



BRUCE KING
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-2850

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

April 4, 1994

Joe Herrin
Senior Project Manager - Remediation
Safety-Kleen Corp.
1000 North Randall Road
Elgin, Illinois 60123-7857

**RE: Closure Certification Request
Safety-Kleen Albuquerque Service Center**

Dear Mr. Herrin:

On November 1, 1993, the Hazardous and Radioactive Materials Bureau (HRMB) received the document entitled, "Closure Progress Report and Closure Plan Amendment/Remedial Action Plan Safety-Kleen Corp. Service Center Albuquerque, New Mexico NMD000804294, October 28, 1993". The document contains information on closure activities for the hazardous waste underground storage tank closure plan approved by the New Mexico Environment Department (NMED) on May 7, 1993.

Condition for Closure Plan Approval No.1 included with the NMED May 7, 1993, approval letter states that, "Any contamination identified during closure activities shall be subject to RCRA hazardous waste management requirements unless Safety-Kleen clearly demonstrates to NMED that the contamination resulted from a source other than a RCRA regulated hazardous waste management unit." Information on Page 1-6 of your October 28, 1993 document describes the soil contamination to be the result of a release from the product mineral spirits underground storage tank piping that is located adjacent to the hazardous waste unit. The HRMB also obtained additional information from the NMED Underground Storage Tank Bureau (USTB) confirming that soil contamination at the site is a result of a break in the pipe as described above, and not from a release from the hazardous waste underground storage tank. This information includes a September 23, 1991, Inspection Report; September 21, 1991, Tank Tightness Report; September 25, 1991, Incident Report; and a July 28, 1993, Inspection Report.

The applicable regulations governing clean-up of product tank releases may be found in 40 CFR 280 Subpart F. These requirements are administered by the NMED USTB, and are outside of the authority of the HRMB. Based on our review of the October 28, 1993, document and in light of the USTB information which supports the release of

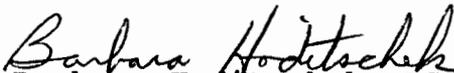
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product and not hazardous waste, the HRMB considers that Safety-Kleen has completed hazardous waste closure activities for the hazardous waste underground storage tank through the removal and decontamination activities for the hazardous waste unit. Note that this determination has no bearing on any additional remediation activities which may be required under the USTB or the Environmental Protection Agency authorities.

The HRMB requests that Safety-Kleen submit a closure certification for the hazardous waste underground storage tank containing the information required by the Hazardous Waste Management Regulations (HWMR-7) Part VI, Section 265.115. This closure certification is due to the HRMB within 60 days of your receipt of this letter.

Please contact Marc Sides of my staff at (505) 827-4308 if you have any questions.

Sincerely,



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

cc: Marc Sides, HRMB
Kalvin Martin, USTB
Rich Mayer, EPA