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Giant*

GARY E. JOHNSON  
GOVERNOR

State of New Mexico  
**ENVIRONMENT DEPARTMENT**  
Hazardous & Radioactive Materials Bureau  
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Santa Fe, New Mexico 87502  
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MARK E. WEIDLER  
SECRETARY

EDGAR T. THORNTON, III  
DEPUTY SECRETARY

April 24, 1996

Dick Platt, General Manager  
Giant Refining Company - Ciniza  
Route 3, Box 7  
Gallup, New Mexico 87301

Dear Mr. Platt:

RE: **New Mexico RCRA Corrective Action Authorization and the Flow  
of Corrective Action Documents**

On January 26, 1996, a Federal Register notice announced that New Mexico had received authorization from the U.S. Environmental Protection Agency (EPA) for the Corrective Action (CA) component of the Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA). The New Mexico Environment Department (NMED) is now the Administrative Authority for HSWA CA, and the Hazardous and Radioactive Materials Bureau (HRMB) is the implementing organization for HSWA CA within NMED. HRMB now has authority and is the responsible agency for both the HSWA Permit Module, as well as the base RCRA Permit(s) for your facility.

NMED and EPA have entered into a "Workshare Agreement" currently whereby EPA will assist NMED with specific HSWA activities at the facility. EPA will forward any comments or other HSWA CA-related information to NMED. NMED will incorporate EPA comments on CA documents for transmittal to the facility. Additionally, NMED will provide for all required public notices and meetings for permit modifications, issue final decisions, and make regulatory notifications.

To ensure an appropriate flow of HSWA CA correspondence and documents between NMED and the facility, the following procedural guidelines shall be adhered to by NMED and the facility. NMED will transmit all comments on CA documents (e.g. Notices of Deficiency, approval letters, and permit modification information) to you, as the facility contact, or to your designated representative. The facility shall send an original response and any document related to HSWA CA to me and a copy for the following persons, unless stipulated otherwise by NMED:

Ronald Kern, Manager, RCRA Technical Compliance Program, NMED/HRMB  
Barbara Hoditschek, Manager, RCRA Permits Program, NMED/HRMB  
David Neleigh, Chief, New Mexico Federal Facilities Section, EPA Region 6

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Should you have any questions regarding this letter, please contact me at (505) 827-1557 or Ronald Kern of my staff at (505) 827-1560.

Sincerely,



Benito J. Garcia, Chief  
Hazardous and Radioactive Materials Bureau

cc: Ed Kelley, Director, NMED/WWMD  
Susan McMichael, NMED/OGC  
Ronald Kern, Manager, RCRA Technical Compliance Program, NMED  
Barbara Hoditschek, Manager, RCRA Permits Program, NMED  
David Neleigh, Chief, NM Federal Facilities Section, EPA 6  
Edward Horst, Environmental Manager, GRC-Ciniza