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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

May 25, 2021

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

**RE: APPROVAL
ASSESSMENT REPORT FOR AOC 34 – SCRAP YARD
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-21-008**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) has reviewed the *Assessment Report for AOC 34 – Scrap Yard* (Report), dated April 13, 2021, submitted on behalf of Marathon Petroleum Company dba Western Refining Southwest Inc., Gallup Refinery (the Permittee). The Report was submitted in accordance with the requirements of the January 2017 Consent Order (Consent Order).

The purpose of the Consent Order is to determine whether areas of concern (AOCs) listed in Attachment 1 of the Consent Order require investigation or if the Permittee can provide sufficient information to determine that no further investigation or remediation is necessary.

Consent Order Section IV.B requires NMED to review the Report and determine whether the report "approved, disapproved, or disapproved in part ..." The Permittee provided information

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required by Consent Order Section IV.C (Contents of AOC Assessment Report). NMED reviewed the Report and hereby issues this Approval.

As specified by the Consent Order Section IV.D (NMED Determination of AOC Entry or Elimination), NMED will make a determination of whether or not AOC 34 should be restored to the RCRA Permit or eliminated from corrective action requirements.

Since this Report is the last Assessment Report required by the Consent Order, NMED will provide a determination regarding the addition of the AOCs listed in the Order to the list of units where corrective action is required in Appendix G, Table G-1 of the Permit under separate cover.

If you have questions regarding this correspondence, please contact Michiya Suzuki of my staff at 505-476-6046.

Sincerely,



Dave Cobrain
Program Manager
Hazardous Waste Bureau

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

File: Reading File and WRG 2021 File