



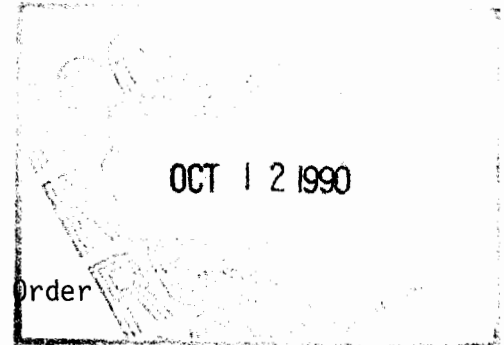
**Bloomfield Refining
Company**

A Gary Energy Corporation Subsidiary

ENTERED

October 9, 1990

Ms. Kathleen Sisneros, Chief
Hazardous and Radioactive Waste Bureau
New Mexico Environmental Improvement Division
1190 St. Francis Drive
Santa Fe, New Mexico 87503



RE: November 26, 1985 Consent Agreement and Final Order
"Landfill Closure"
NMD 089416416

Dear Ms. Sisneros:

Bloomfield Refining Company has had a long-standing disagreement with the U.S. Environmental Protection Agency concerning the regulatory status of a landfill located at our facility. This landfill was a subject of a closure plan submitted to the New Mexico EID on August 20, 1986 designed to make "moot" this disagreement.

Since the submittal of the closure plan, we have excavated the impoundment (see our letter to Mr. Jack Ellvinger dated March 5, 1990) and have completed a very extensive analytical evaluation of the site. Assuming that the waste from the landfill contains refinery "K" waste, our data strongly indicates that a delisting petition would be successful. However, we are not clear as to the agencies' preferences in resolving this matter.

We, therefore, formally request that you make arrangements with the proper officials (both NM EID and US EPA) for a meeting. We are prepared to present our data and to seek guidance on how to proceed with the final disposition of the "landfill".

I look forward to hearing from you soon.

Sincerely,

Richard Traylor
Refinery Manager

RT/jm

cc: Joe Warr
Chris Hawley
Mike Macy
Coby Muckelroy, NM EID
Peter Bierbaum, ERM, Inc.