



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
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MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

Certified Mail
Return Receipt Requested

June 19, 1998

ATTN: John Fitzsimmons
Rinchem Company, Inc.
6133 Edith Blvd. NW
Albuquerque, NM 87107

Dear Mr. Fitzsimmons:

On March 6, 1998, the New Mexico Environment Department (NMED) - Hazardous and Radioactive Materials Bureau (HRMB) conducted a compliance evaluation inspection (CEI) at Rinchem Company, Inc. Based on our inspection and review of the information obtained, NMED has determined that Rinchem has violated the New Mexico Hazardous Waste Management Regulations (20 NMAC 4.1) as specified below.

1. Rinchem has failed to apply the accumulation start dates on six (6), 55-gallon drums of hazardous waste stored in their permitted storage area. This is a violation of 20 NMAC 4.1.800, which incorporates 40 CFR 268.50(a)(2)(i).

In accordance with §74-4-10 NMSA 1978 (Repl. Pamp. 1993), NMED may: (1) issue a compliance order requiring compliance immediately or within a specified time period or assessing a civil penalty for any past or current violation of up to \$10,000 per day of non-compliance with each violation or both; or (2) commence a civil action in district court for appropriate relief, including a temporary or permanent injunction. Any such order issued may include a suspension or revocation of any permit issued by NMED.

At this time, NMED is suspending the enforcement options listed above if Rinchem provides NMED with a satisfactory resolution to the violation(s) or a detailed plan of corrective action acceptable to NMED within fifteen (15) working days of receipt of this letter. If NMED does not receive satisfactory information, then NMED reserves the right to initiate formal enforcement action.

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Any action taken in response to this letter does not relieve Rinchem of its obligation to comply with 20 NMAC 4.1 in other activities which it conducts, nor does it relieve Rinchem of its obligation to comply with any other applicable laws and regulations.

If you have any questions regarding this letter, please contact Mr. John Tymkowych of my staff or myself at (505) 827-1508. Please address your response to Mr. Tymkowych's attention at the address on the letterhead.

Sincerely,



Benito J. Garcia, Bureau Chief
Hazardous & Radioactive Materials Bureau

BJG:JT:MVC

cc: Bill Bartels, NMED District I Office
Phillip Solano, HRMB RCRA Permitting Section
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