



BILL RICHARDSON  
Governor

DIANE DENISH  
Lieutenant Governor

**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

*Hazardous Waste Bureau*

2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
Phone (505) 476-6000 Fax (505) 476-6030  
[www.nmenv.state.nm.us](http://www.nmenv.state.nm.us)



RON CURRY  
Secretary

JON GOLDSTEIN  
Deputy Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

October 1, 2008

Mr. Ed Riege  
Environmental Superintendent  
Western Refining Company  
Route 3, Box 7  
Gallup, New Mexico 87301

**RE: 2008 ANNUAL FEE  
WESTERN REFINING COMPANY- GALLUP REFINERY  
FACILITY EPA ID # NMD000333211**

Dear Mr. Riege:

The New Mexico Environment Department (NMED) has established the 2008 Annual Fee for your facility pursuant to the Hazardous Waste Permit and Corrective Action Fee Regulations, 20.4.2 NMAC. In accordance with 20.4.2.201.A NMAC, the enclosed Tables were developed from the facility permit, Part A application, or enforceable document. The tables are formatted accordingly: 1) Table A – Hazardous Waste Management Activities; 2) Table B - Corrective Action; and 3) Table C - Summary of Units.

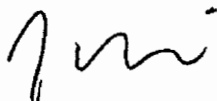
Enclosed is the invoice for your 2008 annual fees. Under the provisions of 20.4.2.301.C NMAC “[p]ayment shall be due within sixty (60) days of receipt of the invoice unless the facility submits to NMED a written request seven (7) days prior to the end of the sixty (60) day period and receives written approval to extend the time for payment before the date payment is due.” Under the provisions of 20.4.2.302.A NMAC, “any owner or operator seeking to appeal an invoice for fees under this part must first notify the NMED in writing of the intent to appeal the invoice within thirty (30) calendar days of receipt of the invoice. The notice shall set forth the specific matters in dispute, the basis for the dispute, and any matters considered necessary for NMED’s consideration. The parties shall have thirty (30) calendar days from NMED’s receipt of notification to meet or confer with NMED to attempt to resolve the matters in the dispute. The secretary may extend deadlines under this section upon a determination that good cause exists. If

Mr. Riege  
October 1, 2008  
Page 2

an agreement is reached resolving the dispute, NMED may issue a revised invoice and the owner and operator shall comply with the terms of such agreement and revised invoice. If an agreement is not reached, NMED shall issue a notification to all parties that an agreement has not been reached. Failure to notify NMED of an appeal in the required timeframe shall prohibit the owner and operator from appeal of the invoice.”

Should you have questions concerning this Annual Fee please call John Kieling at (505) 476-6035.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

#### Attachments

cc: J. Kieling, NMED HWB  
J. Valdez, NMED HWB  
H. Monzeglio, NMED HWB  
File: Reading and 2008 Annual Fee

**TABLE A**  
**Western Refining Southwest, Inc. - Gallup 2008 Annual Fee**  
**HAZARDOUS WASTE MANAGEMENT ACTIVITIES**

Unit ID No.	Unit Type/Description	Process	Comments	Fee
LDF 1	Land Farm Not Clean Closed	Post-Closure		\$4,000.00
Total Annual Fee:				\$4,000.00

**TABLE B**  
**Western Refining Southwest, Inc. - Gallup 2008 Annual Fee**  
**CORRECTIVE ACTION**

Count	Unit ID No.	Unit Type/Description	Comments	Fee
1	SWMU 1	Aeration Basin		\$750.00
2	SWMU 2	Evaporation Ponds		\$750.00
3	SWMU 3	Empty Container Storage Area		\$750.00
4	SWMU 4	Old Burn Pit		\$750.00
5	SWMU 5	Landfill Areas		\$750.00
6	SWMU 6	Tank Farm		\$750.00
7	SWMU 7	Fire Training Area		\$750.00
8	SWMU 8	Railroad Rack Lagoon		\$750.00
9	SWMU 9	Drainage Ditch Near Inactive Landfarm		\$750.00
10	SWMU 10	Sludge Pits		\$750.00
11	SWMU 11	Secondary Oil Skimmer		\$750.00
12	SWMU 12	Contact Wastewater Collection System		\$750.00
13	SWMU 13	Drainage Ditch between API Evaporation Ponds and Neutralization Tank Evaporation Ponds		\$750.00
14	SWMU 14	API Separator		\$750.00
Total Annual Fee:				\$10,500.00

**TABLE C**  
**Western Refining Southwest, Inc. - Gallup 2008 Annual Fee**  
**SUMMARY OF UNITS**

Number of Units	Unit Type	Fee
0	Disposal	\$0.00
0	Treatment	\$0.00
0	Storage	\$0.00
1	Post Closure Care	\$4,000.00
0	Corrective Action Management Unit	\$0.00
0	Temporary Unit	\$0.00
0	Remedial Action Plan Unit	\$0.00
14	Corrective Action	\$10,500.00
Total Annual Fee:		\$14,500.00



**New Mexico  
Environment Department  
Hazardous Waste Bureau**

**Western Refining Southwest  
Gallup  
Rt. 3 Box 7  
Gallup, NM 87301  
Attn: Ed Riege**

**October 1, 2008**

**Invoice # - HWB-GRCC-2008-AF**

**Western Refining Company Gallup Annual Fee**

<b>Quantity</b>	<b>Item</b>	<b>Item Cost</b>	<b>Total Cost</b>
14	SWMU / AOC - First 150 units (1 to 150)	\$750.00	\$10,500.00
1	Post Closure Unit	\$4,000.00	\$4,000.00
		<b>Total Fees</b>	\$14,500.00
		<b>Adjustment</b>	\$0.00
		<b>Pay This Amount</b>	<b>\$14,500.00</b>

**Make Checks Payable to: NMED/HWB**

**Mail Checks and Invoice to:**

**New Mexico Environment Department, HWB  
Attn: James Valdez  
2905 Rodeo Park Drive East, Bldg 1  
Santa Fe, NM 87505**

State of New Mexico Use Only:

Date Received: \_\_\_\_\_

Check Number: \_\_\_\_\_

Amount Received: \_\_\_\_\_



23733 N. Scottsdale Rd.  
Scottsdale, AZ  
85255-9969

480  
585-8888

Page: 1

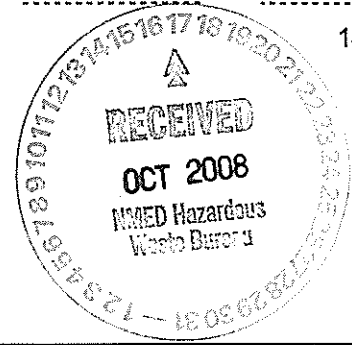
Check #:348805

Vendor #:76707

Check Date:10/14/08

Invoice Number	Inv. Date	Description
HWB-GRCC-2008-AF	10/01/08	

Gross	Discount	Net
14,500.00		14,500.00



14,500.00

14,500.00

THE FACE OF THIS CHECK IS PRINTED BLUE - THE BACK CONTAINS A SIMULATED WATERMARK



23733 N. Scottsdale Rd.  
Scottsdale, AZ  
85255-9969

480  
585-8888

Bank of America  
Bank of America  
North Carolina

66-19  
530

Valid for 180 days From Date of Issue

Pay  
FOURTEEN THOUSAND FIVE HUNDRED AND 00/100  
To the Order of

Date:10/14/08

Check No. 348805

\$\*\*\*\*14,500.00  
Amount

NMED / HRMB  
Hazardous Waste Bureau  
2905 Rodeo Park Dr E Bldg 1  
PO Box 26110  
Santa Fe NM 87502