



State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-2850

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

BRUCE KING
GOVERNOR

May 14, 1992

Mr. Tim Kimball
Perma-Fix, Inc.
7928 Ranchitos Loop, NE
Albuquerque, NM 87113

RE: Documentation for 90-Day Treatment in Tanks
Letter of February 12, 1992

Dear Mr. Kimball:

The Hazardous and Radioactive Materials Bureau (HRMB) has determined that Perma-Fix of New Mexico (PFNM) is not complying with HRMB's requirements regarding notification as set forth in the subject letter. HRMB will petition the United States Environmental Protection Agency, Region VI, to disallow further waste treatment by PFNM pursuant to 40 CFR 268 unless the following reporting requirements are met by PFNM:

1. Each site must be narratively described with respect to the wastes to be treated:
 - a. In what form are the wastes prior to any handling by Perma-Fix?
 - b. What type of vessel holds the waste prior to any handling by Perma-Fix?

This information is necessary in order for HRMB to determine the number and location of samples which must have been taken to adequately characterize the wastes.

2. Samples must be taken of each batch of waste which cannot be documented to be reasonably homogeneous, unless as described in item 3, below. Homogeneity must be assured by mechanical processes involved in the standard operation of the plant or by some subsequent mixing process done expressly for the purposes of obtaining homogeneous samples.
3. In cases where there are many waste containers (e.g, drums)

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and the owner/operator does not wish to submit data from every drum, HRMB will accept as adequate data from a subset of drums only when the waste generating process is fully understood and the wastes can be shown to be reasonably homogeneous.

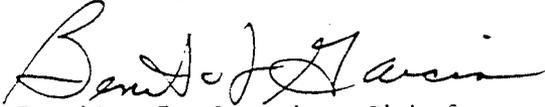
4. Quality control documentation must be as in the attached HRMB QA/QC guidance.
5. PFNM must submit a complete summary table with its initial 90-day treatment notification to include:
 - a. The batch number of each unit of waste to be treated and subsequently analyzed
 - b. The lab sample ID of each unit which has been analyzed
 - c. The lab ID of QA/QC data which pertains to each batch (all QA/QC data must be attached to the notification)
 - d. The analytical outcome for each test and the analytical detection limit associated with each analysis complete with units of measure
 - e. The US EPA SW-846 analytical method number used for the analysis
6. PFNM must submit a complete summary table with its final 90-day treatment report to include:
 - a. The batch number of each unit of waste which was treated and analyzed
 - b. The lab sample ID for the analysis
 - c. The appropriate QA/QC data
 - d. The analytical outcome complete with units of measure
 - e. The US EPA analytical method used for the analysis

The current data submitted by PFNM regarding waste treatment at Spartan, Incorporated and dated May 4, 1992 and May 11, 1992 does not meet the above requirements. HRMB does not consider that it can determine whether testing, analysis or treatment of these wastes has been adequately performed. Complete data with respect to these wastes must be submitted in order for HRMB to make this determination.

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If you have any questions regarding this matter, please contact Dr. Bruce Swanton of my staff at (505) 827-4300.

Sincerely,



Benito J. Garcia, Chief
Hazardous and Radioactive Materials Bureau

cc: Bruce Swanton, Program Manager
Edward Horst, Program Manager
Goby Muckelroy, Enforcement Supervisor
✓ Spanton File

Lynn Prince, U.S EPA Region VI (6HHS)

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