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NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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RON CURRY
Secretary

CINDY PADILLA
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

November 16, 2007

James Randy Schmaltz
Environmental Manager
Giant Bloomfield Refinery
50 County Road 4990
Bloomfield, NM87413

**SUBJECT: NOTICE OF VIOLATION AND RESOLUTION
GIANT BLOOMFIELD REFINERY, EPA ID# NMD089416416**

Dear Mr. Schmaltz:

On September 11, 2007 the New Mexico Environment Department (NMED) conducted a hazardous waste Compliance Evaluation Inspection at the Giant Bloomfield Refinery, located at # 50 County Road 4990, Bloomfield. Based on that inspection and review of the information obtained, the NMED has determined that your facility is a Large Quantity Generator of hazardous waste and has violated the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC) as specified below.

The NMED observed the following violations:

1. Giant Bloomfield Refinery failed to contain universal waste lamps in a structurally sound container adequate to prevent breakage or leakage. Six x 8' spent florescent lamps were found in the corner of the maintenance shed/universal waste storage area.. This is a violation of 20.4.1.1000 NMAC, incorporating 40 CFR 273.13(d)(1).
2. Giant Bloomfield Refinery failed to mark clearly or label universal waste lamps with the phrases "Universal-Waste Lamps" or "Waste Lamps" or "Spent Lamps." Six x 8' spent florescent lamps were found in the corner of the maintenance shed/universal waste

storage area. These are violations of 20.4.1.1000 NMAC, incorporating 40 CFR 273.14(e).

3. Giant Bloomfield Refinery failed to clearly mark or label with the words "Used Oil" on three containers; (a) one 55- gallon black metal drum used to collect oil from draining filters; (b) one 30-gallon blue metal drum; and (c) one 15- gallon black metal drip pan. All containers were found in the used oil storage area on the west side of the property. This is a violation of 20.4.1.1002 NMAC, incorporating 40 CFR 279.22(c)(1).

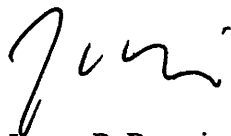
In accordance with 74-4-10 NMSA 1978, the NMED may: (1) issue a Compliance Order requiring compliance immediately or within a specified time period, or assess a civil penalty for any past or current violations of up to \$10,000 per day of non-compliance with each violation, or both; or (2) commence a civil action in District Court for appropriate relief, including a temporary or permanent injunction. Any such order may include a suspension or revocation of any permit issued by the NMED.

The NMED has determined that the violations were adequately addressed during the Compliance Evaluation Inspection, and no further action is required.

Any action taken in response to this letter does not relieve Giant Bloomfield Refinery of its obligation to comply with any other applicable laws and regulations.

If you have any questions regarding this letter, please contact Loreen Lithgow of my staff at (505) 476-6009. Please address any written response to the attention of Ms. Lithgow at the address on the letterhead.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

JPB:ll

cc: Art Vollmer, NMED HWB
Anna Maestas, NMED HWB
Loreen Lithgow, NMED HWB
Charles Lundstrom, NMED District V

file # 2411