



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

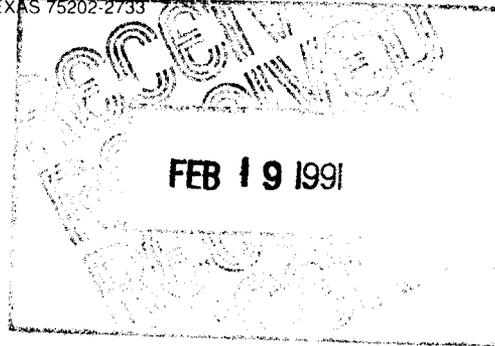
1445 ROSS AVENUE, SUITE 1200

DALLAS, TEXAS 75202-2733

Bruehl, please prepare response

February 14, 1991

Ms. Kathleen M. Sisneros, Chief
Hazardous and Radiation Waste Bureau
Environmental Improvement Division
The Health and Environment Department
1190 St. Francis Drive
Santa Fe, NM 87503



Dear Ms. Sisneros:

As you are aware, November 7, 1990, was the expiration date for the national capacity variance for petroleum refinery wastes, K048-K052. After that date, K048-K052 waste must be treated to the Best Demonstrated Available Technology (BDAT) standards prior to land disposal unless the facility has received one of the following: 1) final approval for a case-by-case extension, 2) a treatability variance for the particular waste stream(s) or 3) final approval for a "no-migration" petition.

At this time, no facilities in your state have pending a petition to demonstrate "no-migration" in their Land Treatment Unit(s) (LTU's). In anticipation of the permanent closing of all units not granted no-migration petitions, it is necessary to coordinate efforts between the State and the Agency in regard to processing closure plans and post-closure care permits.

The following facilities either did not apply for or have been denied (withdrawn) a no-migration petition for their LTU(s):

1. Giant Refinery (NMD000333211)
2. Navajo Refining (NMD048918817)

Therefore, the above listed facilities LTUs should not be receiving K048-K052 wastes. Please provide within thirty days information regarding the present status of the LTU's at the above listed facilities along with any other LTUs that you may have become aware of as being effected by the imposed deadline. Please provide your strategy and schedule for processing the closure plans and post-closure care permits. Also, a schedule of any planned or special inspections to take place at these facilities would be helpful in tracking the status of the LTUs.

Thank you for your cooperation in this matter. If you have any questions, please contact David Vogler of my staff at (214) 655-6790.

Sincerely yours,

William K. Honker, for

William K. Honker, Chief
RCRA Permits Branch

1/22

L12 -

Forgot to mention in my note yesterday: EPA wants estimated dates for CE's for NAVA & GRC Land Treat. Units w/

10 days -

Ernie

Will bundle these

Think we have 30 days. David Engert is putting together a letter next week calling them in. ~~He is~~ He plans to call first and find out what is presently going on. Will probably put a 30-day call-in period on closure plans. Not sure if pe permits called in at the same time. If they aren't, they will be shortly after the closure plans are called in. PC permits have a 6-month time period for submittal. Will get back with you after I talk to David on Mon/Tues. ASZ