



*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**



**Hazardous Waste Bureau**

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**BUTCH TONGATE**  
Cabinet Secretary  
**J. C. BORREGO**  
Deputy Secretary

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

June 11, 2018

Jessica O'Brien  
Environmental Supervisor  
Western Refining Southwest, Inc.  
Gallup Refinery  
92 Giant Crossing Road  
Gallup, New Mexico 87301

**RE: CORPORATE TRANSACTION  
WESTERN REFINING SOUTHWEST, INC. GALLUP REFINERY POST-  
CLOSURE CARE PERMIT AND NMED V. SAN JUAN REFINING COMPANY  
ORDER (BLOOMFIELD TERMINAL)  
WESTERN REFINING SOUTHWEST INC., GALLUP, NEW MEXICO  
WESTERN REFINING SOUTHWEST INC., BLOOMFIELD REFINERY  
EPA ID # NMD000333211  
EPA ID#NMD089416416  
HWB-WRG-MISC  
HWB-WRB-MISC**

Dear Ms. O'Brien:

The New Mexico Environment Department (NMED) was informed during a meeting on May 2, 2018 of Marathon Petroleum's planned merger with Andeavor (formerly Western Refining Southwest, Inc. and Tesoro Companies, Inc.). The transaction is expected to be finalized in the second half of 2018 subject to regulatory and other customary closing conditions. Western Refining Southwest, Inc. is listed as the current owner/operator of the Gallup Refinery and the Bloomfield Terminal.

The Permittee is obligated to comply with 40 CFR 270.40 (Transfer of Permits) and the RCRA Post-Closure Care Permit (Permit) Section I.J.3 (Transfer of Permit) wherein a permit may be

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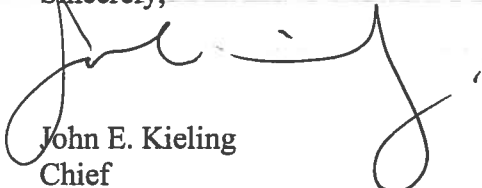
transferred by the Permittee to a new owner or operator only if the permit has been modified by requesting a Class 1 permit modification with prior approval. The new owner or operator must submit a revised application no later than 90 days prior to the scheduled change. Additionally, the San Juan Refining Company and Giant Industries Arizona, Inc. Order Section III.E requires that any successor in interest prior to transfer of ownership or operation of the Facility and shall notify the Department in writing at least thirty (30) working days prior to such transfer.

As noted above, the Permit Part A application must also be updated. In accordance with 40 CFR 270.72(a) the owner or operator of a facility must submit a revised Part A Permit Application prior to undergoing a change in ownership or operational control of a facility. The current Part A Application in RCRA Post-Closure Care Permit Attachment B lists a former employee as the site contact person and the legal owner as Western Refining Company, LP. The Permittee failed to update the Part A application and notify NMED in writing regarding the Bloomfield Order when Tesoro Companies, Inc. and Western Refining Southwest, Inc. merged and personnel changes occurred in June 2017.

Additionally, both facilities must provide updated information regarding contacts for corrective action and permitting issues and the appropriate titles and responsibilities of those contacts as well as the suitable mailing addresses and email addresses. The updated facility contact information must be submitted by **August 6, 2018**.

If you have questions regarding this correspondence, please contact Kristen Van Horn of my staff at 505-476-6046.

Sincerely,



John E. Kieling  
Chief  
Hazardous Waste Bureau

cc: K. Van Horn NMED HWB  
D. Cobrain, HWB  
L. Tsinnajinnie, HWB  
C. Chavez, OCD  
K. Robinson, WRB  
L. King, EPA Region 6

File: Reading File and WRG 2018 and WRB 2018 File  
HWB-WRG-MISC  
HWB-WRB-MISC