



GARY E. JOHNSON  
GOVERNOR

State of New Mexico  
**ENVIRONMENT DEPARTMENT**  
Hazardous & Radioactive Materials Bureau  
2044 Galisteo  
P.O. Box 26110  
Santa Fe, New Mexico 87502  
(505) 827-1557  
Fax (505) 827-1544



MARK E. WEIDLER  
SECRETARY

EDGAR T. THORNTON, III  
DEPUTY SECRETARY

August 9, 1996

Walter S. Darr, Chief of Compliance  
Environmental Management Division  
377 ABW-EMC  
2000 Wyoming, S.E.  
Kirtland Air Force Base, New Mexico 87117-5659

Dear Mr. Darr:

The Hazardous and Radioactive Materials Bureau (HRMB) is in receipt of your July 25, 1996 letter regarding KAFB's proposal for laundering cloth maintenance rags contaminated with petroleum hydrocarbons and heavy metals. You are correct in your assessment that no hazardous waste permit is required for the on-site laundering process. Upon reviewing the issue of the regulatory status of rags contaminated with hazardous constituents again, HRMB has determined that the existing rags policy is necessary to provide protection of human health and the environment, to provide consistency state-wide in the management of such rags, and to allow proper management of rags without undue burden on the regulated community. Therefore, rags and shop towels that are contaminated with hazardous constituents that are either listed hazardous waste or meet a hazardous waste characteristic must continue to be managed as hazardous waste until they are laundered.

HRMB contacted EPA Region IV to determine the current regulatory status of rags. Region IV still supports the interpretation made in its December 28, 1998 memorandum, but has clarified the status of solvent wipers based on their ultimate destination. The Region IV memorandum dated June 14, 1995 states that "several recent enforcement cases have made it clear that it is necessary to clarify the type of laundering process which, when utilized, render the incoming solvent wipers not subject to RCRA." This memorandum is attached for your information.

HRMB believes that the burden on the regulatory agency is too great to monitor how rags throughout the state might ultimately be laundered, if at all, before basing its decision on whether or not a particular rag is a solid waste. HRMB supports KAFB's efforts to install its own on-site laundering process. However, this

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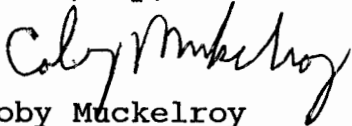


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process will not change the fact that rags may be hazardous waste due to hazardous constituents prior to laundering and must be stored appropriately until laundered. HRMB believes that these contaminated rags if stored indiscriminately may create future environmental or health impacts. In order to be consistent in its regulatory policy state-wide, HRMB believes that the existing policy, developed in conjunction with EPA Region 6, is the most practical approach to ensuring that rags are managed properly.

Thank you for your comments and interest in this matter. If you have any questions, please contact me at (505) 827-1558.

Sincerely,



Coby Muckelroy  
RCRA Inspection/Enforcement Program Manager  
Hazardous and Radioactive Materials Bureau

Enclosure

xc: Benito Garcia, Chief, HRMB  
Barbara Hoditschek, Program Manager, RCRA Permits Management  
Cornelius Amindyas, RCRA Permits Management Program  
RCRA Inspection/Enforcement Program Staff