



Andy / State / BARD
Jim [initials]
John J. I.
Mike [initials]
Marc [initials]

May 7, 1993
RPW 93-159

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. Edward L. Horst
RCRA Program Manager
Hazardous and Radioactive Materials Bureau
State of New Mexico
Environment Department
Harold Runnels Building
1190 St. Francis Drive
P.O. Box 26110
Sante Fe, New Mexico 87502



RE: Letter of March 19, 1993 about Premium Solvent Program

Dear Mr. Horst:

The following should address your concerns of the above referenced letter:

1. Training of the customers is the key to the success of this program. If the customer thinks that he will contaminate the solvent to make it a hazardous waste than we will not recommend the Premium Solvent. He will also need to sign the generator certification statement that he will not add anything that would make it hazardous.
2. We agree that the generator will be responsible for making a hazardous waste determination. He will be using the generator knowledge concept to identify the material. We will be doing periodic representative waste analysis of some generators to verify this claim that generator knowledge is acceptable. We will also be administering our waste analysis plan that is in our permits. This includes checking for volume, consistency, and color. Any deviation from our waste analysis plan will result in rejecting the waste and calling it hazardous.
3. The generator certification statement says that SK will be indemnified and held harmless for any damages, assessments, penalties, costs, attorney's fees, etc., arising out of, or in any way related to a breach of the above warranty by the generator. The customer(generator) will need to understand what they are signing.

We appreciate your response to the initial request. If you have any questions please call me at 303-322-7328.



Sincerely,

Robert P. Wachsmuth
Robert Wachsmuth
Environmental Engineer

cc: J. Bard
7-008-01
J. Landers
B. San Julian