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ENTERED



MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

MEMORANDUM

TO: Mark Weidler
THRU: Ed Kelly
FROM: *MD* Stu Dinwiddie
DATE: March 5, 1998
RE: Giant Refining Company

Giant Refining Company has 2 facilities that will require Permit activities in the near future.

The facility at Ciniza has a Permit that expires in November 1998. We have informed them that since they will be going into Post Closure Care, they will not have to renew this Permit. They estimate the application for a Post Closure Care Permit for a Land Treatment Area will be submitted before the New Fee Regs come into effect and with sufficient time for us to determine Administrative Completeness. If this is so, the Fee under the Old Fee Regs would be \$50,000 payable this year.

The facility at Bloomfield is presently operating under a 3008 (h) order from EPA. They are required to provide EPA, for their approval, a CMS Report. Once this is done, NMED will take over and incorporate the CMS into an Operating Permit for a Surface Impoundment. It is unlikely this application will be submitted before the end of this year. Therefore, the New Fee Regs should come into play. The cost of this application will be in total \$145,500 payable in 3 equal parts. The first part, \$48,500 will most likely be paid in 1999 and the other 2 parts in 2000 and 2001 respectively.

The reason for these time frames is that the staff time is estimated to be approximately 234 calendar days for each part. When you add to that Giant's response time for Requests for Information and Notice of Deficiencies, one year is not uncommon. One must also take into consideration, the staff member doing the review will also be responsible for other facilities and will be doing document reviews for them at the same time.

Giant should therefore, see costs of around \$50,000 each year for the next 4 years. These Permits will not be due for renewal for 10 years. It is also possible that the Fee being charged for the Surface Impoundment could be less than is shown here since work is being done to make the generation and review of documents more efficient. Only time will tell.