



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

VIA REGULAR MAIL

February 8, 2024

Timothy Gallegos
Owner
Gallegos Scrap Metal
P.O. Box 3973
Española, NM 87533

**RE: RESOLUTION OF NOTICE OF VIOLATION
GALLEGOS SCRAP METAL
EPA ID# NMR000007708**

Dear Mr. Gallegos:

Beginning on October 19, 2022, the New Mexico Environment Department ("NMED") conducted a hazardous waste Compliance Evaluation Inspection at the Gallegos Scrap Metal, located at 1014 Calle Gallegos, Española, New Mexico. Based on that Inspection and review of information obtained NMED issued a Notice of Violation ("NOV") dated January 17, 2023. On March 25, 2023, Gallegos Scrap Metal submitted a Sampling Plan in response to the NOV, providing the methods of characterizing the nature and extent of potential contamination. On June 22nd, 2023 Gallegos Scrap Metal provided NMED with the results of sample analysis, showing that subsurface used oil contamination was present near and immediately underneath the car crusher unit.

On January 24, 2024 Gallegos Scrap Metal submitted a work completion report summarizing excavation and remediation work performed in late 2023, extent of impacted soil removed, and the results of confirmatory sampling at the bottom of the excavation performed immediately underneath the former location of the car crusher unit. Gallegos Scrap Metal reported moving the car crusher unit to excavate visually impacted soils to an approximate depth of 2 feet below ground surface before unimpacted soil was observed. Results of confirmatory soil samples showed the absence of used oil contamination at the bottom of the excavation.

Based on review of the responses and work completion report, NMED has determined that the violation cited in the NOV has been adequately addressed and that no further action relative to the NOV on the part of Gallegos Scrap Metal is required.

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Hazardous Waste Bureau - 2905 Rodeo Park Drive East , Building 1 Santa Fe, New Mexico 87505-6313
Telephone (505) 476-6000 - www.env.nm.gov

Mr. Gallegos
February 8, 2024
Page 2

Any action taken in response to this letter does not relieve your installation of its obligation to comply with any and all other applicable laws and regulations. Any soils that are contaminated by used oil or other waste automotive fluids, and any soils observed onsite that may have been impacted by historical releases of used oil or other waste automotive fluids, must be remediated as soon as possible.

If you have any questions regarding this letter, please contact Aaron Coffman of my staff at 505-470-8495 or by email at aaron.coffman@env.nm.gov.

Sincerely,

Ricardo Maestas
Acting Chief
Hazardous Waste Bureau

RM: ac

cc: Aaron Coffman, NMED HWB
Thomas X. Vigil, NMED District II Manager (Acting)

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