



BRUCE KING  
GOVERNOR

State of New Mexico  
**ENVIRONMENT DEPARTMENT**  
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Santa Fe, New Mexico 87502  
(505) 827-2850

JUDITH M. ESPINOSA  
SECRETARY

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DEPUTY SECRETARY

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 7, 1994

John Stokes, Refinery Manager  
Route 3, Box 7  
Gallup, New Mexico 87301

**RE: Deficiencies of Permit Modification Application and  
Scheduling of Meeting to Discuss Course of Action  
Permit ID Number NMD000333211-2**

Dear Mr. Stokes:

Giant Refining Company's (Giant) final application for a permit modification has been reviewed for compliance with permit conditions and the required information requested in my August 18, 1993 letter regarding the initial application for permit modification. The final application for permit modification has been found to be deficient. The modification fails to adequately address changes in operational practices. Instead, the modification focuses on intensifying monitoring activity. More importantly, remediation of contaminant releases from the treatment zone to the below treatment zone are not discussed or included in the modification.

Results of the November 1993 special sampling activity have not been used to demonstrate whether contamination beneath the treatment zone can be corrected through a permit modification. Since RCRA hazardous waste releases have been documented, the New Mexico Environment Department is obligated to reconsider the current status of the Permit.

A meeting date of, February 18, 1994, has been scheduled to discuss Giant's intentions for continuing to address the permit modification requirement and addressing options related to the current status of Giant's Permit. The meeting will be held at the HRMB office, located at 525 Camino de los Marquez, Suite 4, in Santa Fe. The time of the meeting will be 9:00 a.m.

Mr. John Stokes  
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In order to facilitate a productive meeting, the proposed agenda has been attached for your consideration. Any questions about the meeting may be addressed to Tom Tatkin at 827-4308.

Sincerely,

  
Barbara Hoditschek, Manager  
RCRA Permits Program  
Hazardous & Radioactive materials Bureau

cc: Marc Sides, HRMB  
Steve Alexander, HRMB  
Ron Kern, HRMB  
Benito Garcia, HRMB  
Tom Tatkin, HRMB  
Lynn Shelton, Giant

Enclosure: Agenda

AGENDA FOR MEETING WITH GIANT REFINING COMPANY  
AND THE NEW MEXICO ENVIRONMENT DEPARTMENT  
TO DISCUSS PERMITTING ACTION  
ON THE LAND TREATMENT AREA

February 18, 1994

1. Permit Status;
2. Direction to proceed with permit modification
  - a. Characterizing extent of contaminant releases to the Below-Treatment-Zone
  - b. Remediation proposed for the Below-Treatment-Zone
  - c. Operational changes that degrade, transform or immobilize hazardous constituents within the treatment zone;

or
3. Direction to proceed with closure activity
  - a. Characterizing extent of contamination for the Treatment Zone and the Below-Treatment-Zone
  - b. Remediation proposed for the Treatment Zone and the Below-Treatment-Zone
  - c. Post-closure monitoring activity
  - d. Time-frames to complete closure;

and
4. Discussion of current activity at the Land Treatment Area and the affect of continuing to add non-hazardous waste onto hazardous waste.