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NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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RON CURRY
Secretary

SARAH COTTRELL
Deputy Secretary

ENTERED

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 1, 2010

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

**RE: APPROVAL
FINANCIAL ASSURANCE COST ESTIMATE – JANUARY 2010
PER ORDER NO. HWB 07-34 (CO)
WESTERN REFINING SOUTHWEST, INC., BLOOMFIELD REFINERY
EPA ID # NMD089416416
HWB-WRB-MISC**

Dear Mr. Schmaltz

The New Mexico Environment Department (NMED) has completed its review of the Western Refining Southwest, Inc., Bloomfield Refinery (Western) January 2010 financial assurance cost estimates. The cost estimates were submitted pursuant to Section III.P.2 (Adjustments to Cost Estimates) of the Order NO. HWB 07-34 (Order). NMED hereby approves the cost estimates for 2010.

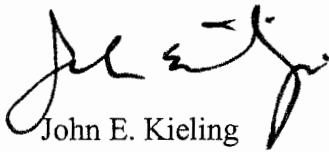
Pursuant to Section III.P.2 of the Order, Western must continue to adjust the cost estimates annually and submit the adjusted cost estimates to NMED by January 31 of each year. In accordance with Section III.P.4, within 90 days of this approval, Western shall establish and continuously maintain financial assurance for corrective action in the amount equivalent to the current estimated cost of work. Western shall use one or more of the mechanisms set forth in 40 CFR 264.143 and 264.145 to establish financial assurance. This approval does not include the financial assurance and associated cost estimate for final closure of the Aeration Lagoons, which will be addressed under separate cover. Western shall establish and maintain such financial

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assurance substantially in compliance with 40 CFR 264.143, 264.145, and 264.151, except that there shall be no "pay-in period" unless a required change in the cost estimate will result in an increase of at least one million dollars and Western proposes a pay-in-period that NMED approves in writing. Any changes to the financial assurance mechanisms must be approved by NMED. Western shall submit a signed copy of each financial assurance document to NMED within thirty days after the document is executed.

If you have questions regarding this letter please contact Hope Monzeglio of my staff at 505-476-6045.

Sincerely,



John E. Kieling
Program Manager
Permits Management Program
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
H. Monzeglio, NMED HWB
C. Chavez, OCD
A. Hains, Western
File: HWB-WRB-MISC and Reading File 2010