



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
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MARK E. WEIDLER
SECRETARY

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DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

September 20, 1995

Mr. David C. Pavlich
Health, Safety and Environmental Manager
Giant Refining Company
Route 3, Box 7
Gallup, NM 87301

Dear Mr. Pavlich,

RE: Permit Modification Request

The New Mexico Environment Department (NMED) Hazardous and Radioactive Materials Bureau (HRMB) is in receipt of the August 25, 1995 modification request submitted by Giant Refining Company (Giant) for a revision of Giant's Part A Permit. Specifically, this request is to remove three (3) non-RCRA units from the Part A Permit, and is in response to the August 14, 1995 request by the Director of NMED Water and Waste Management Division (WWD) for a revised Part A submission by Giant.

HRMB has reviewed the request for administrative completeness and class determination. NMED has found the modification to be a Class I. The New Mexico Hazardous Waste Fee Regulations (EIB/HWFR-1) require the assessment of permit fees for permit modifications. Permit modifications classified as minor by the Hazardous Waste Management Regulations (which includes Giant's Class I Modification request) are subject to a fee of one thousand dollars (\$1,000.00).

Please send payment by check made out to **NMED Hazardous Waste Permit Fees**, and send by **Certified Mail** to:

Ms. Chika Ezeanyim
N.M. Environment Department
Hazardous and Radioactive Materials Bureau
2044 Galisteo Street
P.O. Box 26110
Santa Fe, New Mexico 87502

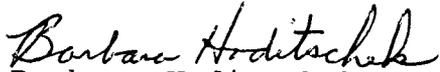
After HRMB has received the permit modification fee, NMED will process your request for the Class I modification. Giant will then receive a letter of notification and a mailing list of persons to

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be informed of the modification. Giant is required to do this within 90 calendar days of making the modification, as per 20 NMAC 4.1 Subpart IX, 40 CFR §270.42(a)(ii).

If there are any questions on this matter, you may contact Mr. Michael Chacón of my staff at (505) 827-1561.

Sincerely,



Barbara Hoditschek, Manager
RCRA Permits Program
Hazardous and Radioactive Materials Bureau

cc:
David Neleigh, EPA
Bob Sweeney, HRMB TCP
File-Red 95 & RCRA Reading File