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State of New Mexico
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to be mailed
5-19-00
CM.
David

PETER MAGGIORE
SECRETARY

PAUL R. RITZMA
DEPUTY SECRETARY

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

May 12, 2000

RE: Proposed Post-closure Care Permit

Dear Concerned Citizen:

Enclosed is a fact sheet regarding the New Mexico Environment Department's intent to issue a Resource Conservation and Recovery Act (RCRA) Post-closure Care Permit to Giant Refining Company, Permit No. NM000333211.

The proposed permit is for post-closure care of a Land Treatment Unit (LTU) located at Giant Refining Company's Ciniza Refinery in McKinley County, New Mexico. The enclosed fact sheet provides additional information regarding this proposed Post-closure Care Permit, repositories where the administrative record for this action can be reviewed, and procedures for submitting comments and requesting a Public Hearing. Comments and requests for Public Hearing will be received through **July 6, 2000**.

If you have questions or comments, please contact Mr. Dave Cobrain of my staff at 827-1561.

Sincerely,

John Kieling
Acting Program Manager
Hazardous and Radioactive Materials Bureau

Enclosure

Tracking: Red File, 05/12/00, Public Notice Concerned Citizen



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FACT SHEET
POST-CLOSURE CARE PERMIT
GIANT REFINING COMPANY
CINIZA REFINERY
EPA ID No. NMD 000333211

Introduction

The purpose of this fact sheet is to notify the public that the New Mexico Environment Department (NMED) has tentatively decided to issue a permit for post-closure care of the Land Treatment Unit (LTU) regulated under the Resource Conservation and Recovery Act (RCRA) at Giant Refining Company's Ciniza Refinery. The Ciniza Refinery is an operating refinery located 17 miles east of Gallup in McKinley County, New Mexico. Details of the refinery location, the location of the LTU and refinery operations are included in the Permit Application titled "RCRA Part A and Part B Post-closure Care Permit Application – Land Treatment Unit, Giant Refining Company, Ciniza Refinery". NMED is requesting public comment on this proposed action.

Background

The Permit implements post-closure care requirements for soil contamination left in place after closure of the LTU. The LTU was previously used for treatment of RCRA-regulated hazardous waste. The LTU consists of three approximately 480 feet x 240 feet treatment cells located in the vicinity of the evaporation ponds on the west side of the refinery. The waste materials were periodically tilled to a depth of approximately one-foot below the ground surface to enhance biodegradation. Hazardous refinery process waste (including waste with codes D001, D007, D018, K049, K050, K051, and K052) was disposed at the LTU between October 1980 and November 1990. In addition, nonhazardous solid waste was disposed at the LTU between 1990 and 1993. Treatment of the applied waste continued through 1999. Residual contamination is present in the surface soils at the LTU in the form of total petroleum hydrocarbons at concentrations less than New Mexico Department of Energy, Minerals and Natural Resources Oil Conservation Division cleanup standards (total ranking score 10-19) and metals (chromium, lead and arsenic) at concentrations greater than background levels.

A permit implementing a land treatment demonstration was issued in December 1986. An operating permit for land treatment at the LTU was issued in November 1988 and expired in November 1998. The terms of the operating permit remain in effect until the effective date of this Post-closure Care Permit. Post-closure care requirements will remain in place for 30 years after closure, unless the post-closure period is shortened or lengthened pursuant to 20 NMAC 4.1

May 11, 2000

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Hazardous Waste Management Regulations § 500 (incorporating 40 CFR § 264.117(a)(2)). A groundwater monitoring program, consisting of monitoring and sampling wells in the vicinity of the LTU, is required to remain in place until completion of corrective action, i.e., demonstration of attainment of cleanup standards for three years, pursuant to 20 NMAC 4.1.500 (incorporating 40 CFR §§ 264.97 and 264.98).

Terms of Post-closure Care

Post closure-care will be implemented at the LTU by conducting scheduled soil and groundwater monitoring during the post-closure care period. In addition, the LTU will be covered by approximately six inches of clean soil and revegetated using plants native to the area to reduce the possibility airborne migration of residual waste constituents from the unit. The LTU will be irrigated at the beginning of the revegetation process in order to encourage plant growth. The details of post-closure care are presented in Part B of the Post-closure Care Permit Application.

Permit Issuance Procedures

Comments regarding this DRAFT permit, including a request for a public hearing, should be submitted to the following address:

David Cobrain
Hazardous and Radioactive Materials Bureau
New Mexico Environment Department
2044-A Galisteo Street
Santa Fe, NM 87505

Comments will be accepted if hand delivered prior to 5:00 p.m. on July 6, 2000 or postmarked on or before July 6, 2000. A public hearing will be held if requested during the public comment period that ends on July 6, 2000. If a hearing is requested, public notice of the hearing will be given after the end of the public comment period and at least 30 days prior to the hearing. The public comment period will be extended until the close of the public hearing. The hearing will be held in accordance with the procedures specified at 20 NMAC 4.1.901.E.

The Secretary of the NMED will issue a response to comments at the time of the final Permit decision. If the Secretary approves the Permit, the Permit will become effective 30 days after notice of the Secretary's decision has been served on the Applicant. Appeals of the Secretary's decision may be made in accordance with the New Mexico Hazardous Waste Act (HWA). Additional information may be obtained by contacting the NMED Hazardous and Radioactive Materials Bureau at (505) 827-1561, x1073.