



NEW MEXICO
ENVIRONMENT DEPARTMENT



Solid Waste Bureau

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Governor
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RON CURRY
Secretary
JON GOLDSTEIN
Deputy Secretary

January 16, 2008

Dan Koons
C.I.Agent Solutions
11760 Commonwealth Drive
Louisville, Kentucky 40299

Re: Request for Disposal Determination – C.I.Agent (Hydrocarbon Solidifier)

Dear Mr. Koons:

In accordance with your request, the New Mexico Environment Department, Solid Waste Bureau (SWB), has reviewed the information submitted regarding your company's product, C.I.Agent, which is a hydrocarbon solidifier. The SWB reviewed the data to determine the minimally acceptable requirements for disposal of solidified hydrocarbons resulting from the use this product (when used with liquid spills of five or less gallons from known sources) at RCRA Subtitle D (Municipal) landfills in the State of New Mexico.

There are a couple primary considerations prior to disposal at any landfill in New Mexico:

1. The New Mexico Solid Waste Rules (SWR), 20.9.2.10.A(8) NMAC, prohibits the disposal of hazardous waste regulated under RCRA Subtitle C at any solid waste facility. Therefore, the person presenting the solidified hydrocarbon for disposal must be able to demonstrate by specific generator knowledge and/or Toxic Characteristic Leaching Procedure (TCLP) that the waste is not hazardous; and
2. The SWR, 20.9.2.10.A(9) NMAC, prohibits the disposal of liquid waste (except for certain household liquids) at any solid waste facility. Therefore, the person presenting the solidified hydrocarbon for disposal must be able to demonstrate through the USEPA Paint Filter Liquids Test that the waste does not contain free liquids.

If the waste (solidified hydrocarbons) meets the foregoing requirements, it may be accepted for disposal at landfills in New Mexico; however, be advised that that landfill owners or operators may establish their own waste acceptance criteria, which may be more stringent.

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If you any questions or require further clarification, please call me at (505) 827-2924.

Sincerely,



George W. Akeley Jr. (Chuck)
Manager, Enforcement Section

cc: Auralie Ashley-Marx, Chief, Solid Waste Bureau
Terry Nelson, Manager, Permit Section, Solid Waste Bureau
E. Gifford Stack, Manager, Outreach Section, Solid Waste Bureau