



GARY E. JOHNSON  
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RINCHM 94  
State of New Mexico

**ENVIRONMENT DEPARTMENT**  
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**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

July 18, 1996

Mr. Jim Moore  
RINCHEM Company Inc.  
6133 Edith Boulevard NE  
Albuquerque, NM 87107

Dear Mr. Moore:

It has been brought to the attention of the New Mexico Environment Department and the U.S. EPA that RINCHEM has not submitted the Biennial Report Form(s) for Waste Received from Off-Site (WR). Concerning a previous telephone conversation with you, I may have misunderstood RINCHEM's question and therefore RINCHEM was advised Waste Received from Off-Site, WR Forms, were not necessary for transfer facilities. Status as an exempt transfer facility expires upon issuance of a permit for the storage facility. The permitted storage facility must comply with BRS reporting requirements.

It has been brought to my attention that reporting of the quantity and waste codes of all wastes received from off site is required by the provisions of RINCHEM's RCRA Permit, Page 15, Condition 2.a. which states: "The Permittee shall comply with the Biennial Report (BRS) requirements of HWMR-4, Section 203.C.3.a. at 40 CFR § 264.75. Note, there is no exemption for Permitted Facilities operating as a "Transfer Facility". The BRS instruction booklet gives specific instructions on how to report waste quantities from Conditionally Exempt Small Quantity Generators that do not have EPA Identification Numbers, therefore; NMED requires the completed WR Forms be submitted to revise the RINCHEM Biennial Report within 30 days of the receipt of this document.

Should you or your staff have any questions about this matter please contact myself or Mr. James Seubert of my staff, Mr. Robert S. (Stu) Dinwiddie of the RCRA Permitting Program, or Ms. Anna Walker of the BRS Program at the above address or by telephone at (505) 827-1561.

Sincerely,

Coby Muckelroy  
Program Manager  
RCRA Inspection/Enforcement

xc: Benito Garcia, Bureau Chief HRMB  
Norma Silva, NMED/HRMB  
Barbara Hoditschek, NMED/HRMB  
Anna Walker, Management Analyst