



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

CERTIFIED MAIL - RETURN RECEIPT REQUIRED

January 30, 2025

Nicole Ratigan
Senior Manager, HSE
CVS Corporation
1 CVS DR MC2340,
Woonsocket, RI, 02895

**RE: NOTICE OF VIOLATION AND RESOLUTION
CVS PHARMACY #8915
EPA ID# NMR000017863**

Dear Ms. Ratigan:

On October 24, 2024, the New Mexico Environment Department (“NMED”) conducted a hazardous waste Compliance Evaluation Inspection (“Inspection”) at CVS Pharmacy #8915 (“CVS 8915”) located at 9640 Menaul Boulevard NE, Albuquerque, New Mexico (“Facility”). CVS 8915 is a retail store that sells a wide range of products including over the counter pharmaceuticals, personal care products, food, etc. and prescription pharmaceuticals. Hazardous wastes are generated from expired, damaged or returned merchandise.

Based on that inspection and review of the information obtained, NMED has determined that CVS 8915 is a Large Quantity Generator of hazardous waste as defined in 40 Code of Federal Regulations (“CFR”) 262.13. Furthermore, NMED has determined that CVS 8915 has violated the New Mexico Hazardous Waste Management Regulations (“HWMR”) 20.4.1 New Mexico Administrative Code (“NMAC”) as specified below.

NMED inspectors observed the following violations:

1. Failure to keep satellite containers of hazardous waste closed, when not adding or removing waste. Specifically, NMED observed an open one-gallon plastic Ziplock bag used as storage for toxic pharmaceutical hazardous waste. This is a violation of 20.4.1.300 NMAC incorporating 40 CFR 262.15(a)(4).
2. Failure to label satellite containers of hazardous waste with the words “Hazardous Waste”. Specifically, NMED observed a one-gallon plastic Ziplock bag used as storage

for toxic pharmaceutical hazardous waste and one ten-gallon plastic tote that were not labeled with words "Hazardous Waste". This is a violation of 20.4.1.300 NMAC incorporating 40 CFR 262.15(a)(5)(i).

3. Failure to label satellite containers of hazardous waste with the indication of the hazards of the contents. Specifically, NMED observed a one-gallon plastic Ziplock bag used as storage for toxic pharmaceutical hazardous waste and one ten-gallon plastic tote that were not labeled with the hazard indicator. This is a violation of 20.4.1.300 NMAC incorporating 40 CFR 262.15(a)(5)(ii).

NMED has determined that the violations were adequately addressed from a response dated November 24, 2024; therefore, no further action is required.

This Notice of Violation is considered an informal enforcement response in accordance with NMED's Enforcement Response Protocol. Please be aware that failure to address the above violations and any future substantial deviations from regulatory requirements may result in CVS 8915 being considered for an elevated enforcement action. Also, be aware that any corrective action taken during our Inspection, or in response to this letter, does not relieve CVS 8915 of its obligation to comply with any and all other applicable laws and regulations.

Pursuant to the NMED Delegation Order dated November 26, 2024, the Cabinet Secretary has delegated the authority to issue Notices of Violation under the Hazardous Waste Act and HWMRs to the Bureau Chief of the Hazardous Waste Bureau. If you have any questions regarding this letter, please contact Ranjana Dangi of my staff at 505-690-5047 or by email at Ranjana.Dangi@env.nm.gov.

Sincerely,

John David Nance
Chief
Hazardous Waste Bureau

AC: rd,pg

cc: Ranjana Dangi, NMED HWB
Peter J. Garcia Sr., Supervisor, NMED HWB
Tyre Jameson, NMED HWB
Aaron Coffman, Program Manager, NMED HWB
Damon Reyes, NMED District I Manager
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