



New Mexico Health and Environment Department

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Governor

DENNIS BOYD
Secretary

MICHAEL J. BURKHART
Deputy Secretary

RICHARD MITZELFELT
Director

June 19, 1990

Gary M. Mavrakis
Chemical Support Manager
Signetics Company
9201 Pan Am Fwy.
P.O. Box 10272
Albuquerque, N.M. 87184

Dear Mr. Mavrakis:

The New Mexico Environmental Improvement Division (EID) has received Signetic's request to remove, dispose, and replace the Buffered Oxide Etch Waste Tank #4 and the Hydrofluoric Acid Waste Tank #5. The new EID policy is to consider tank replacements as permit modification and partial closure.

Under the present New Mexico Hazardous Waste Regulations (HWMR-5, as amended 1989), a tank replacement is considered a major permit modification. In the near future, the July 1, 1989 edition of the Code of Federal Regulations, Title 40 will be incorporated by reference into the next edition of HWMR. This edition contains the new classification of permit modifications which categorizes tank replacements as class one or minor modifications. A major modification requires the full permitting process, i.e. review of the permit modification application, draft permit, public comment period, etc. The class one modification will not require the full permitting process, but it will require submitting the applicable information required by HWMR, 40 CFR sections 270.13-270.21 and notification of the public of the request.

In regard to the closure requirements, the information required would be that delineated in the Signetic's closure plan, Permit Attachment F, Section I.1.f.

The Hazardous Waste Fee Regulations (HWFR) are also applicable and you are referred to HWFR-1, Part II, Section 206.

Mr. Gary M. Mavrakis
June 19, 1990
Page 2

If immediate attention to tank replacement is required, please call Mr. David Englert at (505) 827-0142. If you wish to discuss any of these policies, please feel free to contact me at (505) 827-2934.

Sincerely,

A. Elizabeth Gordon, Ph.D.

A. Elizabeth Gordon, Ph.D.
Permitting Supervisor
Hazardous Waste Program

AG:DE