



GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous & Radioactive Materials Bureau
2044 Galisteo
P.O. Box 26110
Santa Fe, New Mexico 87502
(505) 827-1557
Fax (505) 827-1544



MARK E. WEIDLER
SECRETARY

EDGAR T. THORNTON, III
DEPUTY SECRETARY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

January 14, 1997

J.D. Meisner, Editor
Grants Daily Beacon
300 N. 2nd
Grants, New Mexico 87020

Dear Mr Meisner:

Please publish the enclosed Public Notice in your Monday, January 20, 1997 edition. Please return a copy of the notice as published with a certificate of date published. Address the bill to:

RCRA Permits Management Program
New Mexico Environment Department
Hazardous and Radioactive Materials Bureau
P.O. Box 26110
2044-A Galisteo
Santa Fe, NM 87502

Thank you for your assistance. If you have any questions, please contact Mr. Michael Chacón at (505) 827-1561.

Sincerely,

A handwritten signature in cursive script, reading "Robert S. (Stu) Dinwiddie".

Robert S. (Stu) Dinwiddie, Manager
RCRA Permits Management Program

Enclosure

File - GRC Red 97, Reading



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PUBLIC NOTICE NO. 103

NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS AND RADIOACTIVE MATERIALS BUREAU
Santa Fe, NM 87502

January 20, 1997

NOTICE OF INTENT TO APPROVE RCRA PERMIT MODIFICATION
GIANT REFINING COMPANY EPA NO. NMD 000 333 211

The State of New Mexico is authorized to operate a hazardous waste management program in lieu of the Federal program for the Resource Conservation and Recovery Act (RCRA) including the Hazardous and Solid Waste Amendments of 1984 (HSWA), for which New Mexico was authorized on January 2, 1996. The HSWA imposes additional corrective action requirements on hazardous waste management facilities.

Under authority of the New Mexico Hazardous Waste Act (Section 74-4-1 *et. seq.* NMSA 1978, as amended, 1989) and the New Mexico Hazardous Waste Management Regulations (20 NMAC 4.1), the New Mexico Environment Department can approve or disapprove permit modifications. The Hazardous and Radioactive Materials Bureau (HRMB) of the New Mexico Environment Department (NMED) proposes that the Department approve a Class 3 permit modification initiated by Giant Refining Company (GIANT), Gallup, New Mexico, EPA I.D. No. NMD 000333211, for the land treatment area (LTA) located at Giant Refinery-Ciniza.

NMED issued to Giant a Hazardous Waste Facility Permit on November 4, 1988. The permit allows Giant to operate a land treatment area to dispose of certain hazardous wastes. One condition in the permit requires Giant to request a permit modification whenever a statistically significant release to groundwater is determined. Giant has reported such a release and submitted the required permit modification request for review by NMED. Due to inconsistent sampling results, Giant believes that human error caused erroneous results to be reported as a release to ground water, and intends to demonstrate that no contamination has been released from the LTA.

The proposed modification attempts to demonstrate clean closure of the LTA. It contains a characterization of the LTA which will determine the absence or presence and extent of any contamination resulting from the escape of hazardous constituents from the LTA, and will enable Giant and NMED to close the unit in a way that will protect human health and the environment. If contamination is detected, it requires Giant to submit a post-closure care plan to NMED. Also, it changes the date of closure to immediately upon approval of the modified plan.

Public Notice No. 103
January 20, 1997
Page 2 of 2

The administrative record for this proposed decision consists of the modification request, a fact sheet, and related correspondence. You may review the administrative record weekdays between 8 am and 5 pm at the NMED Hazardous and Radioactive Materials Bureau, 2044-A Galisteo, P.O. Box 26110, Santa Fe, NM 87502. You may review the modification request and fact sheet during normal business hours at the main public libraries in Gallup and Grants, and at Giant Ciniza Refinery Administrative Offices, Exit 39 off Interstate 40, about 17 miles east of Gallup, New Mexico. To obtain a copy of the administrative record or any part thereof, at 35 cents per page, contact Mr. Michael Chacón at the above Santa Fe address or call (505) 827-1561. Giant's compliance history during the life of the permit being modified is also available from Mr Chacón.

Any person wanting to comment upon the proposed plan or to request a public hearing should submit written comments or requests, along with their name and address, to Mr. Michael Chacón at the above Santa Fe address. Requests for a public hearing should state the nature of the issues proposed to be raised in the hearing. Only comments and/or requests received by close of business March 6, 1997, can be considered.

NMED will consider all comments submitted on this proposed permit modification before formulating a final decision. NMED will notify Giant, and each person who submitted a written comment during the public comment period, of the final decision or of any public hearing which may be scheduled. The final decision will require that activities at the LTA be conducted according to applicable State and Federal laws and with the terms approved in the permit modification.