

 **ENTERED**



BILL RICHARDSON
Governor

DIANE DENISH
Lieutenant Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone (505) 476-6000 Fax (505) 476-6030
www.nmenv.state.nm.us



RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 1, 2008

Mr. Randy Schmaltz
Safety Supervisor
Western Refining Company
P.O. Box 159
Bloomfield, New Mexico 87413

Mr. Ed Riege
Environmental Superintendent
Western Refining Company
Route 3, Box 7
Gallup, New Mexico 87301

**RE: 2008 ANNUAL FEE
WESTERN REFINING COMPANY - BLOOMFIELD REFINERY
FACILITY EPA ID # NMD089416416**

Dear Messrs. Schmaltz and Riege:

The New Mexico Environment Department (NMED) has established the 2008 Annual Fee for your facility pursuant to the Hazardous Waste Permit and Corrective Action Fee Regulations, 20.4.2 NMAC. In accordance with 20.4.2.201.A NMAC, the enclosed Tables were developed from the facility permit, Part A application, or enforceable document. The tables are formatted accordingly: 1) Table A - Hazardous Waste Management Activities; 2) Table B - Corrective Action; and 3) Table C - Summary of Units.

Enclosed is the invoice for your 2008 annual fees. Under the provisions of 20.4.2.301.C NMAC "[p]ayment shall be due within sixty (60) days of receipt of the invoice unless the facility submits to NMED a written request seven (7) days prior to the end of the sixty (60) day period and receives written approval to extend the time for payment before the date payment is due." Under the provisions of 20.4.2.302.A NMAC, "any owner or operator seeking to appeal an invoice for fees under this part must first notify the NMED in writing of the intent to appeal the invoice within thirty (30) calendar days of receipt of the invoice. The notice shall set forth the specific matters in dispute, the basis for the dispute, and any matters considered necessary for NMED's consideration. The parties shall have thirty (30) calendar days from NMED's receipt of notification to meet or confer with NMED to attempt to resolve the matters in the dispute. The secretary may extend deadlines under this section upon a determination that good cause exists. If

Messrs. Schmaltz and Riege
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an agreement is reached resolving the dispute, NMED may issue a revised invoice and the owner and operator shall comply with the terms of such agreement and revised invoice. If an agreement is not reached, NMED shall issue a notification to all parties that an agreement has not been reached. Failure to notify NMED of an appeal in the required timeframe shall prohibit the owner and operator from appeal of the invoice.”

Should you have questions concerning this Annual Fee please call John Kieling at (505) 476-6035.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

Attachments

cc: J. Kieling, NMED HWB
J. Valdez, NMED HWB
H. Monzeglio, NMED HWB
File: Reading and 2008 Annual Fee

TABLE A
Western Refining Southwest, Inc. - Bloomfield Draft 2008 Annual Fee
HAZARDOUS WASTE MANAGEMENT ACTIVITIES

Unit ID No.	Unit Type/Description	Process	Comments	Fee
	Aeration Lagoons	T02	1995 Part A	\$3,000.00
Total Annual Fee:				\$3,000.00

TABLE B
Western Refining Southwest, Inc. - Bloomfield Draft 2008 Annual Fee
CORRECTIVE ACTION

Count	Unit ID No.	Unit Type/Description	Fee
1	SWMU 1	North Aeration Lagoon and the South Aeration Lagoon	no charge
2	SWMU 2	Drum Storage Area North Bone Yard	\$750.00
3	SWMU 3	Underground Piping Currently in Use	\$750.00
4	SWMU 4	Transportation Terminal Sump	\$750.00
5	SWMU 5	Heat Exchanger Bundle Cleaning Area	\$750.00
6	SWMU 6	Abandoned Underground Piping	\$750.00
7	SWMU 7	Raw water Ponds (Fresh Water Ponds)	\$750.00
8	SWMU 8	Inactive Landfill	\$750.00
9	SWMU 9	Landfill Pond	\$750.00
10	SWMU 10	The Fire Training Area	\$750.00
11	SWMU 11	Spray Irrigation Area	\$750.00
12	SWMU 12	API Separator	\$750.00
13	SWMU 13	Process Area	\$750.00
14	SWMU 14	Tanks 3, 4, and 5	\$750.00
15	SWMU 15	Tank Farm Area	\$750.00
16	SWMU 16	Active Landfill	\$750.00
17	SWMU 17	River Terrace Area	\$750.00
18	SWMU 18	Warehouse Yard	\$750.00
19	AOC No. 19	Seep North of MW-45	\$750.00
20	AOC No. 20	Seep North of MW-46	\$750.00
21	AOC No. 21	Seep North of MW-47	\$750.00
22	AOC No. 22	Product Loading Rack and Crude Receiving Loading Racks	\$750.00
23	AOC No. 23	Southeast Holding Ponds	\$750.00
24	AOC No. 24	Tank Area 41 and 43	\$750.00
25	AOC No. 25	Auxiliary Warehouse and 90-Day Storage Area	\$750.00
26	AOC No. 26	Tank Areas 44 and 45	\$750.00
27	AOC No. 27	Wastewater Collection System	\$750.00
Total Annual Fee:			\$19,500.00

TABLE C
Western Refining Southwest, Inc. - Bloomfield 2008 Annual Fee
SUMMARY OF UNITS

Number of Units	Unit Type	Fee
0	Disposal	\$0.00
1	Treatment	\$3,000.00
0	Storage	\$0.00
0	Post Closure Care	\$0.00
0	Corrective Action Management Unit	\$0.00
0	Temporary Unit	\$0.00
0	Remedial Action Plan Unit	\$0.00
26	Corrective Action	\$19,500.00
Total Annual Fee:		\$22,500.00



**New Mexico
Environment Department
Hazardous Waste Bureau**

**Giant Refining Company
Bloomfield
P O Box 159
Bloomfield, NM 87413
Attn: Randy Schmaltz**

October 1, 2008

Invoice # - HWB-GRCB-2008-AF

Giant Refining Company Bloomfield Annual Fee

Quantity	Item	Item Cost	Total Cost
26	SWMU / AOC - First 150 units (1 to 150)	\$750.00	\$19,500.00
1	Treatment Unit	\$3,000.00	\$3,000.00
		Total Fees	\$22,500.00
		Adjustment	\$0.00
		Pay This Amount	\$22,500.00

Make Checks Payable to: NMED/HWB

Mail Checks and Invoice to:

**New Mexico Environment Department, HWB
Attn: James Valdez
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, NM 87505**

State of New Mexico Use Only:

Date Received: _____
Check Number: _____
Amount Received: _____