



COMPANY, INC.

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July 2, 2004



Barry Birch
NMED-Hazardous Waste Bureau
2905 Rodeo Park Dr East Bldg 1
Santa Fe, NM 87505

Dear Mr. Birch, and Mr. Poullen,

Thank you for your valuable time last week. We appreciate your listening to our proposal to advance pollution prevention and do more effective Resource Conservation and Recovery. To summarize our discussion, we would like to submit the following: Rinchem is looking into a scenario that would have us accepting chemical product/materials at our Albuquerque west facility from various owners around the U.S. in connection with its "At Risk Chemical Inventory Program"™. In the proposed scenario the materials would be documented on a bill of lading to Rinchem in Albuquerque (a virtual transfer of ownership) and we would like to immediately close out the bill of lading, taking ownership of these chemical products. If through our process of trying to find alternative uses for the product, the product is found to have another end use or if it is deemed waste, it would then be shipped or manifested and shipped with Rinchem as the generator or shipper to the end user or TSDf. As an example, the Rinchem owned waste could originally be in New Jersey and it might never come to Rinchem in Albuquerque, but would be originally manifested to Rinchem in Albuquerque. We would then have the new appropriate paperwork to take the waste to an approved TSDf (for example, in Ohio) for treatment and disposal.

As outlined in the proposal we gave you, the client would have options for the disposition of the material of resale, rework, recycle, and disposal. There would be specific time lines for each step of the process that is routinely used to determine the most advantageous disposition for the material. Following this process, it could take 3 days or 3 months to find the disposition method for the material depending on how quickly each option could be eliminated or initiated.

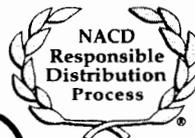
We understand you had questions about several areas of concern. Here are our answers as to what we interpret the regulations to say and questions we need answered by NMED. We request concurrence on our conclusions to determine the compliance of our program.

You asked the question "is this speculative accumulation?" We do not believe it would be due to the fact 48 FR 14489; April 4, 1983 states "commercial chemical products that are stored prior to reclamation, by definition these materials are not regulated as solid wastes until they are abandoned or intended for discard." Additionally, these materials potentially have a useful purpose and value until the process of looking for a beneficial use of these materials, described in our flow charts, is completed.

Our questions are (1) can we use knowledge of process for waste determination? We believe this is appropriate because the material is virgin chemical and we will have the applicable MSDS's (2) If the material is owned by Rinchem in Albuquerque New Mexico, yet stored at another party's site, (possibly out of state) and declared waste on that site, can we use Rinchem's EPA ID number for our TSDf for waste generated in another state and maintain required waste generation records here, or would we be required to get a provisional EPA ID number for every site at which we may declare material waste (which would seem to require that we maintain records there at sites with which we have no connection?)

Sincerely,

Lise V. Gorgone
Rinchem Company, Inc.



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