



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](http://www.nmenv.state.nm.us)



ENTERED



RON CURRY  
Secretary

JON GOLDSTEIN  
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 1, 2009

Mr. Randy Schmaltz  
Environmental Superintendent  
Western Refining, Southwest Inc  
P.O. Box 159  
Bloomfield, New Mexico 87413

**RE: 2009 ANNUAL FEE  
WESTERN REFINING, SOUTHWEST INC-BLOOMFIELD REFINERY  
FACILITY EPA ID # NMD089416416**

Dear Mr. Schmaltz:

The New Mexico Environment Department (NMED) has established the 2009 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 2009 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

Mr. Schmaltz  
October 1, 2009  
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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 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. Petrie NMED HWB  
File: Reading and 2009 Annual Fee

**TABLE A**  
**Western Refining Southwest, Inc. - Bloomfield Draft 2009 Annual Fee**  
**HAZARDOUS WASTE MANAGEMENT ACTIVITIES**

<b>Unit ID No.</b>	<b>Unit Type/Description</b>	<b>Process</b>	<b>Comments</b>	<b>Fee</b>
	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**

<b>Count</b>	<b>Unit ID No.</b>	<b>Unit Type/Description</b>	<b>Fee</b>
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
<b>Total Annual Fee:</b>			<b>\$19,500.00</b>

**TABLE C**  
**Western Refining Southwest, Inc. - Bloomfield 2009 Annual Fee**  
**SUMMARY OF UNITS**

<b>Number of Units</b>	<b>Unit Type</b>	<b>Fee</b>
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, 2009**

**Invoice # - HWB-GRCB-2009-AF  
Giant Refining Company Bloomfield Annual Fee**

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

**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**

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State of New Mexico Use Only:

Date Received: \_\_\_\_\_  
Check Number: \_\_\_\_\_  
Amount Received: \_\_\_\_\_