



SUSANA MARTINEZ  
Governor  
JOHN A. SANCHEZ  
Lieutenant Governor

NEW MEXICO  
ENVIRONMENT DEPARTMENT

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)



RYAN FLYNN  
Cabinet Secretary  
BUTCH TONGATE  
Deputy Secretary

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

November 18, 2014

Ms. Leslie Ann Allen  
Senior Vice President  
Environment and Regulatory Affairs  
Western Refining, Southwest Inc., Gallup Refinery  
123 W. Mills Avenue, Suite 200  
El Paso, TX 79901

**RE: REQUEST TO PROCEED  
REVIEW OF PETITION FOR NO FURTHER ACTION  
AND SUPPLEMENTARY INFORMATION  
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY  
EPA ID # NMD000333211  
HWB-WRG-14-MISC**

Dear Ms. Allen:

The New Mexico Environment Department (NMED) is in receipt of Western Refining Southwest Inc., Gallup Refinery's (Permittee) letter *Request to Proceed with Review of the "Petition for No Further Action" dated August 10, 2001 and "Supplementary Information" submitted on October 2, 2002*, dated June 24, 2013.

During a June 7, 2013 meeting NMED indicated that the Permittee's response to NMED's request for supplemental information regarding several solid waste management units (SWMUs) was insufficient. Since the Permittee's renewed RCRA Permit is now in effect, NMED will proceed with the review process. In order to achieve corrective action complete status all site investigations must be complete and the documentation must be reviewed and approved by NMED. NMED will review the information provided in the August 10, 2001 SWMU Assessment Report / No Further Action Report and the supplemental information provided in the October 2, 2002 letter and attachments.

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The August 10, 2001 SWMU Assessment Report / No Further Action Report listed 11 solid waste management units (SWMUs). In this letter, the Permittee requests review of 7 SWMUs; precluding four (4) SWMUs for which NMED required additional information. The 7 SWMUs include: SWMU 3, SWMU 4, SWMU 5, SWMU 7, SWMU 9, SWMU 10, and SWMU 13.

Two (2) of those SWMUs are currently in use (SWMU 3, Empty Storage Container Unit which is now used as the Heat Exchanger Bundle Cleaning Pad; SWMU 7, Fire Training Area, which continues to be used as a fire training area) and will not be reviewed at this time, since they are active sites.

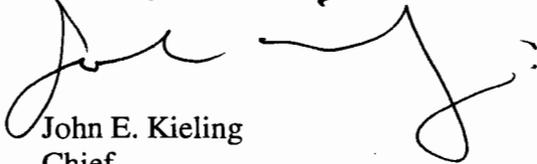
NMED is in the process of reviewing the documents provided regarding the remaining five (5) SWMUs [SWMU 4 (Old Burn Pit), SWMU 5 (Landfill Areas), SWMU 9 (Drainage Ditch and Inactive Landfarm), SWMU 10 (Sludge Pits), and SWMU 13 (Drainage Ditch between API Evaporation Pond and Neutralization Tank Evaporation Ponds)] and will communicate with the Permittee regarding any additional information that may be required to assist in the review of those sites.

Once NMED has adequate information to approve the documentation regarding the site investigations, the Permittee may submit a Class 3 Permit Modification request for the SWMUs that are determined to be corrective action complete.

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If you have questions regarding this letter, please contact Kristen Van Horn of my staff at 505-476-6046.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Kieling". The signature is fluid and cursive, with a large loop at the end.

John E. Kieling  
Chief  
Hazardous Waste Bureau

cc:

- T. Blaine, Deputy Secretary
- J. Kendall, OGC
- D. Cobrain, NMED HWB
- N. Dhawan, NMED HWB
- K. Van Horn NMED HWB
- A. Haines WRG
- L. King, USEPA

File: Reading File and WRG 2014 File  
WRG-14-MISC