

October 5, 2010

VIA EMAIL AND CERTIFIED MAIL No. 7008 2810 0000 4726 2489

Mr. James Bearzi, Chief
Hazardous Waste Bureau
New Mexico Environmental Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

Ragan Broyles (6EN-H)
Assistant Director
Hazardous Waste Enforcement Branch
U.S. EPA Region 6, Suite 1200
1445 Ross Ave.
Dallas, TX 75202-2733

Joel Dougherty (6EN-HE)
Hazardous Waste Enforcement Branch
U.S. EPA Region 6, Suite 1200
1445 Ross Ave.
Dallas, TX 75202-2733



RE: COMPLETION OF MILESTONE CERTIFICATION
WESTERN REFINING SOUTHWEST, INC., GALLUP REFINERY
EPA ID #NMD000333211

Dear Mr. Bearzi:

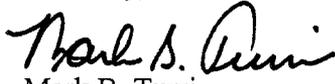
This letter is to notify NMED and EPA that Western Refining Southwest, Inc., Gallup refinery ("Gallup") has met Milestone #1, in Paragraph 100.I of the Complaint and Consent Agreement and Final Order (CAFO), Docket No. RCRA-06-2009-0936 : "Submit proof of procurement including vendor acknowledgement of Order, vendor's factory order number, and estimated delivery date for DGF and MPPE units to demonstrate Respondent will comply with milestone 7 of this chart". Western has met this milestone not later than the specified Implementation Date of September 30, 2010.

The attached proof of procurement contains the vendor acknowledgement of Order, vendor's factory order number, and estimated delivery date from Poseidon Inc. (the Dissolved Gas Flotation unit vendor) and Whittier Filtration (the Macro Porous Polymer Extraction unit vendor).

I certify that the information contained in or accompanying this submission is true, accurate and complete. As to those identified portions of this submission for which I cannot personally verify the truth and accuracy, I certify as the company official having supervisory responsibility for the person(s) who, acting upon my direct instructions, made the verification, that this information is true, accurate, and complete.

Please feel free to contact Alan Leute at 915-775-3278 with any questions.

Sincerely,



Mark B. Turri
Refinery Manager

cc: Hope Monzeglio NMED HWB
Carl Chavez OCD
Ann Allen Western Refining
Ed Riege Western Refining
Alan Leute Western Refining



Montreal, September 29th 2010

Western Refining
Route 3, Box 7
Gallup NM 87301
USA

Attention: Mr. Alan Leute, Project Manager

E-mail: alan.leute@wnr.com

Reference: **Western Refining, Gallup Refinery – New Mexico**
Dissolved Nitrogen Gas Flotation (DGF) Unit
Poseidon SATURN S100TCE07,5-E Clarifier™ DGF

Dear Mr. Leute:

We want to thank you for selecting a Poseidon DNF unit for your wastewater treatment plant improvement project - your **PO No. 20803384**. Your Poseidon contact will be Mr. Jonathan Dion, Project Coordinator.

For your project our **factory number is 4097-10** and our estimated delivery date is 24 weeks after receipt of approved drawings, final and without modifications. This represents approximately 30 weeks from today.

Our acceptance of this PO is conditional to our mutual agreement on T&Cs.

We are eager to start working with you. Please let me know who will be the contacts at Western Refining and my colleague will soon get in touch with them. Of course I remain available. If you need assistance or anything that will be beneficial to this project please let me know. You can reach me at the coordinates below.

Best regards,

Alain Saint-Louis
Technical Sales Manager
Poseidon Inc.



WHITTIER FILTRATION

Order Acknowledgment Letter

Thursday, September 30, 2010

Western Refining Southwest, Inc.
Gallup Refinery
I-40 Exit 39
Jamestown, NM 87347

Attention: Alan Leute
Project Manager

Telephone: (915)-487-9793
E-Mail : alan.leute@wnr.com

Regarding: Your Purchase Order No. **20803403**
One (1) 500 gpm MPPE Treatment System
Whittier Filtration Project No: **50000220**

Dear Mr. Leute:

Thank you for your much valued order! The purpose of this letter is to acknowledge your Purchase Order of today. Our Job Shop No. for this project is **50000220**

The estimated delivery for this project is 52 weeks after receipt of order and we will make every effort to finalize this shortly and possibly improve upon this.

Until the Project Manager contacts you, should you have any questions or comments regarding the above subjects, please do not hesitate to contact me either by phone, fax or e-mail.

Regards,



James E. Sawkins
Senior Application Engineer
Whittier Filtration
e-mail: jim.sawkins@veoliawater.com

cc: Job File

WHITTIER FILTRATION
315 N. Puente Street, Unit A
Brea, CA 90670, USA
Tel: 714-986-5300
Fax: 714-986-5301 (1st Floor)
Fax: 714-986-5318 (2nd Floor)

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