



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



ENTERED



RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 1, 2009

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

**RE: 2009 ANNUAL FEE
WESTERN REFINING, SOUTHWEST INC-GALLUP REFINERY
FACILITY EPA ID # NMD000333211**

Dear Mr. Riege:

The New Mexico Environment Department (NMED) has established the 2009 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 2009 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

Mr. Riege
October 1, 2009
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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 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. Petrie NMED HWB
File: Reading and 2009 Annual Fee

TABLE A
Western Refining Southwest, Inc. - Gallup 2009 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 2009 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 2009 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, 2009

Invoice # - HWB-GRCC-2009-AF
Western Refining Company Gallup Annual Fee

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

Make Checks Payable to: NMED/HWB

Mail Checks and Invoice to:

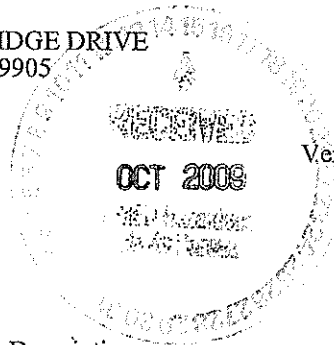
New Mexico Environment Department, HWB
Attn: James Valdez
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, NM 87505

State of New Mexico Use Only:

Date Received: _____
Check Number: _____
Amount Received: _____



6500 TROWBRIDGE DRIVE
 EL PASO, TX 79905
 (915) 775-3300



Vendor #: 76707

Check #: 10383173

Check Date: 10/13/09

voice Number	Invoice Date	Description	Gross	Discount	Net
HWB-GRCC-2009-AF	10/01/09		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



6500 TROWBRIDGE DRIVE
 EL PASO, TX 79905
 (915) 775-3300

Bank of America
 DALLAS, TEXAS
 64-1278/611

10383173

Date: 10/13/09

Check No: 10383173

\$****14,500.00

by FOURTEEN THOUSAND FIVE HUNDRED AND 00/100*****

to the Order of

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

Robert Scott

Robert Scott
