



NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
DISTRICT I Hobbs
PO BOX 1980
Hobbs, NM 88241-1981
(505) 393-6161

Jennifer A. Salisbury
CABINET SECRETARY

May 8, 1998

Mr. Darrell Moore
Navajo Refining Company
P.O. Box 159
Artesia, NM 88211-0159

Mr. Ken Marsh
P.O. Box 369
Hobbs, NM 88241

Re: C-138 Request dated 4/30/98; Sewer Inserts.

Dear Mr. Moore and Mr. Marsh:

New Mexico Oil Conservation Division (NMOCD) is in receipt of your request to dispose of waste solids generated in the sewer inserts which is an integral part i.e. constructed inside, of your Artesia's Refinery wastewater collection systems. After several hours of research I cannot find any clear-cut Regulatory Interpretation Memo "RIM" concerning this specific issue. **Therefore the NMOCD cannot approve of this waste stream at this time.**

After checking with Mr. John Tymkowych, Program Manager of the New Mexico Hazardous & Radioactive Material Bureau (NMHRMB) it appears the approval of this waste being classified other than a F037 RCRA "listed waste" will have to be presented by the generator to the NMHRMB for their approval. Please call Mr. Tymkowych at 505-827-1508.

Once the NMHRMB approves please provide NMOCD written correspondence from NMHRMB, then we can process your C-138 in the normal manner with the usual acceptable documentation.

The NMOCD has reviewed your request and feels this waste stream if generated in a manner that isolates it from the normal F037 wastewater stream and does not contain chemical constituents that originally caused the wastewater to be classified as F037, then it should not be classified as F037, but will still be required to pass the hazardous characteristics test. This scenario was presented to the EPA RCRA Hot Line on May 7, 1998 with the same conclusion as above, however was disclaimed as not being an official or legal opinion.

The NMOCD also agrees this will assist in reducing your hazardous waste as required under RCRA's waste minimization program, enhance your NMOCD discharge plan requirements by reducing the overall environmental impact of your operations, and of course be more cost effective for Industry.

If you require any further information or assistance please do not hesitate to call (505-393-6161) or write this office.

Sincerely Yours,

Wayne Price-Environmental Engineer

cc: Chris Williams-NMOCD District I Supervisor
Tim Gumm-NMOCD District II Supervisor
Roger Anderson-Environmental Bureau Chief, Santa Fe, NM
Martyne Kieling-Environmental Bureau, Santa Fe, NM
John Tymkowych-NMHRMB Santa Fe, NM

