



GRCB

MEMORANDUM ENTERED

DATE: Sept 12, 1988

TO: Jack Ellwinger, Bureau Chief
FROM: CK Crossman, Permitting Supervisor
SUBJECT: Hearing Officer - Giant Refinery

I have scheduled a hearing on the Giant permit for October 5 in Gallup. Please check with Kirk on who he would suggest. I've had one inquiry - the Navajo's - on the permit and they may request a hearing to preserve their legal rights. We've planned to cancel on Oct 3 if there are no requests or we decide to cancel.

Walt Youngblood.

Ask Kelley what he wants here?

9/14/88

Recommended to Need a hearing officer
Kelley to ask. Walt on stand-by.
Youngblood if he
might act as hearing officer. CK

PUBLIC NOTICE

NEW MEXICO ENVIRONMENTAL IMPROVEMENT DIVISION
HAZARDOUS WASTE BUREAU
P.O. BOX 968
SANTA FE, NEW MEXICO 87504-0968

Public Notice No. 24

August 28, 1988

Notice of Proposed Issuance of a Final Permit For a Facility Under the New Mexico Hazardous Waste Act

Under authority of the Resource Conservation and Recovery Act (RCRA), the Environmental Improvement Division (EID) of the New Mexico Health and Environment Department and the U.S. Environmental Protection Agency (EPA) Region VI, propose to issue a final permit to Giant Refining Company, Route 3, Box 7, approximately 17 miles east of Gallup, NM 87301, for the land application treatment of hazardous waste. The EID permit is to be issued under authority of the New Mexico Hazardous Waste Act (§ 74-4-1 et. seq., NMSA 1978, as amended 1987) and the EPA permit under the authority of the Hazardous and Solid Waste Amendments of 1984. The facility has been assigned EPA identification number NMD000333211.

The proposed EID permit contains conditions for the land application treatment of hazardous refinery waste at the existing facility. Petroleum refining has been conducted at this location for more than thirty years and wastes have been land applied since 1981. The EPA permit will address the investigation and, if necessary, the cleanup of past spills and disposal sites as well as other HSWA regulations.

The draft proposed permits and the administrative records may be reviewed at either the E.I.D. Central Office library at the Harold Runnels Building, 1190 St. Francis Drive, Santa Fe, New Mexico, the E.I.D. District I Field Office, 106 W. Hill, Gallup, New Mexico, or the EPA library, 1445 Ross Avenue, Dallas, Texas.

The addresses of the E.I.D. and EPA representatives for either reviewing or obtaining a copy of the administrative record or any part thereof at 35 cents a page, or for commenting or public participation, are:

Mr. C. Kelley Crossman
Permitting Supervisor
Hazardous Waste Bureau (EID)
P.O. Box 968
Santa Fe, New Mexico 87504-0968

Mr. Sam Becker, P.E., Chief,
Hazardous Waste Compliance Branch
U.S. EPA (6H-C)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Any person, including the applicant, who wishes to comment on the decision to issue a permit may do so by submitting comments, along with the commentor's name and address, to both addressees above. All written comments submitted on

the decision to issue the permit must be received by October 14, 1988 to be considered in formulating a final decision.

Any person, including the applicant, who wishes to request a public hearing concerning the proposed action(s), may do so by submitting a written request to both addressees above. Any request for a hearing shall state the nature of the issues proposed to be raised in the hearing. All requests must include the requestor's name and address. Requests for a hearing must be received by October 3, 1988 to be considered. A public hearing is scheduled for 1:30 pm on October 5, 1988 at the McKinley County Courthouse, Commission Room, 200 West Hill, Gallup, NM. If no requests for a public hearing are received by October 3, 1988, the EID reserves the right to cancel the scheduled hearing.

If, after consideration of all written comments, this proposed action becomes the final decision, the EID and the EPA will each issue the company an operating permit. These permits will govern the handling and disposal of regulated hazardous wastes at the refinery.

This notice satisfies the requirements of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901, *et. seq.* and 40 CFR 124.10. The final permit, if issued by the EPA, will implement the requirements of the HSWA, amending the Federal Solid Waste Disposal Act, as amended. The State of New Mexico and the EPA have entered into a joint permitting agreement whereby RCRA permits may be issued in the State, in accordance with the Hazardous Waste Management Regulations of the State of New Mexico and the HSWA, until the State receives interim or final authorization under RCRA to administer the requirements of HSWA. In order for the applicant to have a fully effective RCRA permit, both the New Mexico EID and the EPA must issue a permit. EPA may participate in any public hearing if one is held.