



GARY E. JOHNSON
GOVERNOR

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

ENTERED



PETER MAGGIORE
SECRETARY

2401 Norma

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

June 29, 1999

Mr. David Pavlich
Giant Refining Company - Ciniza
Route 3, Box 7
Gallup, New Mexico 87301

RE: Annual Hazardous Waste Management Business Fee Assessment

Dear Mr. Pavlich:

The New Mexico Environment Department's Hazardous and Radioactive Materials Bureau (HRMB) has completed the first Annual Unit Audit (AUA) of facilities permitted under the New Mexico Hazardous Waste Act to ensure that each facility's permit accurately and appropriately lists the facility's operating, closure, post closure and corrective action units, as required by 20 NMAC 4.2.201.2. Under 20 NMAC 4.2.201.1, the AUA is also used to determine the Annual Hazardous Waste Management Business Fee (AHWMBF) for each facility. Input from each facility was requested in Robert S. (Stu) Dinwiddie's letter dated January 6, 1999 to you.

As a result of the AUA, an Annual Hazardous Waste Management Business Fee of \$ 4,750 is assessed for the Giant Refining Company's Ciniza Facility. Work sheets used for calculation of this fee are enclosed.

Payment is due within sixty (60) days of your receipt of this letter, as required by 20 NMAC 4.2.401. Should the return receipt be sent back to HRMB without a date of receipt, the fees are due sixty (60) days from the date of this letter. Payment should be made by certified check or money order payable to the New Mexico Environment Department Hazardous Waste Fund #339. Should you need to request an extension of the sixty (60) day period, the request must be received a minimum of fourteen (14) calendar days prior to the end of the sixty (60) day period. This fourteen (14) day period is necessary to ensure that the facility receives written approval or denial prior to the expiration of the sixty (60) day payment period.

Payments should be mailed to:

Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044 Galisteo Street
P.O. Box 26110
Santa Fe, New Mexico 87502
ATTN: Cindy Abeyta

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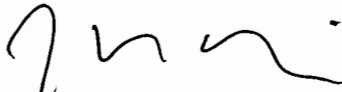
HRMB recognizes that there may be disagreement regarding the inclusion of some units on the permit and AUA list. If you disagree with the fee assessed, you may file an Administrative Appeal under the provisions of 20 NMAC 4.2.302.1. If you disagree with the attached invoice you may appeal the invoice amount by requesting a hearing before the Secretary of the Environment Department or his designee. Your appeal must be made in writing, accompanied by a copy of the invoice being contested, and should set forth the grounds upon which you disagree with the assessment. Any appeal must be received by the Department no later than 30 days from the date of the invoice.

Should you decide that an appeal is necessary your appeal must be addressed to:

Hearing Clerk
New Mexico Environment Department
1190 Saint Francis Drive, Room N4072
Post Office Box 26110
Santa Fe, New Mexico 87504
FAX: (505) 827-2836

I am also available to meet with you or your staff to discuss the audit. Please do not hesitate to contact me at (505) 827-1567 should you have any questions.

Sincerely,



James P. Bearzi
Chief
Hazardous and Radioactive Materials Bureau

cc: Norma Silva, HRMB
Cindy Abeyta, HRMB

ANNUAL UNIT AUDIT INVOICE WORKSHEET SUMMARY

FACILITY: Giant Refining Company - Ciniza

Unit Type/Description	Fee/Unit	No. of Units	Total Unit Fee
Land Disposal	\$2000.00	0	\$0.00
Post Closure Care with Corrective Action	\$2000.00	0	\$0.00
Post Closure Care w/o Corrective Action	\$2000.00	0	\$0.00
Land Treatment	\$1500.00	1	\$1500.00
Surface Impoundment - Treatment	\$1500.00	0	\$0.00
Incinerator	\$1500.00	0	\$0.00
Boiler or Industrial Furnace	\$1500.00	0	\$0.00
Subpart X - Treatment	\$1500.00	0	\$0.00
Treatment in Tanks	\$1500.00	0	\$0.00
Treatment in Containers	\$1500.00	0	\$0.00
RD & D Treatment	\$1500.00	0	\$0.00
Waste Pile	\$1000.00	0	\$0.00
Surface Impoundment - Storage	\$1000.00	0	\$0.00
Storage in Tanks	\$1000.00	0	\$0.00
Storage in Containers	\$1000.00	0	\$0.00
RD & D Storage	\$1000.00	0	\$0.00
Corrective Action	\$250.00	13	\$3250.00
	Total AHWMBF Unit Fee		\$4750.00

ANNUAL UNIT AUDIT WORKSHEET CLOSING UNITS

FAVILITY: Giant Refining Company - Ciniza

Unit ID No.	Unit Type/Description	Fee	Comments
LTU-1	Land Treatment Unit	\$1500.00	
	Total Projected Fee	\$1500.00	

**ANNUAL UNIT AUDIT WORKSHEET
CORRECTIVE ACTION UNITS (Billable SWMUs)**

FACILITY: Giant Refining Company - Ciniza

Unit ID.	Unit Type/Description	Fee	Comments
1	Aeration Basin	\$250.00	
2	Evaporation Ponds	\$250.00	
3	Empty Container Storage Area	\$250.00	"EPA NFA Approval 1994"?
4	Old Burn Pit	\$250.00	
5	Landfill Areas	\$250.00	
6	TEL Gasoline	\$250.00	
7	Fire Training Area	\$250.00	
8	Railroad Rack Lagoon	\$250.00	
9	Drainage Ditch near Inactive Land Farm	\$250.00	
10	Sludge Pits	\$250.00	
11	Secondary Oil Skimmers	\$250.00	
12	Contact Waste Water Collection System	\$250.00	
13	Drainage Ditch between API Evaporation Ponds and Neutralization Tank		
	Evaporation Ponds	\$250.00	
	Total Corrective Action Unit Fee	\$3250.00	