

RINCHEM, NM

On April 7, 1983, EPA Region VI forwarded a letter (attached) to Rinchem stating that Rinchem no longer generates, treats, stores, or disposes of hazardous waste, and their operation could be classified as a transfer facility. The letter also states that Rinchem no longer qualifies for interim status. In December, 1983, Rinchem moved their operation to another location.

The use of §3008(h) to address releases at the former Rinchem facility may present legal difficulties. Because §3008(h) cannot be used to compel former o/o's to address past releases, a §3008(h) order to address releases caused by Rinchem would have to be issued to the present owners of the property. To avoid lengthy litigation, this facility should be addressed by Superfund.