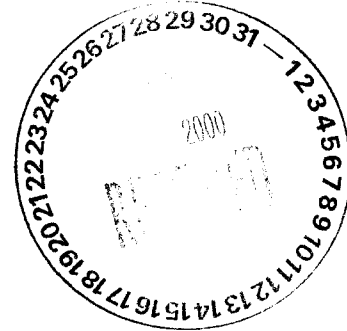




Route 3, Box 7  
Gallup, New Mexico  
87301

November 20, 2000

James Bearzi, Bureau Chief  
Hazardous Waste Bureau  
New Mexico Environment Department  
2044-A Galisteo  
Santa Fe, NM 87505



RE: Giant Refining Company – Ciniza Refinery  
PCC Permit No. NMD 000333211

Dear Mr. Bearzi:

Enclosed please find the 'Notice of Land Treatment Use' as recorded with the McKinley County Clerk on November 9, 2000 as required by the Post-Closure Care Permit EPA ID No. NMD000333211. This action fulfills the requirements of the permit's Module III, Section D1.

Additionally, Giant requests an extension for establishing the final vegetative cover on the LTU. The original schedule, as proposed in Volume I, Section I.5.5 and Tables I-2A and I-2B of the Permit Application, indicates that final closure activities and establishment of the vegetative cover will start within 90 days of the Permit issuance (12/15/2000). Due to heavier than normal precipitation and an early winter season, we have not been able to start these activities. Giant requests permission to start the vegetative cover activities no later April 1, 2001. This would allow soil evaluation and preparation to be done in the spring and planting to be done just prior to the rainy season, which occurs from mid-July through September.

Please feel free to contact me at (505) 722-0227 if you have any questions regarding the notation to the deed or Giant's extension request. Thank you for your assistance.

Sincerely,

Dorinda Mancini  
Environmental Manager, Ciniza Refinery  
Giant Refining Company

Enc.

cc: Matthew R. Davis, General Manager, GRC  
Dave Pavlich, Environmental Superintendent, GRC  
Sarah Allen, Counsel, Giant Industries, Inc.

**NOTICE OF LAND TREATMENT USE**

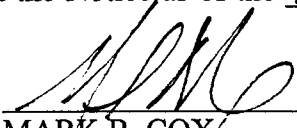
Consistent with the provisions of 40 CFR §§ 264.116 and 264.119, Giant Industries Arizona, Inc. an Arizona corporation ("Owner"), hereby records this Notice of Land Treatment Use ("Notice") for an approximate 8.03 acre tract of land ("the Tract") located near U.S. Interstate 40, Exit 39, McKinley County, New Mexico.

The Tract is more particularly described on Exhibit "A", attached hereto and incorporated herein by reference. A Survey Plat of the Tract is set forth on Exhibit "B" attached hereto and incorporated herein by reference.

This Notice is intended to advise potential purchasers of the Tract of the following information:

- (i) The Tract has been used by Owner as a Land Treatment Unit to manage hazardous wastes;
- (ii) The use of the Tract is restricted under 40 CFR subpart G regulations and 20 4.1.500 NMAC; and
- (iii) Contemporaneous with recordation of this Notice, a survey of the Tract and a listing of the type, location and quantity of hazardous wastes applied to the Land Treatment Unit will be filed in the real estate records of McKinley County, New Mexico and with the Director of the New Mexico Environment Department in accordance with 20 4.1.500 NMAC.

IN WITNESS WHEREOF, the Owner has executed the Notice as of the 9<sup>th</sup> day of November, 2000.


  
 \_\_\_\_\_  
 MARK B. COX  
 TREASURER

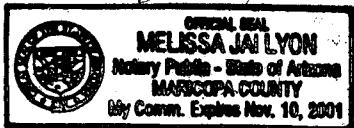
**FOR RECORDER'S USE ONLY**

**ACKNOWLEDGMENT FOR CORPORATION**

STATE OF ARIZONA            )  
   ) ss.  
 COUNTY OF MARICOPA        )

This instrument was acknowledged before me on November 7<sup>th</sup>, 2000 by Mark Cox, Treasurer of Giant Four Corners, Inc., an Arizona corporation, on behalf of said corporation.

My commission expires: 11/10/2001  
 (Seal)  Notary Public



**EXHIBIT "A"**

Legal Description of 8.03 acre tract of land located near U.S. Interstate 40, Exit 39, McKinley County, New Mexico.

A tract of land lying in the northwest quarter of Section 33, and in the southwest quarter of Section 28, T15N, R15W, N.M.P.M. McKinley County, New Mexico being more particularly described as follows:

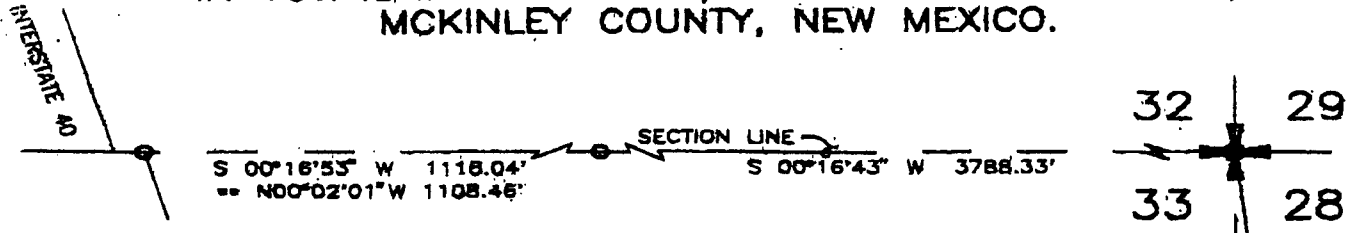
Commencing at the northwest corner of Section 33, T15N, R15W, N.M.P.M. from which point the west line of said Section 33 bears S00°16'43"W, thence N83°38'05"E, 1761.79' to the northeast corner and the REAL POINT OF BEGINNING:

Thence S30°23'38"E, 722.58' to the southeast corner;  
Thence S59°38'37"W, 479.43' to the southwest corner;  
Thence N30°24'26"W, 736.86' to the northwest corner;  
Thence N61°20'55"E, 479.82' to the Real Point of Beginning.

Containing 8.03 acres more or less.

# SURVEY PLAT

OF THE GIANT REFINING COMPANY LAND TREATMENT UNIT WHICH IS A PART OF THE NORTHWEST QUARTER OF SECTION 33 AND A PART OF THE SOUTHWEST QUARTER OF SECTION 28 IN TOWNSHIP 15 NORTH, RANGE 15 WEST, NMPM, MCKINLEY COUNTY, NEW MEXICO.



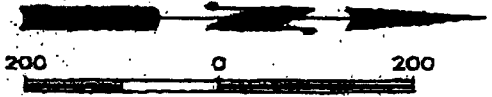
A tract of land lying in the northwest quarter of Section 33, and in the southwest quarter of Section 28, T15N, R15W, N.M.P.M. McKinley County, New Mexico being more particularly described as follows:

Commencing at the northwest corner of Section 33, T15N, R15W, N.M.P.M. from which point the west line of said section 33 bears S00°16'43\"/>

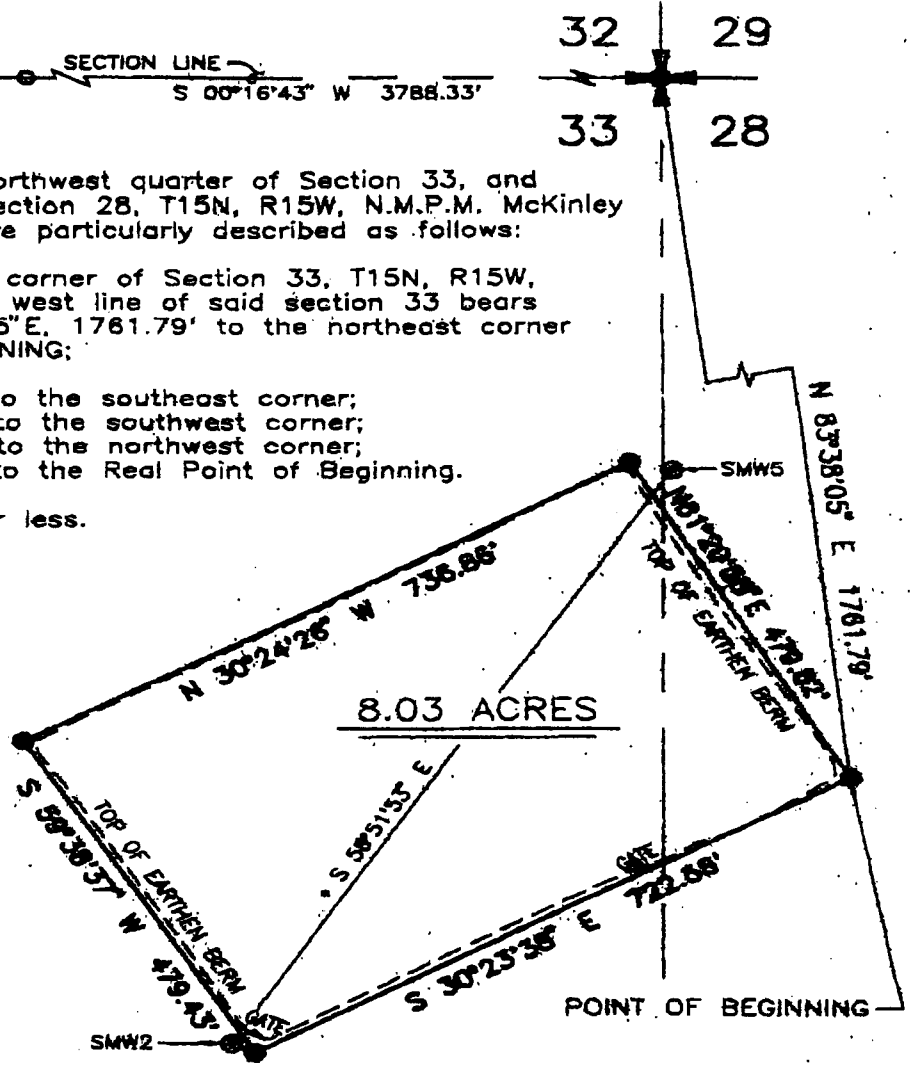
Thence S30°23'38\"/>

Containing 8.03 acres more or less.

OWNER: GIANT INDUSTRIES, INC.  
BK. 33, PG. 188



DATE OF SURVEY: 11/02/2000



## LEGEND

- SECTION CORNER, FOUND 5/8\"/>
- FOUND 3\"/>
- SET 1/2\"/>
- MONITORING WELL
- BEARING REFERENCE THIS SURVEY, N.M. STATE PLANE G BEARINGS FROM COORDINATES BY STERLING AND MATAYA FURNISHED TO GIANT REFINERY ON MAY 13TH, 1991.
- BOUNDARY SURVEY BY STERLING AND MATAYA DATED OCT. 15TH, 1985 (UNFILED) FOR GIANT INDUSTRIES (TRAVEL CENTER TRACT)

292831 11/09/2000 01:37P NOTICE  
3of5 B15 P9473 R 13.00 D 2.00  
McKinley County, Carol K. Sloan - County Clerk

I, Marc A. DePauli, a New Mexico registered professional surveyor certify that I conducted and am responsible for this survey, that this survey is true and correct in the best of my knowledge and belief, and that this survey and plat meet the minimum standards for surveying in New Mexico.  
I declare under penalty of perjury that this survey is not a land claim or application as defined in the New Mexico Subsurface Act and that this is a boundary survey plat of an existing tract or tracts.

*Marc A. DePauli* 11-4-00  
Marc A. DePauli RMP & S, Inc. No. 13806



**DePAULI ENGINEERING & SURVEYING CO.**  
GALLUP, NEW MEXICO  
601 W. AVENUE AVE. 86801-4419

Date: 11/02/2000  
Drawn by: AH  
Checked by: MDP

Scale: 1" = 200'  
Proj. Sta. LTU

Exhibit C

Land Treatment Unit Historical Information and Data  
 Ciniza Refinery  
 May 2000

**Table 1-1. Approved Waste Streams Applied to the Land Treatment Unit**

EPA Hazardous Waste No.	Waste Description	Annual Application Limit (tons)
D001	Ignitable materials	50
D007	Cooling Water Filter Sludge	5
K049	Slop Oil Emulsion Sludge	200
K050	Heat Exchanger Bundle Cleaning Sludge	15
K051	API Separator Sludge	1,000
K052	Tank Bottoms (Leaded)	5

**Table 1-2. Waste Stream Volumes Applied to Permitted Land Treatment Unit (1987 through 1993)**

Dated Units	Ignitable Material D001 <sup>a</sup>	CWF Sludge D007	Slop Oil K049 <sup>a</sup>	Heat Exch Sludge K050 <sup>a</sup>	API Sludge K051 <sup>a</sup>	Tank Bottoms K052 <sup>a</sup>	Non Haz Waste	Assoc Waste waters	Total <sup>c</sup>
1987 <sup>b</sup> BBL	0	0	998	13	2171	0	0	628	3810
1987 Tons	0	0	200	3	434	0	0	126	763
1988 BBL	215	0	140	0	3435	0	15	3345	7150
1988 Tons	43	0	28	0	687	0	3	669	1430
1989 BBL	12	0	0	0	3675	0	4400	0	8087
1989 Tons	2	0	0	0	735	0	880	0	1617
1990 BBL	0	0	0	15	2345	25	6222	0	8607
1990 Tons	0	0	0	3	469	5	1244	0	1721
1991 BBL	0	0	0	0	0	0	3336	684	4020
1991 Tons	0	0	0	0	0	0	667	137	804
1992 BBL	0	0	0	0	0	0	1579	0	1579
1992 Tons	0	0	0	0	0	0	316	0	316
1993 BBL	0	0	0	0	0	0	1230	0	1230
1993 Tons	0	0	0	0	0	0	246	0	246
1987 - 1993 TOTAL TONS <sup>a</sup>	45		228	6	2325	5			

Source: LTU logbook entries.

BBL = Barrels

<sup>a</sup>Per RCRA Code

<sup>b</sup>1987 Land Treatment Demonstration.

<sup>c</sup>Total calculations corrected (Benchmark 1998).