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**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

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ENTERED



James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

April 30, 2021

John Moore
Environmental Superintendent
Western Refining, Southwest Inc., Gallup Refinery
92 Giant Crossing Road
Gallup, New Mexico 87301

**RE: DISAPPROVAL
REQUEST FOR EXTENSION OF TIME RESPONSE TO COMMENTS APPROVAL WITH
MODIFICATIONS INVESTIGATION REPORT SOLID WASTE MANAGEMENT UNIT NO. 10
SLUDGE PITS
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-16-001**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) is in receipt of the Marathon Petroleum Company dba Western Refining Southwest Inc., Gallup Refinery (Permittee) *Request for Extension of Time Response to Comments Approval with Modifications Investigation Report Solid Waste Management Unit No. 10 Sludge Pits* (Request), dated April 30, 2021, and received April 26, 2021.

The Request states, "MPC is currently investigating the New API (American Petroleum Institute) Separator to determine the source of water in the Leak Detection Units and determine if repairs are necessary in the New API Separator. MPC would like to complete the investigation and determine next steps before submitting the aforementioned response to Approval with Modifications."

Mr. Moore
April 30, 2021
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Comment 2 of the NMED's *Approval with Modifications*, dated March 4, 2021, identifies the issues associated with the NAPIS; however, it states, "[t]his comment must be addressed in the response to NMED's *Disapproval Annual Groundwater Monitoring Report Gallup Refinery – 2019*. No revision required."

The Permittee is not required to include further discussion regarding the issues in the relevant response letter; therefore, an extension is not necessary. Since NMED did not respond to the Request until the due date, the Permittee must submit a response letter, replacement pages, and an electronic version of the revised Report no later than **May 14, 2021**.

Should you have any questions, please contact Michiya Suzuki of my staff at (505) 476-6046.

Sincerely,



Dave Cobrain
Program Manager
Hazardous Waste Bureau

cc: M. Suzuki, NMED HWB
C. Chavez, OCD
T. McDill, OCD
L. King, EPA Region 6 (6LCRRC)

File: Reading File and WRG 2021 File