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**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

April 10, 1995

Mr. Larry Campbell, Director  
Transwestern Pipeline Company  
Technical Operations  
P.O. Box 1717  
Roswell, New Mexico 88202-1717

**RE: EPA Part A Permit Application**

This letter is written to respond to Transwestern Pipeline Company's (TPC) question of March 30, 1995 as to why TPC was asked by the New Mexico Environment Department, Hazardous and Radioactive Materials Bureau (HRMB) to provide a Part A Environmental Protection Agency (EPA) permit Application. The reasons for that include:

- (1) The need for the HRMB to register TPC in the Resource Conservation and Recovery Act Information System (RCRIS). This enables the EPA to keep track of HRMB projects and commitments, and also the status of the activities of regulated facilities in the State of New Mexico.
- (2) The Part A application is an official EPA form that the State of New Mexico has adopted. It contains the information necessary to register facilities on RCRIS. The Part A application has no bearing on which hazardous waste regulations apply to TPC. Applicability of regulations to TPC is found at 20 NMAC 4.1, Subpart VI 40 CFR Section 265.1(b). These regulations apply to facilities that provided timely notification of hazardous waste activity and submitted Part A application; as well as to those facilities that did not notify of hazardous waste activity and did not submit Part A application. The regulations of 20 NMAC 4.1 Section 265 define the minimum standards for acceptable hazardous waste management until certification of final closure, or if the facility is subject to post-closure requirements, until post-closure responsibilities are fulfilled.

Mr. Campbell, TPC  
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If you have further questions on the above explanation you may call Cornelius Amindyas of my staff at (505) 827-4308.

Sincerely,

*Stephanie Kruse*

*for*

Barbara Hoditschek, Manager  
RCRA Permits Program  
Hazardous and Radioactive materials Bureau

cc: Benito Garcia, HRMB  
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File Reading, 95