



March 5, 1990

Mr. Jack Ellvinger
Chief, Hazardous Waste Bureau
New Mexico Environmental Improvement Division
Harold Runnels Building
1190 St. Francis Drive
Santa Fe, New Mexico 87503

RE: RCRA 3008 Closure Plan
"LANDFILL"

Dear Sir:

On November 26, 1985, Bloomfield Refining Company, Inc. and the United States Environmental Improvement Division, Region VI agreed to a Consent Agreement and Final Order (RCRA Docket No. VI-501-H) concerning certain RCRA-related activities at the facility. All orders of the "Agreement" have been completed with the exception of approval from the New Mexico Environmental Improvement Division for a "Final Closure Plan for the API Wastewater Ponds, Landfill, and Landfill Pond at the Bloomfield Refinery". This "Closure Plan" was submitted to the NM EID on August 20, 1986. As the Agreement states and as confirmed in Duff Westbrook's letter (certified mail P-456-378-728 dated January 23, 1987) to our counsel, Joe Guida of Gardere & Wynn, the New Mexico Environmental Improvement Division has jurisdiction to review the Closure Plan.

Bloomfield Refining Company has always operated the facility as a generator only as regards hazardous waste management. Bloomfield Refining Company's position with the Closure Plan was to make "moot" any remaining TSD questions without agreeing to the NM EID position that we are a TSD facility. With this in mind, we have completed all requirements of the Closure Plan with the exception of the final closure of the "landfill". We have delayed this activity in anticipation of your approval of our Closure Plan. However, in view of the economic impacts for disposal associated with the land ban for refinery K waste (August 1990), we felt that a course of action for the landfill must be determined before the land ban goes into effect. Therefore, we have begun closure activities for the landfill.

As a first step for closure of the landfill, during the period from November 27, 1989 to December 4, 1989 (and under the oversight of an outside contractor, Geoscience Consultants, Ltd.), we excavated the landfill and stockpiled potentially sludge-contaminated soil for future disposal and/or treatment consideration. The report of this activity is attached. As evidenced by the volume of recovered material (estimated at 2000 cubic yards), we feel that our effort was very thorough in segregating potentially contaminated soil from clean backfill material.

Also during the excavation a composite sample taken from what appeared to be worst case areas was obtained. Extensive analytical parameters were determined and the results are attached.

We are now in position to proceed with disposal and/or treatment of the stockpiled material. It is in this effort that we hope to receive your assistance in determining a disposal option that is economically practical for the material with consideration of the materials hazard potential. We believe that three options are available for consideration. These are:

1. On-site treatment or disposal as a non-hazardous waste;
2. Off-site treatment or disposal as a non-hazardous industrial waste;
3. Off-site treatment or disposal as a RCRA regulated waste.

From the analytical data, we have determined that the material is non-hazardous. We further believe that the material has been substantially degraded during the eight years that it has existed in the site. We have also demonstrated both visually and analytically (see "Closure Plan") that no hazardous constituents of the material have migrated downward. We, therefore, propose that the most economical and practical option would be on-site treatment as a non-hazardous waste. With your concurrence, we propose to backfill the excavation with the clean soil and then spread the stockpiled, non-hazardous material over the same area to allow aeration to occur. This should finalize the naturally occurring treatment process.

We believe that disposal of this material as a RCRA waste is not warranted. We would appreciate any help you can offer to facilitate a prompt and economical resolution to the landfill problem. We would welcome a visit with you to discuss our options. The excavated site also remains available for your inspection.

The data submitted herewith was done in partial fulfillment of our agreement, "Final Closure Plan for the API Wastewater Ponds, Landfill, and Landfill Pond at the Bloomfield Refinery". It should not be construed, for any purpose, as an admission of liability under any governmental statute or rule, or an admission of any question of law. Furthermore, Bloomfield Refining Company reserves the right to further interpret or modify any statements or data contained here, if appropriate, in the future.

Please call me for further discussion of this matter.

Sincerely yours,



Chris Hawley
Environmental Engineer

CH/jm

Enclosures

cc: Joe Warr
Richard Traylor
Mike Macy