

**NMED Requirements and Better Management Practices  
Progress Chart  
Initial Draft November 6, 2024**

**Requirements drawn from NMED Inspection Report**

	<b>Violation from NMED</b>	<b>Required Corrective Action by NMED</b>	<b>Assignment</b>	<b>Timeline and Current Status</b>
1.	<p>Failure to operate a facility to minimize the possibility of fire, explosion, or sudden or non-sudden releases of hazardous waste constituents, which is a violation of 20.4.1.300 NMAC, incorporating 40 CFR § 262.251. Specifically, NMED/HWB observed an active hazardous waste response by the Las Vegas Fire Department which resulted in the entire lockdown and evacuation of the Central Accumulation Area ("CAA") and the Ivan Hilton Science building. On September 18, 2024, an emergency permit was issued to NMHU/Las Vegas Fire Department to detonate low level explosives discovered by fire department personnel on September 16, 2024, a "Priority Task list" was then issued to NMHU from NMED to gain successful control of their facility.</p>	<p>NMHU must demonstrate and provide NMED/HWB a complete manifest showing all legacy hazardous waste was properly removed to an approved TSDF, and that all emergency equipment of fume hoods, continuous air monitoring systems (CAMS) are operational and approved by an approved HVAC contractor, and a Certificate of Occupancy (C.O.) issued by the local fire department or appropriate government agency.</p>	<p><b>EHS:</b> provide complete manifest; <b>Facilities:</b> provide evidence of fume hoods, CAMS, and HVAC are operational and approved; <b>EHS:</b> C.O. working with local fire department</p>	<p><b>EHS</b> <b>October 2024</b> In October, a total of three truck shipments were sent from the facility to disposal through Clean Harbors.</p> <p><b>November 2024</b> Additional work being completed by Clean Harbors with an anticipated date of completion early November. One additional truck load sent early November. Air quality testing to be conducted in the facility prior to request with LVFD for C.O.</p> <p><b>Facilities</b> <b>November 2024</b> Facilities is soliciting quotes from vendors to inspect, repair, and address the Ivan Hilton fume hoods and CAMS. Trane (HVAC contractor) will approve HVAC operations.</p>
2.	<p>Storage without a permit, which is a violation of 20.4.1.900 NMAC, incorporating 40 CFR 270.1(c). Specifically, NMED determined that NMHU was storing containers of hazardous waste on-site for longer than 90-days without a permit. The last shipment of hazardous waste was on March 7, 2023. Resulting in legacy hazardous waste being onsite at the Central</p>	<p>NMHU must transport hazardous waste within 90 days or apply for a permit. Please provide NMED with a plan to ensure hazardous waste is not stored on site for longer than 90 days.</p>	<p><b>EHS working with Clean Harbors; EHS will write plan</b></p>	<p><b>EHS</b> <b>Current</b> Waste removal continues to be completed by Clean Harbors. See item #1 with updates.</p> <p><b>November and ongoing through CY 2024</b> Plan to be written by EHS with expectation that Clean Harbors will be retained and set up as</p>

	Accumulation Area ("CAA") for longer than 90-days. The first day of the CEI inspection resulted in significant amounts of hazardous waste being onsite at the CAA on September 11, 2024.			vendor for residual hazardous waste plans throughout campus including Ivan Hilton facility.
3.	Failure to conduct weekly inspections of the hazardous waste central accumulation area (CAA), which is a violation of 20.4.1.300 NMAC, Incorporating 40 CFR 262.11(a)(1)(v). Specifically, NMHU was not conducting weekly inspections of containers stored at the CAA during the last manifested shipment on March 7, 2023, through the first day of the emergency response that was initiated by Las Vegas Fire Department on September 11, 2024.	NMHU must provide NMED with documentation demonstrating weekly inspections of the current hazardous waste central accumulation (CAA's) area(s) are being performed.	<b>EHS</b>	<b>EHS</b> <b>October 2024</b> Initial draft inspection documents created. Continuing to prepare for final version. <b>November 2024</b> EHS will continue to draft an internal inspection schedule and keep records. Once the facility opens and normal business resumes, this will work in tandem with updated protocols. Weekly inspections that can be done have started.
4.	Failure to make a hazardous waste determination, which is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.11. Specifically, NMED inspectors observed several containers storing chemicals throughout the Ivan Hilton Science Building that NMHU personnel were unaware as to whether the containers held hazardous waste or chemical products that could be utilized. The origins of the contents of most of these containers could not be accounted for.	NMHU must conduct hazardous waste determination on these waste streams or provide a thorough report of future waste streams once the laboratories are re-opened. All laboratory owners must provide their process and description of all their waste streams for future curriculum within the Ivan Hilton building. NMHU must provide NMED with documentation of this corrective action, such as photographs, updated policy documents(s), etc.	<b>EHS; Provost; Dean; HazMat Protocols Workgroup; EHS will provide documentation to NMED of revised protocols</b>	<b>EHS</b> <b>October 2024:</b> A Committee has been created and has met to work on protocols and procedures to ensure compliance. <b>November &amp; December 2024</b> SOPs to be developed for each lab area in conjunction with EHS, Faculty, Lab Owners, including Central Accumulation Area, Cold Room and Chemical Stockroom. Protocols to be created with new documentation. Labs will not be opened unless there is an existing and approved SOP. <b>Continuing through 2025 and ongoing</b> Continual improvement of SOPs and protocols.  <b>Academic Affairs</b> <b>November and ongoing</b> A meeting with Chairs took place on 5 November; work on SOPs for labs is ongoing. A draft SOP template is being reviewed. The Office of Academic Affairs will propose the inclusion of the

				<p>lab waste protocols on course syllabi; to do so will require discussion with AAC and Faculty Senate.</p> <p>Faculty and staff will require adequate training in waste management. That training will begin before the start of the spring semester.</p>
5.	<p>Failure to keep containers of hazardous waste closed, except when adding or removing waste, which is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.17(a)(1)(iv)(A). Specifically, NMED observed several containers within several laboratories of the Ivan Hilton Science building with open containers of hazardous waste.</p>	<p>This violation was corrected at time of inspection by the approved hazardous waste contractor onsite during the inspection. The containers were closed with approved lids and removed to an approved temporary CAA within the Ivan Hilton Building. Therefore, no further action related to this violation is required.</p>	<p><b>No further action</b></p>	<p>EHS will update protocols to prevent future violations and continue working towards best practices.</p>
6.	<p>Failure to mark containers of hazardous waste with the date upon which accumulation in a CAA began, which is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.17(a)(5)(i)(C). Specifically, NMED inspectors observed several blue poly containers within the CAA on the initial inspection on September 11, 2024, with no accumulation start date.</p>	<p>On September 11, 2024, hazardous waste contractors on-site secured the blue poly drum containers that contained hazardous waste and annotated appropriate start dates on top of each container of hazardous waste within the CAA. Therefore, no further action related to this violation is required.</p>	<p><b>No further action</b></p>	<p>EHS will update protocols to prevent future violations and continue working towards best practices.</p>
7.	<p>Failure to document the job titles, job descriptions, and hazardous waste training requirements for employees responsible for handling hazardous waste, which is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.17(a)(7)(iv). Specifically, NMHU could not provide documentation regarding the job titles, job descriptions, and hazardous waste training requirements for employees who handle hazardous waste.</p>	<p>NMHU has provided NMED via email future upcoming classes containing the 40-hour HAZWOPER class to be provided by ACME Environmental, Inc. The classes will be provided at NMHU and all employees who handle hazardous waste will be attending the upcoming class. Therefore, no further action related to this violation is required.</p>	<p><b>EHS</b></p>	<p><b>October 2024</b> Lee Martinez, Safety Officer for NMHU, trained with 40-hour HAZWOPER and received certification.</p> <p>EHS now supervising staff positions overseeing the operations of hazardous chemicals in the Ivan Hilton Facility. New Chemical Hygiene Officer position created and posted.</p> <p><b>December</b> Faculty and Staff Associations, in coordination with Academic Affairs, have scheduled a voluntary on-campus OSHA training in December.</p>

				<b>Continuing</b> Additional EHS staff will be trained in HAZWOPER and other trainings that are pertinent to their positions.
8.	Failure to have facility personnel complete a program of hazardous waste handling related training, which is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.17(a)(7)(i). Specifically, NMED inspectors observed substandard practices of employees transporting hazardous waste from the laboratories of the Ivan Hilton building to the Central Accumulation Area (CAA) without any formal hazardous waste training on file.	NMHU has provided NMED via email future upcoming classes containing the 40-hour HAZWOPER class to be provided by ACME Environmental, Inc. The classes will be provided at NMHU and all employees who handle hazardous waste will be attending the upcoming class. NMHU Human Resources Department has committed to keeping training records on all employees who manage and handle hazardous waste. Therefore, no further action related to this violation is required.	<b>No further action</b> <b>EHS; HR</b>	See updates from #7.  HR will keep training records on file.
9.	Failure to develop a Contingency Plan, which is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.261. Specifically, NMED inspectors requested a copy of the Contingency Plan to view, NMHU Fire Safety personnel and administration could not produce a copy.	NMHU must develop a hazardous waste Contingency Plan meeting the regulatory requirements and provide NMED with a copy. NMHU must work with an approved hazardous waste consulting firm to create this contingency plan.	<b>EHS; approved hazardous waste consulting firm</b>	<b>November 2024 - Ongoing</b> EHS will reach out to potential firms that can assist in reviewing NMHU's current Emergency Action Plan and develop any additional requirements.
10.	Failure to Notify NMED of intent to operate a lamp crusher unit. NMED has no record of any notification from NMHU stating intent to operate the lamp crusher unit observed to be in use at the facilities maintenance building, This is a violation of 20.4.1.1001.C(3) NMAC.	NMHU has provided NMED via email with the use and notification of the lamp bulb crushing unit to be performed permanently at the facilities maintenance shop. No further action is required relevant to this violation.	<b>Facilities – No Further Action</b>	No Further Action.
11.	Failure to demonstrate the length of time that universal waste has been accumulating. Specifically, NMED inspectors observed that the container of crushed lamps associated with the drum-top lamp crusher unit was not marked with the accumulation start date or an associated accumulation	NMHU must mark the container of crushed lamps with an approximate accumulation start date and provide photographs to NMED. Please note, all handlers of universal waste, including crushed lamps must send universal waste off-site as recycling	<b>Facilities</b>	<b>October 2024</b> Crushed fluorescent waste was picked up for disposal on 10/23/2024 by Crystal Clean. Lamp bulb crusher will no longer be used and will be removed from inventory. Crystal Clean recommended that fluorescent tubes to be kept in proper containers until bi-annual disposal occurs.

	log, This is a violation of 20A.1.1000 NMAC, incorporating 40 CFR 273.1S(c).	within one year of generation. Keep all recycling receipts of universal waste recycling for three (3) years.		<b>Continuing</b> -Proper storage for bulbs have been ordered. -Crystal Clean shall dispose of fluorescent tubes again in May 2025.
12.	Failure to label a container of crushed universal waste lamps with the words "Universal Waste Lamps", or with other wording to identify contents of the container. Specifically, NMED inspectors observed the container of crushed lamps associated with the lamp crusher unit was unlabeled at time of inspection. This is a violation of 20.4.1.1001.C(2)(f) NMAC.	NMHU must label or mark the container of crushed lamps with the words that identify the contents (e.g. universal-waste lamps, crushed lamps, etc.), and provide photographs to NMED.	<b>Facilities</b>	Per Crystal Clean's recommendation, the lamp crusher will no longer be used. As of 10/23/2024, fluorescent tubes shall be kept in proper, labeled containers for disposal bi-annually.
13.	Failure to label containers of hazardous waste stored at or near the point of accumulation with the words "hazardous waste", which is a violation of 20.4.1.300 NMAC, incorporating 40 CFR § 262.1S(a)(S)(i). Specifically, NMED observed several containers and small bottles within all the laboratories of the 1st and 2nd floor of the Ivan Hilton building containing hazardous waste that were not labeled with the words "hazardous waste".	Contractors onsite that were working on the removal of hazardous waste at the Ivan Hilton building at the time of inspection labeled and removed these bottles and stored them in the temporary CAA within the Ivan Hilton building. No further action is required relevant to this violation.	<b>No further action</b>	<b>EHS</b> Please see update to #1 above.  <b>HazMat Protocols Committee</b> Committee continuing to work on updating protocols. Protocols are planned to be operational by the start of the spring semester.
14.	Failure to label containers, storing used oil, with the words "Used Oil" or other wording to identify the contents. Multiple drums containing used oil on the exterior of the facilities maintenance bay that were identified as storing used oil, without the required labeling. This is a violation of 40 CFR 279.22(c)(1) and 20.4.1.1003.A NMAC.	NMHU must label all containers storing used oil with the words "Used Oil" or other wording to identify the contents, for example "Waste Oil" or "Oil for Recycle" and provide photographs to NMED. This includes all drip pans.	<b>Facilities</b>	<b>Facilities</b> Completed 10/23/2024.
15.	Failure to keep containers storing used oil located outdoors closed unless adding or removing used oil, which is a violation of 20.4.1.1003.B(1) NMAC. Specifically, NMED inspectors observed multiple containers of used oil not properly closed	NMHU must place some type of lid on the drums, and other containers containing used oil. NMHU must provide photographs once the lids are placed on the used oil containers.	<b>Facilities</b>	<b>Facilities</b> Completed 10/23/2024.

	on the exterior of the facilities maintenance bay.			
16.	<p>Failure to perform testing and maintenance of emergency equipment. Specifically, NMED inspectors observed several eye wash stations, fume hoods, safety showers, and other necessary emergency equipment that was inoperative or lacked monthly maintenance checks. Essential continuous air monitoring systems (CAMS) were inoperative throughout the laboratories of the Ivan Hilton building that are necessary for removing noxious or dangerous fumes related to hazardous waste. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.253.</p>	<p>NMHU must demonstrate that all emergency equipment of fume hoods, continuous air monitoring systems (CAMS), safety showers, and eye wash stations are operational and approved by an approved HVAC contractor and provide documentation of services rendered, obtain a Certificate of Occupancy (C.O.) issued by the local fire department or appropriate government agency prior to re-opening the Ivan Hilton building.</p>	<p><b>Facilities:</b> provide evidence of fume hoods, CAMS, and HVAC are operational and approved; <b>EHS:</b> demonstrate safety showers, eye stations operational C.O. working with local fire department</p>	<p><b>Facilities</b>  <b>October 2024</b>          -EB&amp;I Test and Balance Report for Fume Hoods completed on 10/28/2024.          -Walkthrough occurred on 10/31/2024 for CAMS and HVAC with NMED and LVFD.</p> <p><b>November 2024</b>          -The university is arranging to hire a vendor for lab equipment and fume hood repairs.</p> <p><b>EHS</b>  <b>November 2024 and Ongoing</b>          As discussed in #3, EHS has begun weekly safety inspections of labs and storage areas and will continue to perform and add any additional items for inspection as required.</p>

	<b>Better Management Practices from NMED</b>	<b>Corrective Action Plan by NMHU</b>	<b>Assignment</b>	<b>Timeline and Status</b>
1.	Keep all waste containers properly labeled and closed.	During weekly inspection of CAA and SAAs, EHS will review that all containers are properly labeled and closed and document this on the weekly report. During monthly lab inspections, EHS will ensure that all waste is promptly moved to the CAA or an approved SAA.	<b>EHS</b>	<b>November 2024:</b> EHS has created inspection protocols, including forms and a record-keeping process. Labs are not currently open but any required inspections of equipment will begin upon re-opening.
2.	Ensure you continually enhance your hazardous waste training protocols, consider sending employees to a rigorous in-person hazardous waste class.	EHS will provide continual training for all EHS employees;	<b>EHS</b>	Please see updates to #7 above.
3.	Ensure NMHU pays all Hazardous Waste Generator fees no later than August 1st of each calendar year to NMED/HWB.	Pay fees on time out of the VPFA office, under authority of the AVPFA.	<b>AVPFA</b>	<b>October 2024</b> EHS and the VPFA office have sent paperwork for processing current payments including emergency permit.  <b>Ongoing</b> AVPFA set up reminders for prompt payments for future Generator fees.
4.	Prepare for two years of unannounced inspections by NMED/HWB to ensure that NMHU has a grasp of hazardous waste compliance and accountability. Ensure NMHU understands all their RCRA responsibilities as a Large Quantity Generator (LQG) of hazardous waste.	Conduct monthly lab inspections; conduct weekly inspections of CAA and any SAA areas to prepare for inspections.	<b>Provost, Dean, EHS</b>	<b>Academic Affairs</b> A meeting with Chairs took place on 5 November; an inspections regimen was discussed and will be undertaken. The Dean will conduct inspections with chairs and EHS staff starting immediately after the building is reopened. Corrective actions will be undertaken per the protocols being developed.  <b>EHS</b> Will be performing weekly and monthly inspections that will help prepare staff and faculty for unannounced inspections from outside entities.
5.	Keep all disposal records, hazardous waste manifests, and other required	Keep all disposal records, hazardous waste manifests, and	<b>EHS; Facilities</b>	<b>Facilities</b>

	records for three (3) years. Ensure these documents are readily available for regulatory review and inspection.	other required records for three (3) years. Ensure these documents are readily available for regulatory review and inspection.		Will maintain records of all disposals pertaining to the Facilities Department.  <b>EHS</b> Files have been created and a storage area for such record keeping. Will work with departments to create schedules for auditing records as needed.
6.	Please remember to properly overpack containers if structural deficiencies are encountered. Continue to annotate weekly inspections of substandard drums or containers and input work orders to ensure corrective actions are tracked on weekly inspections.	Please remember to properly overpack containers if structural deficiencies are encountered. Continue to annotate weekly inspections of substandard drums or containers and input work orders to ensure corrective actions are tracked on weekly inspections.	<b>EHS</b>	<b>EHS</b> Please see #4 above.
7.	Please ensure that all recyclable materials are appropriately managed, and that speculative accumulation does not occur. Ensure you understand the importance of handling Universal Waste correctly.	Please ensure that all recyclable materials are appropriately managed, and that speculative accumulation does not occur. Ensure you understand the importance of handling Universal Waste correctly.	<b>EHS;</b> <b>Facilities</b>	<b>Facilities</b> All Recycling Center personnel are required to take the “Recycling Operation Certification Course” offered by the NM Environment Department every three years. All Recycling Center personnel are currently certified.  <b>EHS</b> Department will continue to work with Facilities and other departments to develop cohesive protocols that keep involvement between departments. EHS will review compliance for certifications.
8.	Purchase and utilize an aerosol can crusher in the maintenance bay and follow the appropriate user manual for proper use.	Purchase and utilize an aerosol can crusher in the maintenance bay and follow the appropriate user manual for proper use.	<b>Facilities;</b> <b>EHS</b>	<b>Facilities</b> Facilities Services has purchased and shall utilize an aerosol storage container. New containers were received on 10/23/2024. Aerosol cans shall be picked up and disposed of bi-annually by Crystal Clean.  <b>EHS</b> Will work with Facilities to develop SOP for all required aerosols.



9.	Please ensure that contact Information on postings at hazardous waste storage areas are kept current.	Please ensure that contact Information on postings at hazardous waste storage areas are kept current.	<b>EHS</b>	<b>EHS</b> Will update contact information monthly if needed. A current review is underway to ensure the accuracy of contact information.
10.	Create a new department that is not part of the "Faculty" to manage, create oversight, and accountability of all chemicals to include hazardous waste within NMHU. This department should have competent staff with the appropriate hazardous waste background to properly function safely and effectively. This department must also have control over the "Chemistry Stock Room" and have assigned staff manage this stock room.	Create a new department that is not part of the "Faculty" to manage, create oversight, and accountability of all chemicals to include hazardous waste	<b>President's Office; VPFA; AVPFA; HR; EHS</b>	<b>EHS, VPFA, AVPFA</b> EHS is supervising positions that were previously under Academic Affairs to ensure there is no conflict of interest with safety which includes Stock Room, Cold Room, hazardous chemical handling, classrooms, and labs. Positions will be required to obtain training as set by EHS. New Position, Chemical Hygiene Officer, has been created and posted.  <b>Academic Affairs</b> A meeting with Chairs took place on 5 November; transition of employees from academic department control to EHS oversight was discussed at length, as was the hiring of a chemical hygiene officer to oversee the safe use of all hazardous chemicals on the NMHU campus. Additional conversations will be conducted with all interested parties.
11.	Please be aware of the proposed rule regarding regulation of PFAS as a hazardous constituent and evaluate site remediation projects accordingly. Please design some level of potential policy related to potential PFAS handling guidelines and or methods.	Please be aware of the proposed rule regarding regulation of PFAS as a hazardous constituent and evaluate site remediation projects accordingly. Please design some level of potential policy related to potential PFAS handling guidelines and or methods.	<b>EHS</b>	EHS will continue to monitor through the new position of Chemical Hygiene Officer.
12.	Create, establish, and maintain a list of all Satellite Accumulation Areas ("SAA's"). Track SAA's for activity and ensuring storage requirements are met. Ensure volume limitations are not exceeded in SAA's.	Create, establish, and maintain a list of all Satellite Accumulation Areas ("SAA's"). Track SAA's for activity and ensuring storage requirements are met. Ensure volume limitations are not exceeded in SAA's.	<b>EHS</b>	Weekly inspections will ensure continued compliance. List of these areas has been created.
13.	Manage used oil correctly at the facilities maintenance building, and	Manage used oil correctly at the facilities maintenance building,	<b>Facilities</b>	<b>Facilities</b>

	golf course. If used oil containers are kept outdoors, they must be kept closed. All used oil containers must be labeled with the words "used oil" or other approved wording.	and golf course. If used oil containers are kept outdoors, they must be kept closed. All used oil containers must be labeled with the words "used oil" or other approved wording.		See box #14. All used oil containers are correctly labelled as of 10/23/24.
14.	Ensure removal of hazardous waste, used oil, universal waste, and used batteries for recycling at least twice a year. Perhaps in the months of May or December of every calendar year. These proactive measures will reduce potential legacy waste durationally being stored in any building of NMHU, which appeared to be the case recently at the Ivan Hilton Science building during the of month of September 2024.	Ensure removal of hazardous waste, used oil, universal waste, and used batteries for recycling at least twice a year. Perhaps in the months of May or December of every calendar year. These proactive measures will reduce potential legacy waste durationally being stored in any building of NMHU, which appeared to be the case recently at the Ivan Hilton Science building during the of month of September 2024.	<b>EHS; Facilities</b>	<b>Facilities</b> A purchase order has been issued to remove waste from the Facilities Services Department bi-annually.  <b>EHS</b> Will work with Facilities on protocols and SOPs involving waste removal.
15.	Facilities maintenance personnel must be trained to troubleshoot and provide preventive maintenance of fume hoods, continuous air monitoring systems (CAMS), and other HVAC systems necessary in evacuating noxious fumes in all buildings within NMHU that generate hazardous waste.	Facilities maintenance personnel must be trained to troubleshoot and provide preventive maintenance of fume hoods, continuous air monitoring systems (CAMS), and other HVAC systems necessary in evacuating noxious fumes in all buildings within NMHU that generate hazardous waste.	<b>Facilities; EHS</b>	<b>Facilities</b> Trane has an annual contract to provide all HVAC and continuous air monitoring systems (CAMS) maintenance services. The university uses Energy Balance & Integration, LLC to test all chemical fume hoods annually. The university is looking into a vendor for lab equipment and fume hood repairs.  <b>EHS</b> EHS will coordinate with Facilities and vendors that Facilities oversees in addition to periodic review of work orders. EHS will stay in communication with vendors to ensure compliance and will report to Facilities any found deficiencies and take appropriate corrective action if necessary.