



STATE OF NEW MEXICO

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March 16, 1984

Mr. William Moore, President
Rinchem Company Inc.
6133 Edith Boulevard N.E.
Albuquerque, NM 87107

Re: Proposed Solvent Recovery Operation at Rinchem's 5001 Edith Blvd. Facility
NMD085267961

Dear Mr. Moore:

In response to your recent inquiry of Hazardous Waste Section staff regarding proposed solvent recovery operations at your facility, located at 5001 Edith Blvd., N.E., Albuquerque, New Mexico, it is necessary that I make you aware of certain limitations that will effect your ability to implement said operations.

As you may be aware, under HWMR-2, Section 206.A.4.b., the owner or operator of a facility which treats or stores hazardous waste, which treatment or storage meets the criteria in Section 201.A.5.a. (special requirements for hazardous waste which is used, re-used, recycled or reclaimed) is not subject to the standards and requirements of Sections 206.B., C. and D. except to the extent that Section 201.A.5.b. provides otherwise.

Section 201.A.5.b. specifies that a hazardous waste that is sludge, or that is listed in 201.C.2. or 201.C.3. or that contains one or more hazardous wastes listed in 201.C.2 or 201.C.3. and that is transported or stored prior to being used, reused, recycled, is subject to the applicable provisions of Sections 202 through 303 with respect to such transportation or storage.

The New Mexico Hazardous Waste Act, Section 74-4-1 et. seq., NMSA 1978, requires that each person owning and operating a facility for the treatment, storage, or disposal of hazardous waste identified or listed under said Act, must either:

1. have a permit issued pursuant to the requirements established by the board (Section 74-4-4.E., NMSA 1978); or
2. be an existing facility with interim status as specified in Section 74-4-9, NMSA 1978.

Therefore, any owner or operator of a facility that will store any waste listed, or which contains any waste listed in 201.C.2. or 3. prior to recovery, and/or which will store any sludges or still bottoms generated from the recovery of those, wastes for

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more than 90 days, is required to have a final permit for the storage of those wastes or have qualified for interim status for the storage of those wastes.

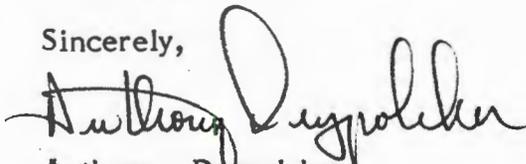
After re-examination of your Part A permit application, it has been determined that the application is deficient in regards to the owner/operator certification and has therefore failed to meet the standards and requirements of Section 74-4-9, NMSA 1978 and the New Mexico Hazardous Waste Management Regulations.

Therefore, this letter is to inform you that according to HWMR-2, Section 302.C.1.b. this facility is not entitled to interim status and that the proposed storage of any waste requiring a final permit or interim status may subject you to EID enforcement for operating without a permit.

Prior to engaging in any hazardous waste activity which requires a final permit, you must complete and submit a Part A and Part B permit application as required by Section 74-4-1 et. seq., NMSA 1978 and the New Mexico Hazardous Waste Management Regulations, Parts I through V.

If you have any questions, please feel free to contact Raymond R. Sisneros at (505) 984-0020, Ext. 340.

Sincerely,



Anthony Drypolcher
Acting Bureau Chief
Groundwater and Hazardous Waste Bureau

AD:THT:clm