



Via Certified Mail
No. 7006 0810 0004 3770 8762

June 24, 2013

Mr. John E. Kieling, Chief
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Bldg. 1
Santa Fe, New Mexico 87505-6303

Re: Request to Proceed with Review of the “Petition for *No Further Action*” dated August 10, 2001 and “Supplementary Information” submitted on October 2, 2002. Western Refining Southwest, Inc., Gallup Refinery, EPA ID #NMD000333211, HWB-WRG-MISC

Dear Mr. Kieling:

This letter is a request to proceed with the review of seven SWMUs in the “Petition for *No Further Action*” dated August 10, 2001 and supplementary information submitted on October 2, 2002 for facilities at Western Refining Southwest, Inc. (Western), Gallup Refinery. The Gallup Refinery is a crude oil refinery owned and operated by Western Refining Southwest, Inc., formerly known as Giant Industries Arizona, Inc., an Arizona corporation, and formerly doing business as Giant Refining Company Ciniza Refinery.

Background

Western conducted an extensive search of the files of the New Mexico Environment Department (NMED), the New Mexico Oil Conservation Division (NMOCD) and refinery records to determine the current status of the 14 SWMUs. Based on Western’s review of these records, it is apparent that a “Petition for *No Further Action*” was submitted to the NMED on August 10, 2001 for 11 of the 14 SWMUs (i.e, SWMUs 1, 2, 3, 4, 5, 7, 9, 10, 11, 12, and 13). NMED requested supplemental information on November 2, 2001. Subsequently on October 2, 2002, the requested supplemental information was either provided or a cross-reference to NMED files was included, as much of the requested information was already in the NMED files. We can find no record of NMED ever providing a written response to the petition and supplementary information.

During the June 7, 2013 meeting, NMED said they could not process an incomplete petition and the reason for not acting on the petition was some of supplemental information on a few of the SWMUs was not provided. In an effort to move forward, Western agreed to provide this letter requesting NMED to proceed with review of the “Petition for *No Further Action*” for the SWMUs in which the provided supplementary information was complete.

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Request to Proceed

Western requests that NMED proceed with the review of 7 of the 14 SWMUs (i.e, SWMUs 3, 4, 5, 7, 9, 10, and 13) and provide a written response to the original petition for *No Further Action*.

If you have any questions, please call me at (915) 534-1480.

Sincerely,



Leslie Ann Allen
Senior Vice President
Environment and Regulatory Affairs