



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

May 22, 1998

Dick Platt, Refinery Manager
Giant Refining Company - Ciniza Refinery (GRC-C)
Route 3, Box 7
Gallup, New Mexico 87301

**RE: Denial of Land Treatment Unit (LTU) RCRA Operating Permit
Closure Plan Modification Request (EPA ID # NMD000333211-2)**

Dear Mr. Platt:

The New Mexico Environment Department (NMED) Hazardous and Radioactive Materials Bureau (HRMB) has completed processing GRC-C's Amended Closure Plan (dated July 1996) proposal. For the reasons stated below, the HRMB hereby denies the proposal.

GRC-C discontinued use of the LTU in 1990 and found the existing operating permit's closure performance standards inadequate. GRC-C submitted to the HRMB a permit modification proposal principally to clarify those closure performance standards to remove wastes to "health-based" concentration limits. New Mexico Hazardous Waste Management Regulations (20 NMAC 4.1 264.280) regarding LTUs require "complete removal or decontamination of all waste constituents to those levels not affected by either facility or waste treatment unit operations". GRC-C's proposal to remove wastes to health based concentrations is considered by the HRMB to fall short of the state's environmental regulations.

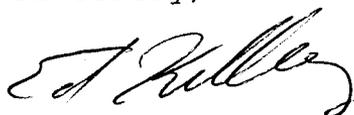
The HRMB provided in accordance with state environmental regulations (20 NMAC 4.1.900) an opportunity for the public and GRC-C to comment on HRMB's proposal to deny the Amended Closure Plan. HRMB received no comments.

If you have any questions regarding this or any related matter, please contact either myself or Mr. Stephen Pullen of my staff at (505) 827-1558.

Dick Platt
Page 2

Thank you for your efforts in protecting New Mexico's environment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ed Kelley".

Ed Kelley, Ph.D., Director
Water and Waste Management Division

copy furnished:

Bentio Garcia, HRMB
Stu Dinwiddie, HRMB
Roger Anderson, OCD
David Neleigh, EPA
Dorinda Mancini, GRC-C
file