



BRUCE KING
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
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(505) 827-2850

JUDITH M. ESPINOSA
SECRETARY

RON CURRY
DEPUTY SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

February 24, 1992

Robert W. Wachsmuth
Safety-Kleen
777 Big Timber Rd.
Elgin, IL 60123

received
3/10/92

Dear Mr. Wachsmuth,

This is to confirm receipt of your notification of closure of the old storage tanks at the recently permitted Albuquerque facility.

Reference to closure according to permit Module IV or Attachment II-7 is invalid. The closure plan included in the facility permit addresses the proposed double-walled storage tank and other units at the facility; it does not address partial closure. Furthermore, we have on record a letter dated April 23, 1990 from NMED to Mr. Scott Fore identifying the need for a closure plan specific to the old storage tank.

Closure of the old single-walled tank requires that you follow 40 CFR section 264.197. Since the old tank does not have secondary containment, and is not excluded from the secondary containment rules, you must include in the closure plan a contingency post-closure care plan. Most important, you are required to submit a closure plan for approval by NMED, which adheres to the requirements of 40 CFR section 264.197. Failure to do so may result in denial of closure certification and/or additional sampling to determine if clean closure can be achieved.

Since the new double-walled storage tanks are nearing completion and will go into service within the next few days, you will be required to close the old tanks as soon as possible. We recommend that you submit the appropriate closure plan immediately.

If you have any questions regarding this issue, please contact Dr. Herb Grover at (505) 827-4300.

Sincerely,



Edward L. Horst
RCRA Program Manager,
Hazardous and Radioactive Materials Bureau

BG/hdg:sfk224

xc: Bill Honker, EPA-VI
Benito Garcia, Chief, HRMB/NMED
Herb Grover, RCRA Permit Supervisor, NMED
Bruce Swanton, Technical Unit Supervisor, NMED
Ann Lunt, Safety-Kleen