

~~CONFIDENTIAL~~

RECORD OF COMMUNICATION	<input type="checkbox"/> PHONE CALL <input checked="" type="checkbox"/> DISCUSSION <input type="checkbox"/> FIELD TRIP <input type="checkbox"/> CONFERENCE <input type="checkbox"/> OTHER (SPECIFY) XXX	
	(Record of item checked above)	
TO:	FROM: Debbie Vaughn-Wright	DATE: 3/9/89
		TIME:
SUBJECT Rinchem, N.M.		
SUMMARY OF COMMUNICATION		
<p>Doug Fassett, Terry Mendolia, Dave Maiefski, and Myself met to discuss the possible RCRA Enforcement action that could take place at Rinchem.</p> <p>The issue came up because the State of New Mexico wants to prepare a HRS package on Rinchem, however before the Region could direct the State to continue we had to determine if any corrective action could be conducted under the RCRA program.</p> <p>Rinchem was a waste recycler until about 1983. at which time Rinchem left the site under study and bought new property. The former site was being leased. The new owners and operators are scrap metal recyclers, and apparently do not handle hazardous waste. In a situation like this the only enforcement option available to RCRA would be a 3019, which orders the O/O to conduct onsite monitoring and sampling, but does not include any corrective action. Because the current owners are not regulated under RCRA a 3008(h) Corrective Action Order would not be possible, because it can only apply to the party that caused the contamination.</p> <p>Because RCRA could not go any further in their process than further monitoring and Superfund appears to be the only program under which we can initiate remedial actions, we decided to continue preparing and HRS package for Rinchem.</p>		
CONCLUSIONS, ACTION TAKEN OR REQUIRED		
<p>Doug Fassett contacted Steve Cary with NMEID and told him to proceed with the HRS package preparation.</p>		
INFORMATION COPIES		
TO: Superfund Confidential File, Terry Mendolia, Doug Fassett, Brian Burgess		