



**BILL RICHARDSON**  
GOVERNOR

State of New Mexico  
**ENVIRONMENT DEPARTMENT**

*Hazardous Waste Bureau*  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
Telephone (505) 428-2500  
Fax (505) 428-2567  
[www.nmenv.state.nm.us](http://www.nmenv.state.nm.us)

**ENTERED**



**RON CURRY**  
SECRETARY

**FACT SHEET**

**ISSUANCE OF A DRAFT ORDER  
UNDER SECTIONS 74-4-10.1 AND 74-4-13 OF THE  
NEW MEXICO HAZARDOUS WASTE ACT**

**TO**

**GIANT INDUSTRIES ARIZONA, INC. AND THE SAN JUAN REFINING COMPANY  
SAN JUAN COUNTY,  
BLOOMFIELD, NEW MEXICO**

**JUNE 21, 2006**

**Facility Name:** Giant Refining Company, Bloomfield Refinery

**EPA ID Number:** NMD089416416

**Type of Facility:** The Giant Refining Company, Bloomfield Refinery (Facility) is a hazardous waste treatment facility under the New Mexico Hazardous Waste Act (HWA) and the federal Resource Conservation and Recovery Act (RCRA).

**Location:** The Facility is comprised of approximately 0.45 square miles (285 acres) located in northwestern New Mexico, within the San Juan Basin. The facility is situated in San Juan County approximately 0.5 miles east of U.S. Highway 550 on County Road 4990 (Sullivan Road), and approximately one mile south of the city of Bloomfield. The Facility is located on the south side of the San Juan River and the Hammond Irrigation Ditch (Hammond Ditch) and situated on a bluff approximately 120 feet above the river. Property managed by the Bureau of Land Management (BLM) borders the Facility to the south. Undeveloped company property and the San Juan River border the Facility to the north. Undeveloped private and public lands border the property to the east and several gravel pits border the property to the west.

**Respondents:** This draft Order is issued to the San Juan Refining Company, the owner of the Facility, and Giant Industries Arizona, Inc. the operator the Facility, (the Respondents).

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**Availability of the draft Order and Other Documents:**

The administrative record for the draft Order includes the draft Order, this Fact Sheet, and other supporting documents. The documents that comprise the administrative record may be reviewed by prior appointment during normal business hours (8:00 a.m. to 5:00 p.m.) at:

New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
(505) 428-2500

The draft Order, Fact Sheet and Public Notice are available on the NMED Hazardous Waste Bureau website at: [www.nmenv.state.nm.us/HWB/grcbperm.html](http://www.nmenv.state.nm.us/HWB/grcbperm.html) under Draft Order.

The draft Order, Fact Sheet, and Public Notice are also available at the:

Bloomfield Public Library  
333 South First Street  
Bloomfield, New Mexico 87413  
(505) 632-8315.

To obtain a copy of the Administrative Record or a portion thereof, please contact Ms. Pamela Allen at (505) 428-2531, or at the Santa Fe address given above. There will be a charge for reproduction of all or any portion of documents.

**PUBLIC PARTICIPATION**

**General Order Notification Procedure:**

The Department is providing a 60-day public comment period prior to issuance of the draft Order to the Respondents. The public comment period will be from June 21, 2006 until close of business (5:00 p.m. MDT) on August 21, 2006. During the public comment period, the administrative record and a copy of the Order will be available for review at locations listed above. All comments from the public must be submitted to the Department (at the address listed above) in writing no later than the specified deadline. The Department will review and consider all written comments received by the deadline.

The public comment period for this draft Order begins on June 21, 2006 and will end on August 21, 2006. Written comments and any requests should be submitted no later than 5:00 p.m., August 21, 2006 to:

John E. Kieling, Program Manager

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Hazardous Waste Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303  
Ref: Giant Refining Company, Bloomfield Refinery Order  
E-mail: john.kieling@state.nm.us

### **ARRANGEMENTS FOR PERSONS WITH DISABILITIES**

Persons having a disability and requiring assistance or auxiliary aid to participate in this process should contact Judy Bentley at the New Mexico Environment Department, Personnel Services Bureau, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone 505-827-9872. TDY users please access her number via the New Mexico Relay Network at 1-800-659-8331.

### **PROCEDURES FOR REACHING A FINAL DECISION**

All comments received during the comment period will become part of the Administrative Record and will be considered by the Department in formulating the final Order. The Department will prepare a response to all written comments which will specify which provisions, if any, of the draft Order have been changed in the final Order, and the reasons for any changes. The Department will issue a final Order to the Respondents upon incorporation of any such changes. The Department will make the final Order available to the public. All persons who presented written comments or who requested notification in writing will be notified of the issuance of the final Order by mail. The Secretary's issuance of the final Order constitutes a final agency action and may be appealed as provided by the Hazardous Waste Act.

### **DETERMINATION**

The Department has determined that the past or present handling, storage, treatment, or disposal of hazardous or solid waste at the Facility may present an imminent and substantial endangerment to health or the environment under section 74-4-13 of the HWA. The Department has further determined that the presence or release of hazardous waste at the Facility may present a substantial hazard to human health or the environment under section 74-4-10.1 of the HWA.

### **PROPOSED AGENCY ACTION**

To address the imminent and substantial endangerment and the substantial hazard to health or the environment that may be present at the Facility, the Department proposes to issue the draft Order to the Respondents as a final order after the end of the comment period. The final order will require the Respondents to conduct a detailed, comprehensive investigation of environmental

contamination at the Facility, and contamination migrating from the Facility, and to clean up such contamination, according to a specified schedule. The final order will be legally enforceable in the courts.

### **LEGAL AUTHORITY**

This draft Order is issued to the Respondents pursuant to Sections 74-4-10.1 and 74-4-13 of the New Mexico Hazardous Waste Act, NMSA 1978 §§ 74-4-1 to 74-4-14. (Repl. Pamp. 1993).

RCRA, 42 U.S.C. §§ 6901 to 6992(k), provides the regulation of hazardous waste management. Pursuant to Section 3006 of RCRA, 42 U.S.C § 6926, the Department was delegated authority by the EPA to enforce the HWA and implementing regulations, the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC) in lieu of RCRA, on April 16, 1985 by delegation nos. 8-31 and 8-32. The Department has maintained continuous authority over hazardous and solid waste management, amending its state program when there are statutory or regulatory changes in RCRA. New Mexico's HWA is part of the state's substantive and procedural requirements with respect to solid and hazardous waste handling, generation, treatment, storage and disposal with which the Respondents must comply at the Facility.

### **CONTENT OF THE DRAFT ORDER**

The following is a summary of requirements set forth in the draft Order.

Section I of the draft Order is an introduction to the Order.

Section II of the draft Order sets forth the Department's findings of fact and conclusions of law in support of this draft Order. It includes a description of the known Solid Waste Management Units at the Facility, and other areas of environmental contamination, or "Areas of Concern."

Section III of the draft Order contains general provisions for implementation and enforcement of the Order.

Section IV of the draft Order sets forth the requirements for the Respondents to conduct a detailed, comprehensive investigation of environmental contamination at the Facility. The section requires specific investigation, sampling and monitoring requirements for solid waste management units (SWMUs) and areas of concern (AOCs) at the Facility. Investigation work plans must be submitted for units grouped by location in accordance with the schedule set forth in the draft Order. This Section also requires the Respondents to conduct Facility-wide groundwater monitoring and to address newly identified SWMUs and AOCs.

Section V of the draft Order requires the Respondents to monitor interim remediation systems at the following areas: the North Barrier Wall and Collection System, the River Terrace Bentonite Slurry Wall and Sheet Pile Barrier Wall, and the Diversion and Treatment of the #1 East Outfall Discharge.

Section VI of the draft Order provides the general requirements for corrective measures, including the identification of cleanup alternatives, and the implementation of cleanup measures for the Facility.

Section VII of the draft Order establishes cleanup levels for remediation of contaminants at the Facility. It also provides for variances to established cleanup levels based on risk calculations.

Section VIII of the draft Order sets forth methods and procedures for field exploration, sampling of various media, decontamination, field equipment calibration, collection and management of investigation derived waste, and documentation of field activities. This Section also specifies methods for chemical analyses of samples collected during investigation and sampling activities, requirements pertaining to the contract laboratory procedures, and requirements for the collection of quality assurance/quality control samples and sample handling. Section VIII also includes general provisions for calculating risk and background levels.

Section IX of the draft Order sets forth methods and procedures for monitoring well construction, well abandonment, and documentation requirements.

Section X of the draft Order sets forth reporting requirements for investigation work plans, investigation reports, monitoring reports, risk assessment, and corrective measures evaluations. All reports submitted to the Department by the Respondents must adhere to the reporting requirements set forth in this Section.

Section XI of the draft Order sets forth a schedule for submittal to the Department of various reports, including groundwater monitoring reports, periodic monitoring reports, interim measures implementation reports, and investigation reports by calendar year.



**BILL RICHARDSON**  
GOVERNOR

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**RON CURRY**  
SECRETARY

**PUBLIC NOTICE NO. 06-11**

**NEW MEXICO ENVIRONMENT DEPARTMENT  
HAZARDOUS WASTE BUREAU  
SANTA FE, NEW MEXICO  
JUNE 21, 2006**

**NOTICE OF ISSUANCE OF THE DRAFT ORDER TO THE  
SAN JUAN REFINING COMPANY AND GIANT INDUSTRIES ARIZONA, INC.  
BLOOMFIELD, NEW MEXICO  
EPA ID NO. NMD089416416**

Giant Refining Company, Bloomfield Refinery (Giant) is a crude oil refining facility operated by the San Juan Refining Company and owned by Giant Industries Arizona, Inc. The Bloomfield Refinery has changed ownership over the years and has been in operation since the late 1950's, which began as a crude topping unit. Currently, the facility has the refining capacity of 18,000 barrels per day (BPD). Throughout its history, Giant has been processing crude oil into petroleum products and as a result of facility operations have released on-site a variety of hazardous and solid wastes.

The New Mexico Environment Department (NMED) is issuing a draft Order (Order) to the San Juan Refining Company and Giant Industries Arizona, Inc. (Respondents), on **June 21, 2006** pursuant to Sections 74-4-10.1 and 74-4-13 of the New Mexico Hazardous Waste Act (HWA), NMSA 1978 §§ 74-4-1 to 74-4-14. (Repl. Pamp. 1993). The draft Order contains investigations and cleanup requirements and a schedule for implementation at the Facility. The draft Order is being issued today and the public is invited to comment on it during the sixty-day comment period. The sixty-day comment period ends on **August 21, 2006**.

The Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901 to 6992(k), provides the regulation of hazardous waste management. Pursuant to Section 3006 of RCRA, 42 U.S.C § 6926, the Department was delegated authority by the EPA to enforce the HWA and implementing regulations, the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC) in lieu of RCRA, on April 16, 1985 by delegation nos. 8-31 and 8-32. The Department has maintained continuous authority over hazardous and solid waste management, amending its state program when there are statutory or regulatory changes in RCRA. New Mexico's HWA is part of the state's substantive and procedural requirements with respect to solid and hazardous waste handling, generation, treatment, storage and disposal with which the Respondents must comply at the Facility.

## **PUBLIC REVIEW OF ADMINISTRATIVE RECORD**

The Administrative Record for the draft Order includes the draft Order, a Fact Sheet, this public notice, investigation and monitoring data, investigation reports, related correspondence and other documents as referenced in the draft Order. NMED has prepared an index to the Administrative Record to facilitate access to the Administrative Record by the public. The complete Administrative Record may be reviewed at the following location during the public comment period:

The administrative record for the draft Order includes the draft Order, this Fact Sheet, and other supporting documents. The documents that comprise the administrative record may be reviewed by prior appointment during normal business hours (8:00 a.m. to 5:00 p.m.) at:

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Bloomfield Public Library  
333 South First Street  
Bloomfield, New Mexico 87413  
(505) 632-8315.

Any person seeking additional information regarding this notice or the draft permit may also contact:

Mr. John E. Kieling, Program Manager  
New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Bldg 1  
Santa Fe, New Mexico 87505  
E-mail: [john.kieling@state.nm.us](mailto:john.kieling@state.nm.us)  
Telephone: (505) 428-2500  
Fax: (505) 428-2567

Ms. Hope Monzeglio  
New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Bldg 1  
Santa Fe, New Mexico 87505  
E-mail: [hope.monzeglio@state.nm.us](mailto:hope.monzeglio@state.nm.us)  
Telephone: (505) 428-2545  
Fax: (505) 428-2567

To obtain a copy of the Administrative Record or a portion thereof, please contact Ms. Pamela Allen at (505) 428-2531, or at the Santa Fe address given above. There will be a charge for reproduction of all or any portion of documents.

NMED is inviting the public to submit written comments on a draft Order during a sixty (60) day comment period. The comment period begins on **June 21, 2006** and ends on **August 21, 2006**. Any person who wishes to comment on this action should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the respective address below. Only comments and/or requests received on or before **5:00 p.m., August 21, 2006** will be considered.

John E. Kieling, Program Manager  
Hazardous Waste Bureau - New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303  
Ref: Giant Refining - Bloomfield draft Order  
E-mail: john.kieling@state.nm.us

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