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GOVERNOR

State of New Mexico  
**ENVIRONMENT DEPARTMENT**  
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MARK E. WEIDLER  
SECRETARY

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DEPUTY SECRETARY

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

July 19, 1996

Mr. Edward L. Horst, Environmental Manager  
Giant Refining Company-Ciniza  
Route 3, Box 7  
Gallup, New Mexico 87301

Dear Mr. Horst:

**RE: Timeline and Contaminant Levels for Clean Closure of RCRA  
Land Treatment Area**

Giant Refining Company-Ciniza (Giant) has requested that the New Mexico Environment Department (NMED) Hazardous and Radioactive Materials Bureau (HRMB) provide a clarification of the necessary timeline and the required contaminant levels to demonstrate clean closure of Giant's RCRA Land Treatment Area.

As discussed in the May 24, 1996 meeting between Giant and HRMB, RCRA Permits Management Program would accept two (2) consecutive years, i.e. four consecutive events of clean sample results as a demonstration of clean closure. Consecutive sampling events were agreed to be Giant's annual and semi-annual ground water sampling as required by Permit Attachment G, and soil sampling as required by Permit Module III.

As to contaminant levels to demonstrate clean closure, NMED policy dictates the use of either New Mexico Water Quality Control Commission (WQCC) Standards, or National Drinking Water Maximum Contaminant Levels (MCLs), whichever is more conservative. For those parameters in Giant's Permit for which there is neither an MCL or WQCC Standard, the most conservative EPA guidance will be used, such as the proposed 40 CFR 264 Subpart S levels.

HRMB further understands that Giant is aware of and appreciates the need to complete the Closure Plan approval process by the end of Fiscal Year 1996, which would be September 30, 1996. Giant has proposed and HRMB approves the following schedule:

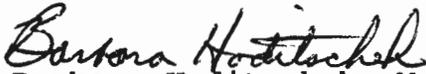
- 1) Giant receives the revised closure plan from their contractor: approximately July 3, 1996.

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- 2) Giant submits the plan to HRMB: approximately July 15, 1996.
- 3) HRMB reviews the plan; the 45-day public comment period runs from approximately August 1, 1996 to September 15, 1996.
- 4) The Closure Plan is approved by the Secretary of NMED by September 30, 1996.

If there are any questions, please call Mr. Michael Chacón of my staff at (505) 827-1561.

Sincerely,



Barbara Hoditschek, Manager, RCRA Permits Management Program

cc: Benito J. Garcia, Chief, HRMB  
David Neleigh, EPA (6PD-N)  
Bob Sweeney, RCRA Permits Management Program  
File - GRC Red 96 & Reading