for use of hazardous chemicals. MSDS's will be readily available for each hazardous substance used. A training program plus regular question and answer sessions on dealing with hazardous materials will be given to keep employees informed.

The program will include an explanation of what an MSDS is and how to use and obtain one; MSDS contents for each hazardous substance or class of substances; explanation of the "Right to Know"; identification of where employees can see the employer's written hazard communication program and where hazardous substances are present in their work area; the health hazards of substances in the work area, how to detect their presence, and specific protective measures to be used; as well as informing them of hazards of non-routine tasks.

Hazard Communication Plan

SCLC employees are informed of the potential chemical hazards in their work area so they can avoid harmful exposures and safeguard their health. Components of this program include labeling, preparing a material safety data sheet (MSDS), and training.

The company is required to maintain only those sheets that are received with incoming shipments for the following reasons: the company commonly uses small quantities of many different hazardous materials for short periods of time, that the hazards change, often unpredictably; many materials are of unknown composition and most workers a highly trained.

Certain chemicals are exempted from the requirements of this section, those chemicals are consumer products used in a manner that would not result in an occupational exposure greater than expected consumer exposures.

This written hazardous communication program will located at the main office in Aztec, New Mexico. Each Field Services Supervisor will also maintain a written copy of this program.

General Safety Precautions

The following general safety precautions should be observed when working with chemicals:

- Keep the work area clean and orderly.
- Use the necessary safety equipment.
- Carefully label every container with the identity of its contents and appropriate hazard warnings.
- Store incompatible chemicals in separate areas.
- Limit the volume of volatile or flammable material to the minimum needed for short operation periods.
- Provide means of containing the material if equipment or containers should break or spill their contents.
- Follow the requirements of this manual, if systems that can generate pressure or are operated under pressure are involved.
- Provide a back-up method of shutting off power to a heat source if any hazard is involved.
- Obtain and read the MSDS's.

Container Labeling

All chemical containers shall be properly labeled before receipt. Label shall be legible and in English. However, for non-English speaking employees information will be presented in their language also. Container labels shall not be removed or defaced. Chemicals transferred to secondary containers must be properly labeled.

Labels must include the following information:

- Contents identified by a trade name or chemical name.
- Appropriate hazard warnings.
- Name and address of manufacturer.

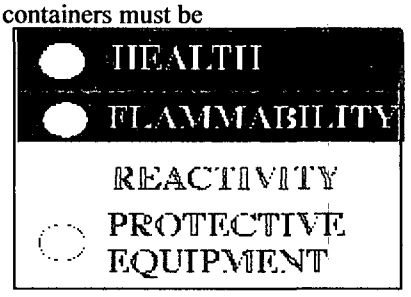

Figure 3.01-1 HMIS Label

The National Fire Protection Association (NFPA) or Hazardous Material Information System (HMIS) hazard label system may be used if the manufacturers label is inadequate, defaced, or in poor condition. Assigned numeric ratings are used in each color code, from 0-4, with 4 being the greatest degree of hazard. The white protective equipment section provides coded assignment for types of PPE required when working with the hazardous chemical.

Chemical List

A chemical list (Attachment 3-2) is maintained by the main office for the hazardous materials in the workplace. The list includes cleaning and maintenance chemicals used for SCLC operations and chemicals for which MSDS information has been received.

Training

Communication of hazard information regarding physical agents shall be covered in written training programs and safety meetings. Initial HAZCOM general awareness training and effective information of hazardous chemicals in their work area will be provided to each SCLC employee upon being hired. Prior to initially using a site-specific chemical, safety training will be provided to each employee who works with that chemical by the supervisor. All training records will be documented and available for review upon request. This training shall include the following:

- Information on the nature of the work to be performed and the types of chemicals or physical agents that are present in the work area.
- Methods that are used to detect the presence or release of chemicals or physical agents in the work area (e.g., visual appearance, characteristic odor, monitoring devices).
- Protective measures to be utilized to prevent exposure, appropriate work practices, emergency procedures, and proper PPE to be used.
- Employees shall be informed of their right to obtain information regarding hazardous substances that they may potentially be exposed to.
- Requirements of this hazard communication program, including explanation of the labeling system and MSDS's and how employees can obtain and use the appropriate hazard information for their procedure.
- The location of these written programs, listing of hazardous chemicals present, and MSDS locations.
- The physical and health hazards of chemicals in the work area.

Non-Routine Tasks

Do not perform operations without knowing the chemicals involved in the process. For non-routine tasks employees will ensure they are briefed by their supervisor on the precautions required in order to perform the operation safely. If employees encounter systems or containers that are not labeled or marked for contents and hazards, they must stop operations and notify their supervisor.

Multi-Employer Worksite

The potential exists that client employees could be exposed to SCLC chemicals and vice-versa. Therefore this program includes the following:

- SCLC shall ensure all clients receive a copy of the applicable MSDS prior to employees performing work at the client property.
- SCLC shall ensure all client workers involved in SCLC activities or that could be in the near vicinity of SCLC activities are provided with the precautionary measure to protect themselves, including immediate actions that should be taken in the case of an emergency involving SCLC chemicals.
- SCLC shall ensure all client workers involved in SCLC activities or that could be in the near vicinity of SCLC activities are provided with the type of labeling system used by SCLC (NFPA or HMIS).

Storm Water Pollution Prevention Plan

Sierra Chemicals, L.C.
104 Bison Trail
Aztec New Mexico

September, 2007

Walsh
Environmental Scientists and Engineers, LLC

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1.0 INTRODUCTION

1.1 Plan Objective

This Storm Water Pollution Prevention Plan (SWPPP) was prepared to comply with applicable requirements of the expired 2000 New Mexico Environmental Department (NMED) Multi-Sector General Permit for Industrial Activities (MSGP). This SWPPP follows criteria and guidelines set forth in EPA Guidance Document 833-R-92-002 "Storm Water Management for Industrial Facilities - Developing Management plans and Best Management Practices" and defined in Volume 65 Federal Register Page 64746 et seq. Site management will implement and maintain this plan in an effort to minimize potential impact to storm water run-off.

1.2 Site Description and Operations

Sierra Chemicals, L.C. is located at 104 Bison Trail, Aztec, New Mexico, 87410. The site is approximately 89,400 square feet (two acres) in size with the main building approximately 4,400 ft^2 and an open-sided storage area 2,000 ft^2 in size. A site map is presented as Figure 1.

The site is used to store, repackage, and distribute various proprietary and non-proprietary chemicals for the oil and gas industry. Operations require the on-site storage of laboratory chemicals, chemical products in original packages, transfer of product to larger containers, and waste generated by operations. The primary Standard Industrial Classification (SIC) for the operations is 1389 *Oil and Gas Field Services, Not Elsewhere Classified.*

2.0 PLANNING AND ORGANIZATION

2.1 Pollution Prevention Team

In choosing the Pollution Prevention Team, the size of the site and the various activities conducted at this location were considered. The team roster, presented in *Attachment A*, contains a list of the members of the team. The designated team leader is the primary contact for representatives from local and state regulatory agencies and any other outside interested party regarding pollution prevention activities at this site. The member roster lists team members and their responsibilities. Any discovery of contamination or potential contamination of storm water from the site is to be reported to the team leader or to a team member in the absence of the team leader.

2.2 Continuity with Environmental Plans

At the current level of operations at this site, minimal amounts of non-hazardous solid waste and universal waste and up to 100 gallons of non-hazardous liquid wastes are generated in a month. No hazardous wastes are generated at the site; therefore, this site is not classified as a hazardous waste generator as defined by New Mexico or EPA regulations.

This site stores petroleum products such as lubricating oils and fuels. Above-ground storage of these products is less than 1300 gallons, and therefore is not in sufficient quantity to require the a site-specific Spill Prevention Control and Countermeasure Plan (SPCC) as required in 40 CFR Part 112 - Oil Pollution Prevention.

The development of any environmental plan that may, at some time, be required due to an increase or change in operations at this site will require revision of this plan to reflect changes to site management plans and practices.

3.0 SITE ASSESSMENT

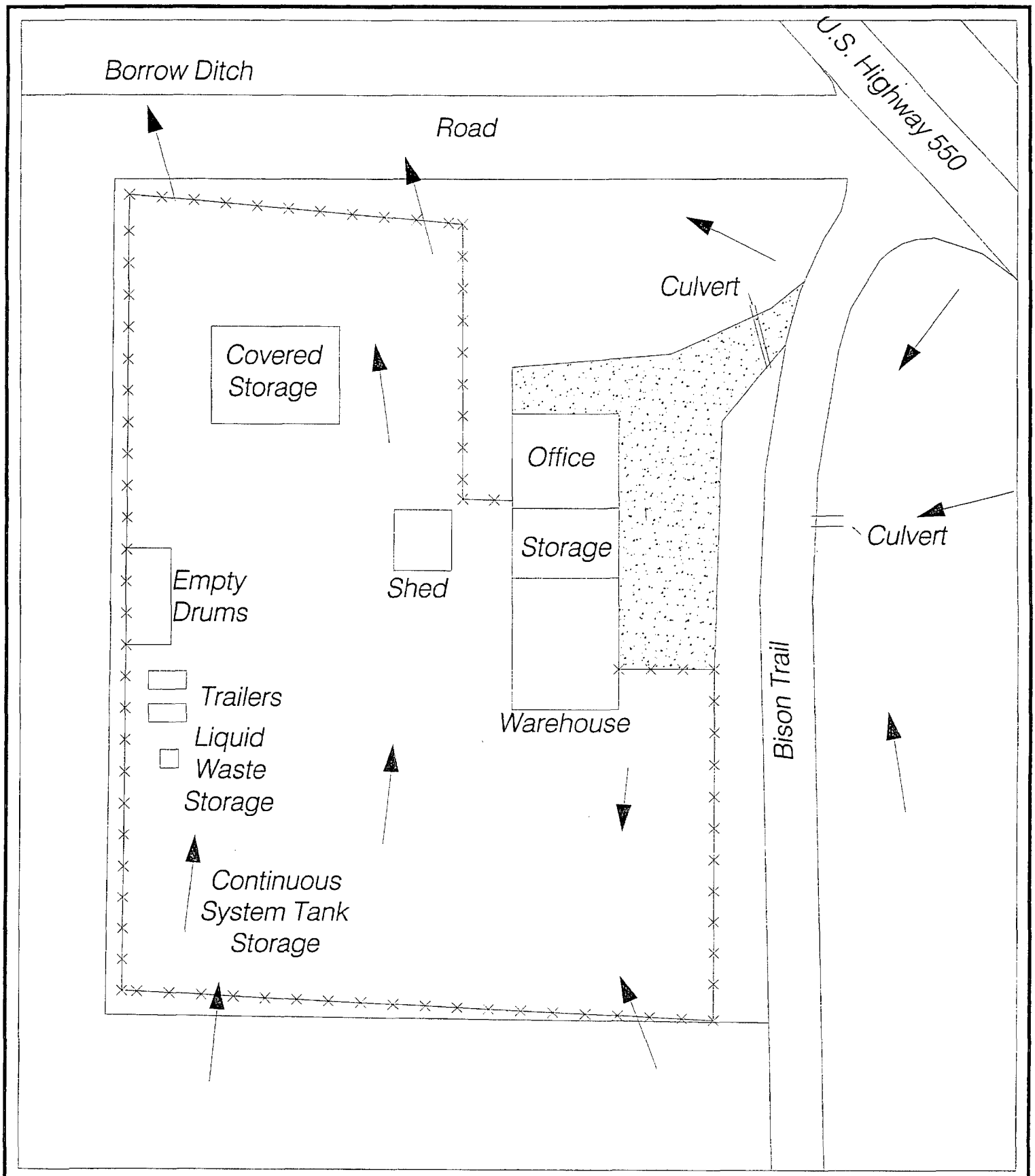
3.1 Site Layout and Storm Water Drainage Patterns

Storm water follows along a generally northerly course to exit the site as illustrated on the site map (Figure 1). Storm water falling on the site infiltrates into the gravel surface, and if sufficient volume is present, flows in a northern direction toward the north lot line and northwest corner of the lot (Figure 1). Some storm water may flow down (north) Bison Trail, across the northern portions of the lot. Storm water also flows onto the lot from the south, which is an undeveloped parcel covered with native sage-mix vegetation. Some soil eroded from the lot to the south was deposited on the southern part of the parcel during a storm event that occurred several days before the initial inspection. All storm water that leaves the site flows into unimproved borrow ditches along an unnamed driveway north of the site, where it infiltrates into the ground. There is no evidence of surface water from the site flowing continuously into the receiving water (Animas River), which is two miles to the northwest of the site.

Silt fence and some hay bales have been placed along the northern fence to reduce silt migrating off of the site. A recent storm event at the time of the inspection was channeled along the silt fence and concentrated at one exit point, causing minor erosion. The silt fence must be installed such that storm water cannot flow beneath it.

3.2 Materials and Activities Inventory

An inventory of the types of materials handled, stored, or processed on site are listed in Attachment B. Chemical products are used and stored both indoors and outdoors. The largest containers are 55-gallon drums of products and a 300-gallon tote for waste liquids. Transfer of product occurs on the gravel lot and within the storage areas.



Explanation

- Fence
- Gravel Parking
- Direction of Runoff

0 50 Feet

Approximate Scale

Walsh
Environmental Scientists and Engineers, LLC

Site Map
Sierra Chemicals
Aztec, New Mexico

Job 7819-010	Date 08/07	Figure 1

Attachment C provides a summary of significant materials that have the potential to be exposed to storm water because of outside storage. These include product storage in sealed containers.

3.3 Past Spills and Leaks

No spills or leaks of hazardous substances or oil have occurred at this site that are above the reportable quantity for that substance as defined in the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) and the Clean Water Act (CWA) and equivalent New Mexico regulations. Any future reportable spills or leaks will be listed in Attachment D.

3.4 Non-Storm Water Discharges

This plan covers discharge of storm water associated with industrial activity only and non-storm water discharges are not allowed. The site was evaluated, through visual inspection and review of facility drawings, for non-storm water discharges in August of 2007. No non-storm water discharges were observed during this inspection. Records of these assessments are presented in Attachment E.

3.5 Existing Monitoring Data

There is no existing monitoring data for storm water discharges from this site. Current federal and NMED regulations require periodic visual observations of potential pollutant sources and biannual visual monitoring of storm water discharges. No chemical analysis of storm water is currently required for Sector I industrial discharge and no laboratory testing has been requested by the NMED.

3.6 Site Evaluation Summary

Site activities with a moderate to high potential to impact storm water quality are presented in Attachment F. These activities include the on-site storage and transfer of industrial materials listed in Attachment C. Storage and transfer of chemicals occurs on the gravel lot and within the contained storage on the north portion of the lot. Releases to storm water could occur during transfer or during container failure or other release. Release of 55 gallons of product or up to 300 gallons of waste liquids are the activities that have moderate to high potential of impacting storm water. A larger release from multiple drums is possible but does not have a high potential of occurring.

Some residual chemical may be present on equipment that is stored on the site. The volume of chemical and low toxicity of most site chemicals indicates that equipment storage has a low potential to impact storm water quality.

3.7 Endangered Species and Historic Places

The facility was inspected for the 25 listed and sensitive species in San Juan County defined by the New Mexico Ecological Services Field Office. None of the species are known to be present

at the storm water discharge points, nor was critical habitat identified at the storm water discharge points.

No recorded or visible historic places will be impacted by storm water discharges from this facility.

4.0 BMP SELECTION AND PLAN DESIGN

Best Management Practices (BMPs) are measures used at a site to prevent or mitigate pollution. BMPs are a broad class of measures and may include process, procedures, schedules of activities, prohibitions on practices, and other management practices to prevent or reduce pollution. Based on the site evaluation summary, presented in the previous section, BMPs were selected to assist in the management of potential sources of storm water pollution at the site. Baseline BMPs included in this plan are good housekeeping, preventative maintenance, visual inspections, spill prevention and response, sediment and erosion control, and management of run-off. In addition, activity-specific BMPs selected include loading and unloading operations, industrial solid waste management, and outside equipment storage. These BMPs are discussed in the following sections.

4.1 Good Housekeeping

Good housekeeping practices are designed to maintain a clean and orderly work environment. Poor housekeeping can cause an increase in the generation of waste and therefore, an increase in the potential for storm water contamination. A clean and orderly area reduces the possibility of accidental spills and eliminates various safety hazards to site personnel.

Well-maintained materials and chemical storage areas will reduce the possibility of storm water mixing with pollutants. Procedures that promote good housekeeping include: an operation and maintenance program for machinery, good material storage practices, material inventory, and a routine work area clean-up schedule.

4.1.1 Operations and Maintenance

An operation and maintenance program is easy to implement and insures that machinery and equipment used at the site are working well. The following basic operation and maintenance practices will be followed at the site:

- Floors and ground surfaces will be kept dry and clean using brooms, mops, shovels, or other cleaning equipment.
- Garbage, litter, and waste materials will be regularly picked-up.

- Equipment will be inspected to assure that it is in good working condition and is free of leaks or conditions that could discharge chemicals or allow contact of storm water with chemicals or waste.
- No salts will be stored in piles at the site.
- No SARA Title III, Section 313 Water Priority Chemicals are stored at the facility.
- There are no significant dust- or particulate-generating practices at the facility.

4.1.2 Material Storage

Improper storage of materials can be the cause of a release of contaminants to storm water. The following material storage procedures will be practiced at the facility:

- Storage of all chemical and waste containers will be away from direct traffic routes to prevent damaging containers.
- Containers will be stored with adequate aisle space.
- Containers will be stored on pallets or similar devices to prevent corrosion of the containers that can result when containers come into contact with ground moisture.

4.1.3 Material Inventory

Keeping an up-to-date inventory of all materials on-site will help to reduce material costs caused by overstocking. In addition, material inventory will help track how materials are stored and handled on-site and identify which materials pose the most risk to the environment. The following material inventory practices will be followed:

- MSDS will be retained for all chemicals.
- All containers will be properly labeled to show the name of the substance contained and all hazard information.
- Ensure that spill containment activities will be able to be performed in designated chemical and waste storage areas.

4.2 Preventative Maintenance

Preventative maintenance involves the regular inspection and testing of equipment and operational systems at the site and requires timely adjustment, repairs, and replacement of this equipment and systems. Inspections are currently conducted on daily and monthly intervals of all facility equipment in accordance with site safety procedures. These inspections should discover any conditions such as cracks or slow leaks in equipment that could cause leaking.

4.3 Visual Inspections and Monitoring

Routine visual inspections of the site are conducted to identify conditions that may cause contamination of storm water. Visual inspections will provide a method to confirm that the storm water pollution prevention measures, as implemented in this plan, are in place and working. We will conduct and document visual inspections of site areas and storm water discharges as described in the following sections.

4.3.1 Visual Inspections

Areas and equipment addressed in this SWPPP will be inspected, at a minimum, two times per year, in the spring and autumn. The inspection form presented in Attachment H will be completed for each inspection. Any non-compliance with SWPPP practices, proposed corrective action, and date that any corrective action is implemented will be noted on the report. The inspector will sign and date the inspection form. Inspection forms are kept at the site with this plan.

4.3.2 Visual Monitoring

Visual monitoring of storm water run-off from the site will be conducted two times per year after precipitation events that are sufficient to accumulate storm water on the site. This monitoring will occur within 30 minutes of a rainfall event occurring within that monitoring period. No monitoring is required if a sufficient rainfall event does not occur, during normal working hours, within that monitoring period provided that this is documented in site monitoring records.

Storm water will be observed at any location where it collects on the site. Observation of collected storm water will be conducted only if a rainfall event occurs during normal working hours and during the first 30 minutes, if possible, but not later than 1 hour after rainfall begins. The inspector will record observations on Attachment I - *Visual Monitoring Report.* One report must be filled out, dated, and signed for each monitoring event. Monitoring forms are kept at the site with this plan.

4.4 Spill Prevention and Response

Employees should focus on spill prevention in all operations. By reducing or eliminating spills of chemicals and/or waste, we minimize the potential for storm water pollution. The following spill prevention practices should always be used:

- Containers holding chemicals or waste should be properly labeled and stored in areas away from equipment traffic routes that could damage the container.
- Storage areas for chemicals or waste should be minimized, to the extent possible, and should be marked (posted) as chemical or waste storage areas.
- Areas near storm sewers, ditches, down-spouts, or other storm water collection devices should not be used for storage of chemicals or waste.

- Secondary containment pans should be provided if the on-site storage of a chemical or waste liquid equals or exceeds 100 gallons in any single container.

In the event of a spill, employees should contain the spill to the extent possible using rags, pads, floor dry, etc. Once the spill is contained, clean up the spilled material and properly dispose of waste materials.

4.5 Sediment and Erosion Control

Few activities conducted at the site would be expected to contribute significantly to sediment erosion. Most site activities are conducted in area where the ground surface is flat or moderately sloped with a low potential for sediment erosion. Minor erosion has been observed along the south property line and at one point on the north property line. In areas where sediment erosion is observed, steps will be taken to reduce this erosion and the erosion will be noted in the annual report.

4.6 Loading and Unloading Operations

Loading and unloading operations will be conducted with trailer doors inside the building whenever possible. Vehicles will be checked during loading and unloading for leaks of fuel, oil, and/or antifreeze. Any significant spills from vehicle leaks or from spillage of materials during loading or unloaded operation will be contained, promptly cleaned, and decontaminated.

4.7 Solid Waste Management

Solid wastes are generated in operations at the site. These wastes must be managed in accordance with federal and state regulations governing solid waste. Proper waste management is essential to prevent storm water pollution. The following guidelines are BMPs for on-site accumulation of waste.

- Containers used to accumulate waste will be compatible with the waste.

- All waste containers will be clearly marked to indicate the containers contents; hazardous waste containers (if needed) will be labeled with the words "hazardous waste".

- Waste containers will be securely covered when not adding or taking out waste and will be stored in a designated area away from traffic to prevent damage to the containers.

- Plant trash bins and containers for recyclable metal will be covered, where practicable, to reduce contact with storm water.

- Containers, such as drums, used to store waste outside will be stored off of the ground on pallets to reduce corrosion of the containers.

4.8 Outside Storage of Equipment

All equipment stored outdoors will be visually inspected for oil and grease prior to storage. Free oil and grease will be removed by equipment cleaning, as must as possible, prior to storage.

5.0 IMPLEMENTATION

5.1 Schedule of Implementation

Baseline and activity-specific BMPs in this plan have been implemented as of September 2007. Attachment J provides a record of this implementation.

5.2 Employee Training Requirements

Employee training schedules are included as Attachment K. All employees involved in industrial activities at the site will be training on this storm water pollution prevention plan and best management practices upon hiring and annually thereafter. This training will be documented on the form provided in Attachment K.

6.0 EVALUATION

6.1 Annual Report

No reporting is required for Sector I storm water discharge by the State of New Mexico or the US EPA at this time.

6.2 Record keeping and Internal Reporting

Records of all spills, leaks, inspections, and maintenance activities must be maintained with this plan for at least one year after the permit is terminated. For spills and leaks, records should include information such as the date and time of the incident, weather conditions, cause, and resulting environmental problems, if any. Record spills on the form in Attachment D.

6.3 Plan Revisions

Major modification to the design, construction, operation, or maintenance of the site will require revision of this plan. Plan revision will be performed by the site environmental contact under the direction of the site base manger.

7.0 CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information 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 fine and imprisonment for knowing and willful violations.

_____ _____

Mitch Mosley Date

_____ _____

Sean Griswold Date

Attachment A - Pollution Prevention Team Roster

Pollution Prevention Team Member Roster	Completed by: Mitch Mosley Title: Date:

Team Leader: Mitch Mosley Title:
Office Phone:

Responsibilities:

The team leader is responsible for all implementation of this plan including implementation of Best Management Practices, required visual inspections and reports, personnel training, annual plan evaluation, and corrective measures implementation where needed. The Team Leader with promote pollution prevention awareness within the facility organization.

Team Members	Title	Office Phone
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		

Responsibilities:

Team members will be responsible for implementation of the plan including implementation of Best Management Practices, required visual inspection and reporting in the absence of the Team Leader. Team members will assist in employee awareness of the requirements for pollution prevention and will maintain a clear line of communication with site management to ensure a cooperative partnership.

Attachment B - Material & Activity Inventory

Material Inventory

Completed by: Mitch Mosley **Date: 8/29/07**

Title:

Material	Activity/Location	Yearly Quantity				Likelihood of Contact with Storm Water. (If Yes, Explain Reason)	Past Significant Spills & Leaks	
		Used	Produced	Stored	Exposed		Yes	No
Chemical storage	Warehouse	0	0	300 x 55-gallons	No	No		x
Chemical storage	Outside covered storage	0	0	100 X 55-gallons	No	No		x
Empty Drum Storage	West property line; concrete pad	0			Yes	Yes - minimal potential exposure to leaks		x
Cont. System Tanks	Storage; southwest lot			100 X 100 gallon tanks	Yes	Yes, exterior of containers only		x
Waste	Liquid waste storage	0	300 gallons	300 gallons	Yes	Yes, exterior of containers only		x
Chemicals	Transfer in yard				Yes	Yes, conducted on gravel lot		x

Attachment C - Inventory of Exposed Material

Description of Exposed Significant Material			Completed by: Mitch Mosley Title: Base Manager Sales and Service Center Date: 8/29/07		
Description of Exposed Significant Materials	**Period of Exposure**	**Quantity Exposed (Units)**	**Location**	**Method of Storage**	**Description of Material Management Practice**
Solid Waste	continuous	1 (Dumpster)	North side of yard	Covered and Labeled Waste Storage	Solid Waste is stored in a Dumpster that has a self-closing lid located on the asphalt-paved portion of the yard. It is in good shape and closed at all times.
Empty Drums	Continuous	100 drums	West side of yard	On concrete slab with containment lip	Stored empty and returned to manufacturers periodically

Attachment D - List of Significant Spills and Leaks

List of Significant Spills and Leaks	Completed by: Title: Date:

Site not occupied until 2006

Date (m/d/y)	Spill	Leak	Location (indicated on site map)	Description				Response Procedure		Preventative Measures Taken
				Type of Material	Quantity	Source if Known	Reason	Amount of Material Recovered	Material no Longer Exposed to Storm Water (Yes/No)	
2004										No spills

Date (m/d/y)	Spill	Leak	Location (indicated on site map)	Description				Response Procedure		Preventative Measures Taken
				Type of Material	Quantity	Source if Known	Reason	Amount of Material Recovered	Material no Longer Exposed to Storm Water (Yes/No)	
8/29/07										No Spills Recorded

Date (m/d/y)	Spill	Leak	Location (indicated on site map)	Description				Response Procedure		Preventative Measures Taken
				Type of Material	Quantity	Source if Known	Reason	Amount of Material Recovered	Material no Longer Exposed to Storm Water (Yes/No)	

Attachment E – Record of Non-Storm Water Discharges

Non-Storm Water Discharge Assessment			Initial Inspection Completed by: Title: Date:		
Date of Test or Evaluation	**Outfall Directly Observed During the Test (identify as indicated on the site map)**	**Method Used to Evaluate or Test Discharge**	**Describe Results from Test for the Presence of Non-Storm Water Discharge**	**Identify Potential Significant Sources**	**Name of Person Who Conducted the Test or Evaluation**
08/ 29 /07	Entire facility	Visual Inspection Schematic Review	No Non-Storm Water Discharge Present	None	Edward Baltzer, Walsh Environmental, LLC

Attachment F - Pollutant Source Identification		
Pollutant Source Identification	**Completed by:** **Title:** **Date: 8/29/07**	
Storm Water Pollutant Source	**Existing Management Practice**	**Description of New BMP Options**
Solid Waste	Stored outside in Dumpster that is in good shape and closed at all times	Visual Inspections of Drums; Spill Prevention and Response, Management of Run-off.
Empty Product Drums	Storage Outside in drum storage area	Good Housekeeping Practices; Visual Inspection for Leaks; Spill Prevention and Response Measures, Management of Run-off.
Continuous System Containers	Storage outside along west property line	Good Housekeeping Practices; Visual Inspection for Leaks; Spill Prevention and Response Measures, Management of Run-off.

Attachment G - Best Management Practices Utilized	
BMP Identification	**Completed by:** **Title:** **Date: 8/29/07**
Good Housekeeping	Maintain dry and clean floors and ground surfaces using brooms, shovels, vacuum cleaners, etc. Pick up tools and equipment used in work areas after work is conducted, especially for work conducted outdoors. Provide adequate aisle space in storage areas to minimize the potential of damage from forklifts. Store all containers of chemicals and waste in areas away from direct traffic routes in the shop areas and storage yard. Conduct personnel training on housekeeping requirements.
Preventative Maintenance	Daily forklift maintenance checks are done. Quarterly - oil changes and lubes are done. Oil waste is discarded offsite by the maintenance company properly.
Visual Inspections	Conduct monthly visual inspections of areas with the potential to contribute to storm water pollution including inspection of used equipment storage areas, scrap metal, waste storage areas, and loading/unloading areas to check for any sign of leakage or spillage of chemicals or waste. Conduct quarterly inspection of storm water runoff to detect any signs of pollutants. Designated employees to be trained to conduct visual inspections.
Spill Prevention and Response	All spills are to be contained and cleaned up immediately to minimize the potential for storm water impact. Employees to be trained on spill containment and cleanup for this site.
Sediment and Erosion Control	Conduct period visual observations of site ground surface. Provide means of erosion control such as grading, vegetation, rock, etc. to mitigate soil erosion if observed.
Management Run-Off	Through downspouts, catch basins, ditches, and culverts, storm water is routed to a low area south and west of the site. Roof drains divert runoff away from loading and unloading areas of heavy traffic.
Activity-Specific BMPs	
Loading and Unloading Operations	Loading and unloading of materials and equipment is conducted in the warehouse and outside in the yard. Inspect loading and unloading vehicles for leaks during these activities.
Solid Waste Management	All waste storage on site will be in containers that are in good condition and compatible with the waste, All waste containers will be covered when not adding or taking our waste. Spills must be contained and cleaned up immediately.
Outside Storage of Equipment	Inspect all material for excess oil and grease prior to outside storage; clean prior to storage.

Attachment H - Visual Inspection Report

	Parking Area	Warehouse	Assembly	Paint Booth	Scrap	Paint / Waste Storage	Outside Storage
Housekeeping							
Floors and ground surfaces are kept dry and clean	☐	☐	☐	☐	☐	☐	☐
Garbage and waste materials regularly picked-up	☐	☐	☐	☐	☐	☐	☐
Storage of chemicals and waste are out of the line of traffic	☐	☐	☐	☐	☐	☐	☐
Material Containers							
Chemical and waste containers are stored on pallets or other devices to prevent corrosion	☐	☐	☐	☐	☐	☐	☐
All material containers are labeled to indicate the container contents	☐	☐	☐	☐	☐	☐	☐
Equipment (Fork Lifts)							
Equipment used in the area is in good condition and free of leaks	☐	☐	☐	☐	☐	☐	☐
Spills and Leaks							
Containers are is good condition and leak-free	☐	☐	☐	☐	☐	☐	☐
Containers located outdoors are kept covered to minimize exposure to storm water	☐	☐	☐	☐	☐	☐	☐

Comments:

Name: **Mitch Mosley**

Date of Inspection:

Attachment I - Visual Monitoring Report

Sample Location (Please describe)

Name:	**Date:**	**Sample Time:**	**Container:**

Parameter	Method	Results
Color and Extent	Visual	*(Clear, yellow, brown, red, blue, milky white, etc.)*
Odor	Smell	*(None, earthy, sewage, musky, rotten eggs, petroleum, etc.)*
Clarity or Turbidity	Visual	*(Describe the clarity of the water, i.e. can't see through the container, clear as bottled water, etc.)*
Floating Solids	Visual	*(Indicate with a Yes or No; if yes, please describe what the solids are if known)*
Settled Solids	Visual	*(The amount of solids settled at the bottom of the container after 24 hours)*
Suspended Solids	Visual	*(Describe any solids suspended within the sample; not floating or settled)*
Foam	Visual	*(Indicate with a Yes or No; if yes, please indicate the thickness and color)*
Oil Sheen	Visual	*(Describe the Color and Extent)*
Other obvious indicators of storm water pollution	Visual	*(Please describe any other indicators if present)*

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information 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 fine and imprisonment for knowing violations.

_____ _____

(print and sign name) Date

Attachment J - BMP Implementation Schedule

BMP Implementation	**Completed by:** **Title:** **Date:**

BMPs	**Description of Action Required for Implementation**	**Scheduled Completion Date for Required Action**	**Person Responsible for Action**
Good Housekeeping	Inspections and Training	October 2007	
Preventative Maintenance	Inspections and Training	October 2007	
Visual Inspections	Inspections and Training	October 2007	
Spill Prevention and Response	Inspections and Training	October 2007	
Sediment and Erosion Control	Inspections and Training	October 2007	
Management of Run-off	Inspections and Training	October 2007	
Loading and Unloading of Materials	Inspections and Training	October 2007	
Industrial Solid Waste Management	Inspections and Training	October 2007	
Outdoor Storage	Inspections and Training	October 2007	

Attachment K - SWPPP Training Schedule

SWPPP Annual Training (to be performed annually each October)	**Completed by:** **Title:** **Date:**

Training Topic	**Description of Scope of Work**	**Attendees**
Good Housekeeping	O&M/ Material Storage/ Materials Inventory (Section 4.1)	All Personnel
Preventative Maintenance	Equipment Inspection and Testing (Section 4.2)	All Personnel
Visual Inspections	Visual Inspections and Visual Monitoring Req. (Section 4.3)	Selected Personnel
Spill Prevention and Response	Spill Control and Spill Response (Section 4.4)	All Personnel
Loading and Unloading of Materials	BMPs for Loading/Unloading Operations (Section 4.7)	All Personnel
Solid Waste Management	BMPs for On-site Storage of Waste (Section 4.8)	All Personnel
Outside Storage of Equipment	Requirement for Equipment Cleaning (Section 4.9)	All Personnel

Lowe, Leonard, EMNRD

From: sierra@animas.net
Sent: Tuesday, August 11, 2009 1:00 PM
To: Lowe, Leonard, EMNRD
Subject: Re: Sierra Chemical L.C., Aztec

Leonard,
That is correct. Please expect the information prior to the 14th.
Thank you
Joe MacLaren

Sent from my Verizon Wireless BlackBerry

From: "Lowe, Leonard, EMNRD"
Date: Tue, 11 Aug 2009 12:54:31 -0600
To: <sierra@animas.net>; <mike.burkes@sierrachemicals.com>
Subject: FW: Sierra Chemical L.C., Aztec
Mr. MacLaren,

This is a reminder that the OCD is expecting information from Sierra Chemical by Friday, August 14 2009 as noted in the June 17, 2009 letter.

Please notify me for questions.

llowe

Leonard Lowe
Environmental Engineer
Oil Conservation Division/EMNRD
1220 S. St. Francis Drive
Santa Fe, N.M. 87505
Office: 505-476-3492
Fax: 505-476-3462
E-mail: leonard.lowe@state.nm.us
Website: http://www.emnrd.state.nm.us/ocd/

From: Lowe, Leonard, EMNRD
Sent: Wednesday, June 17, 2009 1:04 PM
To: 'sierra@animas.net'; 'mike.burkes@sierrachemical.com'
Cc: Powell, Brandon, EMNRD
Subject: Sierra Chemical L.C., Aztec

Mr. Joe MacLaren and Mr. Mike Burkes,
Sierra Chemical L.C.
104 Bison Trail
Aztec, N.M. 87410
Office: 505-334-0447

Good afternoon,

Thank you for the inspection.

If you have any questions please feel free to contact me or Brandon Powell.

llowe

Leonard Lowe
Environmental Engineer
Oil Conservation Division/EMNRD
1220 S. St. Francis Drive
Santa Fe, N.M. 87505
Office: 505-476-3492
Fax: 505-476-3462
E-mail:leonard.lowe@state.nm.us
Website:http://www.emnrd.state.nm.us/ocd/

Lowe, Leonard, EMNRD

From: Lowe, Leonard, EMNRD
Sent: Wednesday, June 17, 2009 1:04 PM
To: 'sierra@animas.net'; 'mike.burkes@sierrachemical.com'
Cc: Powell, Brandon, EMNRD
Subject: Sierra Chemical L.C., Aztec
Attachments: Sierra Chemical Inspection Letter.pdf; Sierra Chemical Inspection Photos.pdf; PERMIT EXAMPLE.pdf

Mr. Joe MacLaren and Mr. Mike Burkes,
Sierra Chemical L.C.
104 Bison Trail
Aztec, N.M. 87410
Office: 505-334-0447

Good afternoon,

Thank you for the inspection.

If you have any questions please feel free to contact me or Brandon Powell.

llowe

Leonard Lowe
Environmental Engineer
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1220 S. St. Francis Drive
Santa Fe, N.M. 87505
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Fax: 505-476-3462
E-mail: leonard.lowe@state.nm.us
Website: http://www.emnrd.state.nm.us/ocd/

New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor
Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division

June 17, 2009

Mr. Joe MacLaren,

Re: Inspection Report
Sierra Chemical L.C.
104 Bison Trail, Aztec, N.M. 87410
San Juan County, New Mexico

Dear Mr. MacLaren:

The Oil Conservation Division (OCD) performed an onsite inspection of your Aztec facility on June 12, 2009 located in Unit Letter 'J' of Section 21, Township 30 North, Range 11 West, NMPM, San Juan County, New Mexico. Mr. Mike Burkes provided the inspection.

The overall facility is in good condition. The OCD request that Sierra Chemical be attentive to these areas of concern, (All photos are in the attached Photo Inspection Sheet):

1. **Photo 1 & 2:** At the time of inspection there were no visible signs of discharges from these staged unused secondary containments. The placement of these containments is approved if and only if they are cleaned and not discharging fluids on to the ground.
2. **Photo 3:** The secondary containment for the empty barrel storage area has a drain (*see red arrow in photo*). Sierra Chemical shall ensure that this drain is properly plugged at all times.
3. **Photo 4**: All empty containers, such as totes, shall be placed on an impermeable pad with proper berms. Sierra Chemical shall engineer a proper location for all empty containers.
4. **Photo 5 – 7:** OCD definition of a sump is "*an impermeable vessel, or a collection device incorporated within a secondary containment system, with a capacity less than 500 gallons, which remains predominantly empty, serves as a drain or receptacle for de minimis releases on an intermittent basis and is not used to store, treat, dispose of or evaporate products or wastes.*" These sumps are less than 500 gallons. The OCD request that Sierra Chemical clean and inspect these sumps and verify their integrity at this time. Sierra Chemical shall ensure that these sumps be kept dry. Failure to keep all sumps dry will identify these sumps as Below Grade Tanks due to the staging of fluids and therefore requiring the facility to apply for a discharge plan permit. The OCD requires all Below Grade tanks to be permitted either via a WQCC discharge plan permit or under the OCD rules for individual Below Grade Tanks, reference Part 17 of the OCD rules for Below Grade Tanks.

The OCD has determined that the Aztec Sierra Chemical facility **does not need** to be permitted under the WQCC discharge permit at this time due to the proper management of its yard and operations. **WQCC identifies Sierra Chemical company as an Oil and Gas Service Company and the New Mexico Oil Conservation Division have the authority to permit such facilities in order to protect the State Of New Mexico's groundwater**. Sierra Chemical may choose to apply for a permit at any time.

An OCD WQCC discharge permit is a five year permit that requires the applicant to submit an application along with an $1800 processing/facility fee. The initial process requires several public notices from the applicant. A renewal application and fees are to be submitted to the OCD every five years until the facility improves its best management practice operations or is no longer an Oil and Gas Service Company, and thus proper closure is required. **If and when this facility ceases operation, a closure plan shall be submitted to the OCD for review. This will require a closure inspection from the OCD.**

I have attached an example of a discharge permit for your reference. Sierra Chemical shall adhere to all applicable areas within the permit conditions to ensure best management practices for its facility.

The OCD rules can be viewed on our website here, review Part 17 for below grade tanks
http://www.emnrd.state.nm.us/ocd/Rules.htm.
The WQCC rules can be viewed here,
http://www.emnrd.state.nm.us/ocd/EnvironmentalHandbook.htm

Sierra Chemical shall submit to the OCD Environmental Bureau the following:

- The identification of all waste streams and their manifest, (i.e. unused chemicals, contaminated soils, used oils, domestic waste, etc).
- A best management plan associated with this facility. (SPCC plans, etc,)
- A report resolving OCD concerns stated within the inspection letter.

These items shall be submitted no later than **August 14, 2009**.

The OCD has an Aztec office with a local Environmental Specialist; contact them for spills or inquires. All discharge permits are handled out of the Santa Fe OCD office.

Brandon Powell
Environmental Specialist
1000 Rio Brazos Road
Aztec, N.M., 87410
Mobile: 505-320-0200
Office: 505-334-6170

If there are any questions regarding this matter, please do not hesitate to contact me at (505) 476-3492 or leonard.lowe@state.nm.us.

Sincerely,

Leonard Lowe
Environmental Engineer
"*It is by far cheaper to prevent contamination, then to clean it up*"

xc: OCD District III Office, Aztec

OCD Inspection: Aztec Sierra Chemical

Inspector(s): Leonard Lowe

Company Rep: Mr. Mike Burkes

Date: 06.12.09 Time: 11:22 – 12:00

Photo 1: Secondary containments empty and dry.

Photo 2: Secondary containment bins.

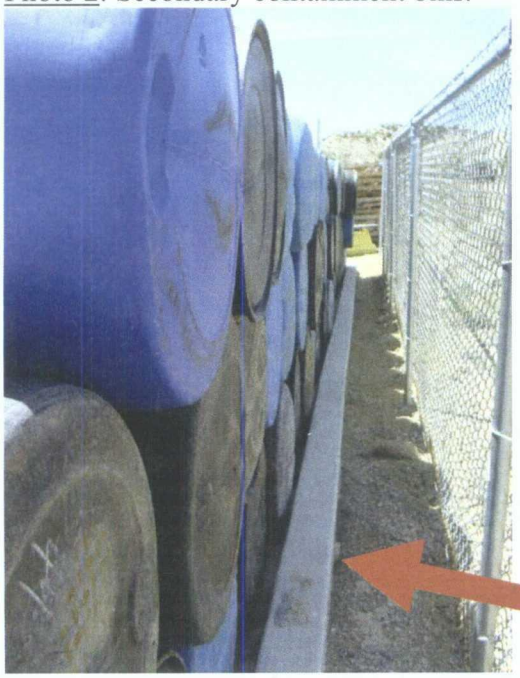

Photo 3: Empty barrel storage area.

Photo 4: Empty tote tanks.

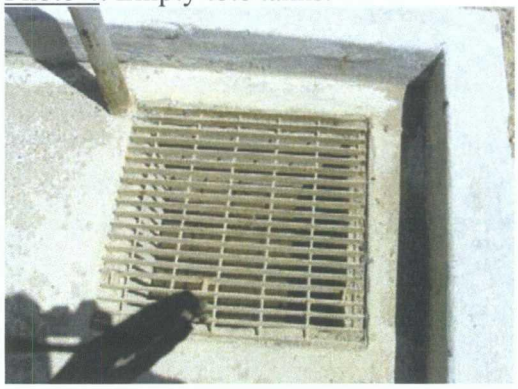

Photo 5: Sump in secondary containment.

Photo 6: Sump in secondary containment.

Photo 7: Sump with liquids in secondary containment.

Bill Richardson
Governor
Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division

ATTACHMENT

DISCHARGE PERMIT

APPROVAL CONDITIONS

1. **Payment of Discharge Plan Fees:** All discharge permits are subject to WQCC Regulations. Every billable facility that submits a discharge permit application will be assessed a filing fee of $100.00, plus a flat fee (*see* WQCC Regulation 20.6.2.3114 NMAC). The Oil Conservation Division ("OCD") has received the required $100.00 filing fee. The facility fee for an oil and gas service company is $1700.00. Please submit this amount with a signed copy of the permit and return to the OCD within 30 days. Checks should be made out to the New Mexico Water Quality Management Fund.

2. **Permit Expiration, Renewal Conditions and Penalties:** Pursuant to WQCC Regulation 20.6.2.3109.H.4 NMAC, this permit is valid for a period of five years. **The permit will expire on Month, Day, Year** and an application for renewal should be submitted no later than 120 days before that expiration date. Pursuant to WQCC Regulation 20.6.2.3106.F NMAC, if a discharger submits a discharge permit renewal application at least **120 days before** the discharge permit expires and is in compliance with the approved permit, then the existing discharge permit will not expire until the application for renewal has been approved or disapproved. ***Expired permits are a violation of the Water Quality Act {Chapter 74, Article 6, NMSA 1978} and civil penalties may be assessed accordingly.***

3. **Permit Terms and Conditions:** Pursuant to WQCC Regulation 20.6.2.3104 NMAC, when a permit has been issued, the owner/operator must ensure that all discharges shall be consistent with the terms and conditions of the permit. In addition, all facilities shall abide by the applicable rules and regulations administered by the OCD pursuant to the Oil and Gas Act, NMSA 1978, Sections 70-2-1 through 70-2-38.

4. **Owner/Operator Commitments:** The owner/operator shall abide by all commitments submitted in its Month Year discharge plan application, including attachments and subsequent amendments and these conditions for approval. Permit applications that reference previously approved plans on file with the division shall be incorporated in this permit and the owner/operator shall abide by all previous commitments of such plans and these conditions for approval.

5. **Modifications:** WQCC Regulation 20.6.2.3107.C and 20.6.2.3109 NMAC addresses possible future modifications of a permit. The owner/operator (discharger) shall notify the OCD of any facility expansion, production increase or process modification that would result in any significant modification in the discharge of water contaminants. The Division Director may require a permit modification if any water quality standard specified at 20.6.2.3103 NMAC is

being or will be exceeded, or if a toxic pollutant as defined in WQCC Regulation 20.6.2.7 NMAC is present in ground water at any place of withdrawal for present or reasonably foreseeable future use, or that the Water Quality Standards for Interstate and Intrastate streams as specified in 20.6.4 NMAC are being or may be violated in surface water in New Mexico.

6. Waste Disposal and Storage: The owner/operator shall dispose of all wastes at an OCD-approved facility. Only oil field RCRA-exempt wastes may be disposed of by injection in a Class II well. RCRA non-hazardous, non-exempt oil field wastes may be disposed of at an OCD-approved facility upon proper waste determination pursuant to 40 CFR Part 261. Any waste stream that is not listed in the discharge permit application must be approved by the OCD on a case-by-case basis.

A. OCD Part 35 Waste: Pursuant to OCD Part 35 (19.15.35.8 NMAC) disposal of certain non-domestic waste without notification to the OCD is allowed at NMED permitted solid waste facilities if the waste stream has been identified in the discharge permit and existing process knowledge of the waste stream does not change.

B. Waste Storage: The owner/operator shall store all waste in an impermeable bermed area, except waste generated during emergency response operations for up to 72 hours. All waste storage areas shall be identified in the discharge permit application. Any waste storage area not identified in the permit shall be approved on a case-by-case basis only. The owner/operator shall not store oil field waste on-site for more than 180 days unless approved by the OCD.

7. Drum Storage: The owner/operator must store all drums, including empty drums, containing materials other than fresh water on an impermeable pad with curbing. The owner/operator must store empty drums on their sides with the bungs in place and lined up on a horizontal plane. The owner/operator must store chemicals in other containers, such as tote tanks, sacks, or buckets on an impermeable pad with curbing.

8. Process, Maintenance and Yard Areas: The owner/operator shall either pave and curb or have some type of spill collection device incorporated into the design at all process, maintenance, and yard areas which show evidence that water contaminants from releases, leaks and spills have reached the ground surface.

9. Above Ground Tanks: The owner/operator shall ensure that all aboveground tanks have impermeable secondary containment (e.g., liners and berms), which will contain a volume of at least one-third greater than the total volume of the largest tank or all interconnected tanks. The owner/operator shall retrofit all existing tanks before discharge permit renewal. Tanks that contain fresh water or fluids that are gases at atmospheric temperature and pressure are exempt from this condition.

The discharge plan application noted the following:

1. QTY - 1; 1,000 gallon Diesel AST with a containment pan of 1,167 gallons capacity

The secondary containment capacity **should be 1,330 gallons** to meet the 133% secondary containment criteria. Knight Oil Tooling shall reconfigure containment to meet this. Report to the OCD when completed.

II. *QTY - 1, 500 gallon Unichem 9120 AST with a containment pan of 599 gallons capacity.*

The secondary containment capacity **should be 665 gallons** to meet the 133% secondary containment criteria. Knight Oil Tooling shall reconfigure containment to meet this. Report to the OCD when completed.

10. Labeling: The owner/operator shall clearly label all tanks, drums, and containers to identify their contents and other emergency notification information. The owner/operator may use a tank code numbering system, which is incorporated into their emergency response plans.

11. Below-Grade Tanks/Sumps and Pits/Ponds.

A. All below-grade tanks and sumps must be approved by the OCD prior to installation and must incorporate secondary containment with leak detection into the design. The owner/operator shall retrofit all existing systems without secondary containment and leak detection before discharge permit renewal. All existing below-grade tanks and sumps without secondary containment and leak detection must be tested annually or as specified herein. Systems that have secondary containment with leak detection shall have a monthly inspection of the leak detection system to determine if the primary containment is leaking. Small sumps or depressions in secondary containment systems used to facilitate fluid removal are exempt from these requirements if fluids are removed within 72 hours.

The submitted discharge application identified "Sump Waste water"

The OCD request the following information on the sump by **MONTH, DAY, YEAR**:

I. The total volume capacity of the sump.
II. Does the sump hold fluids indefinitely?
III. Drawings of the sump system and the material make up of the sump.
IV. Does the sump have a secondary containment with leak detection?

B. All pits and ponds, including modifications and retrofits, shall be designed by a certified registered professional engineer and approved by the OCD prior to installation. In general, all pits or ponds shall have approved hydrologic and geologic reports, location, foundation, liners, and secondary containment with leak detection, monitoring and closure plans. All pits or ponds shall be designed, constructed and operated so as to contain liquids and solids in a manner that will protect fresh water, public health, safety and the environment for the foreseeable future. The owner/operator shall retrofit all existing systems without secondary containment and leak detection before discharge permit renewal.

C. The owner/operator shall ensure that all exposed pits, including lined pits and open top tanks (8 feet in diameter or larger) shall be fenced, screened, netted, or otherwise rendered non-hazardous to wildlife, including migratory birds.

D. The owner/operator shall maintain the results of tests and inspections at the facility covered by this discharge permit and available for OCD inspection. The owner/operator shall report the discovery of any system which is found to be leaking or has lost integrity to the OCD within 15

days. The owner/operator may propose various methods for testing such as pressure testing to 3 pounds per square inch greater than normal operating pressure and/or visual inspection of cleaned tanks and/or sumps, or other OCD-approved methods. The owner/operator shall notify the OCD at least 72 hours prior to all testing.

12. Underground Process/Wastewater Lines:

A. The owner/operator shall test all underground process/wastewater pipelines at least once every five (5) years to demonstrate their mechanical integrity, except lines containing fresh water or fluids that are gases at atmospheric temperature and pressure. Pressure rated pipe shall be tested by pressuring up to one and one-half times the normal operating pressure, if possible, or for atmospheric drain systems, to 3 pounds per square inch greater than normal operating pressure, and pressure held for a minimum of 30 minutes with no more than a 1% loss/gain in pressure. The owner/operator may use other methods for testing if approved by the OCD.

** Company shall inform the OCD Environmental Bureau when they intend to test their underground lines by **Month Day Year.**

B. The owner/operator shall maintain underground process and wastewater pipeline schematic diagrams or plans showing all drains, vents, risers, valves, underground piping, pipe type, rating, size, and approximate location. All new underground piping must be approved by the OCD prior to installation. The owner/operator shall report any leaks or loss of integrity to the OCD within 15 days of discovery. The owner/operator shall maintain the results of all tests at the facility covered by this discharge permit and they shall be available for OCD inspection. The owner/operator shall notify the OCD at least 72 hours prior to all testing.

13. Class V Wells: The owner/operator shall close all Class V wells (e.g., septic systems, leach fields, dry wells, etc.) that inject non-hazardous industrial wastes or a mixture of industrial wastes and domestic wastes unless it can be demonstrated that ground water will not be impacted in the reasonably foreseeable future. Leach fields and other wastewater disposal systems at OCD-regulated facilities that inject non-hazardous fluid into or above an underground source of drinking water are considered Class V injection wells under the EPA UIC program. Class V wells that inject domestic waste only, must be permitted by the New Mexico Environment Department (NMED).

14. Housekeeping: The owner/operator shall inspect all systems designed for spill collection/prevention and leak detection at least monthly to ensure proper operation and to prevent over topping or system failure. All spill collection and/or secondary containment devices shall be emptied of fluids within 72 hours of discovery. The owner/operator shall maintain all records at the facility and available for OCD inspection.

15. Spill Reporting: The owner/operator shall report all unauthorized discharges, spills, leaks and releases and conduct corrective action pursuant to WQCC Regulation 20.6.2.1203 NMAC and OCD Part 29 (19.15.29 NMAC). The owner/operator shall notify both the OCD District Office and the Santa Fe Office within 24 hours and file a written report within 15 days. ** The OCD does not consider covering contaminated areas a remediation of the spill/release **

16. OCD Inspections: The OCD performed an inspection of this facility on Month, Day, Year. The inspection concluded the following:

COMPANY shall resolve these concerns and report within **XX days, by Month, Day, Year**. The report shall be submitted, with photographs, to the Environmental Bureau Oil Conservation Division identifying the resolutions to the concerns.

17. Storm Water: The owner/operator shall implement and maintain run-on and runoff plans and controls. The owner/operator shall not discharge any water contaminant that exceeds the WQCC standards specified in 20.6.2.3101 NMAC or 20.6.4 NMAC (Water Quality Standards for Interstate and Intrastate Streams) including any oil sheen in any stormwater run-off. The owner/operator shall notify the OCD within 24 hours of discovery of any releases and shall take immediate corrective action(s) to stop the discharge.

18. Unauthorized Discharges: The owner/operator shall not allow or cause water pollution, discharge or release of any water contaminant that exceeds the WQCC standards listed in 20.6.2.3101 NMAC or 20.6.4 NMAC (Water Quality Standards for Interstate and Intrastate Streams) unless specifically listed in the permit application and approved herein. ***An unauthorized discharge is a violation of this permit.***

19. Vadose Zone and Water Pollution: The owner/operator shall address any contamination through the discharge permit process or pursuant to WQCC 20.6.2.4000-.4116 NMAC (Prevention and Abatement of Water Pollution). The OCD may require the owner/operator to modify its permit for investigation, remediation, abatement, and monitoring requirements for any vadose zone or water pollution. Failure to perform any required investigation, remediation, abatement and submit subsequent reports will be a violation of the permit.

20. Additional Site Specific Conditions: Newly Permitted Facility:

A. A copy of the discharge permit, GW-XXX, shall be kept on site at all times.
B. COMPANY management shall present the discharge permit conditions to all its employees. Employees shall be made aware of possible discharges at the facility and made aware of the permit location on site.
C. The Santa Fe OCD Environmental Bureau processes all discharge plan permits, refer all questions to the Santa Fe office.

21. Transfer of Discharge Permit (WQCC 20.6.2.3111) Prior to any transfer of ownership, control, or possession (whether by lease, conveyance or otherwise) of a facility with a discharge permit, the transferor shall notify the transferee in writing of the existence of the discharge permit, and shall deliver or send by certified mail to the department a copy of such written notification, together with a certification or other proof that such notification has in fact been received by the transferee.

Upon receipt of such notification, the transferee shall have the duty to inquire into all of the provisions and requirements contained in such discharge permit, and the transferee shall be charged with notice of all such provisions and requirements as they appear of record in the department's file or files concerning such discharge permit. The transferee (new owner/operator)

shall sign and return an original copy of these permit conditions and provide a written commitment to comply with the terms and conditions of the previously approved discharge permit.

22. Closure Plan and Financial Assurance: Pursuant to 20.6.2.3107 NMAC an owner/operator shall notify the OCD when any operations of the facility are to be discontinued for a period in excess of six months. Prior to closure, or as a condition of this permit, or request from the OCD, the operator will submit an approved closure plan, modified plan, and/or provide adequate financial assurance.

23. Certification: (Owner/Operator), by the officer whose signature appears below, accepts this permit and agrees to comply with all submitted commitments, including these terms and conditions contained here. **Owner/Operator** further acknowledges that the OCD may, for good cause shown, as necessary to protect fresh water, public health, safety, and the environment, change the conditions and requirements of this permit administratively

Conditions accepted by: "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment."

_____

Company Name-print name above

_____

Company Representative- print name

_____

Company Representative- Signature

Title_____

Date:_____