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August 8, 1991

Kim H. Bullerdick
Corporate Counsel
Giant Industries, Inc. 602-585-8888
P.O. Box 12999
Scottsdale, Arizona 85267

Dear Mr. Bullerdick:

In response to your February 8, 1991 letter requesting clarification of Giant Industries' permit provisions for Financial Assurance modifications to Giant Ciniza Refinery's land treatment facility Closure and Post-Closure Plan, New Mexico Environment Department (NMED) will require a Class 1 permit modification for changed financial assurance test methods. The annual closure and post-closure cost estimates required by Permit Module II Section M and described in New Mexico Hazardous Waste Mangement Regulations (HWMR-5, as amended 1989), Part V, 40 CFR sections 264.142(b) and 264.144(b) to adjust for annual inflation, will not require a permit modification.

Procedures to obtain the Director's approval for change of financial assurance are outlined under Pt. V, section 270.42(a). Conditions to modify the permit include; 1. that Giant provide the Director with information specifying the planned changes, 2. an explanation of why they are necessary, and 3. notification to all persons on the facility mailing list and appropriate government units of the changes. Documents required to provide a financial test and corporate guarantee for closure and post-closure care are outlined in Pt. V, sections 264.143(f) and 264.145(f).

enclosed are the New Mexico Hazardous Waste Fee Regulations.
II section 206(B)(1) requires a \$1000.00 fee for a minor or
1 modification.

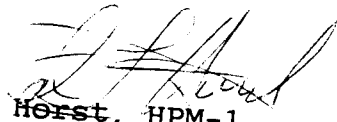
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have any questions, please contact Mr. David Englert at
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Herbert Grover, Environmental Scientist

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