



May 06, 2013

Mr. John Kieling  
Chief, Hazardous Waste Management Bureau  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6313

Certified Mail/Return Receipt  
7011 3500 0001 4786 3989

**RE: Documentation of Notice of Permit Renewal Application Submittal, Public Repository Availability, and Public Meeting  
New Mexico Hazardous Waste Permit Number NMD048918817  
Navajo Refining Company, Artesia Refinery**

Dear Mr. Kieling:

On April 5, 2013, the Navajo Refining Company, LLC (Navajo) Artesia, New Mexico, Refinery (the Refinery) submitted a Resource Conservation and Recovery Act (RCRA) Part B Post-Closure Permit Renewal Application (Renewal Application) to the New Mexico Environment Department (NMED). This Renewal Application contains Class 1 and Class 3 permit modification requests as classified in Appendix I to Title 40 Code of Federal Regulations Part 270.42 (40 CFR 270.42).

As specified in 40 CFR 270.42(c)(2), the facility provided notice of the Permit Renewal Application submittal and repository availability to all persons on the facility's mailing list. Units of local government having jurisdiction over the area where the facility is located and State agencies having any authority with respect to the construction or operation of the facility are included on the facility's mailing list.

Notice of the Permit Renewal Application submittal, repository availability, and public meeting in both English and Spanish was mailed to those persons included on the facility's mailing list on April 8, 2013. The facility mailing list was current as of April 5, 2013. The notice was also published in the Artesia Daily Press in both English and Spanish on April 9, 2013, April 16, 2013, and April 23, 2013 (once per week for three consecutive weeks).

As specified in 40 CFR 270.42(c)(4), a public meeting occurred on April 24, 2013, at the Artesia Center, located at 612 North 8<sup>th</sup> Street, in Artesia, New Mexico. Mr.

May 6, 2013

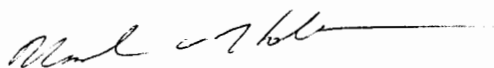
Michael Holder, Dr. Robert Combs, and Ms. Carrie Hernandez represented Navajo. No members of the public attended the public meeting.

This correspondence includes the following documentation:

- A copy of the Notice of Permit Renewal Application Submittal, Public Repository Availability, and Public Meeting sent to individuals on the approved facility mailing list
- A copy of the mailing list used for the mailings
- Affidavits of Publication stating that English and Spanish versions of the public notice was published once per week for three consecutive weeks

If you have any further questions, please do not hesitate to contact me at (575) 746-5361.

Sincerely,



Michael Holder, PG  
Environmental Manager, Navajo Refinery

Attachments

- Attachment 1 – Notice of Permit Renewal Application Submittal, Public Repository Availability, and Public Meeting
- Attachment 2 – Facility Mailing List
- Attachment 3 – Affidavits of Publication (English and Spanish)

cc: Mr. David Cobrain, NMED  
Dr. Robert Combs, Navajo Refinery  
Ms. Sherry Constable, TRC

ENV. RCRA-RENEWAL APPLICATION-PERMIT APPLICATION 0405113-PROOF OF PUBLIC NOTICE

**ATTACHMENT 1**

**NOTICE OF PERMIT RENEWAL APPLICATION SUBMITTAL,  
PUBLIC REPOSITORY AVAILABILITY,  
AND PUBLIC MEETING  
(ENGLISH AND SPANISH)**

## **NOTICE OF PERMIT RENEWAL APPLICATION SUBMITTAL, PUBLIC REPOSITORY AVAILABILITY, AND PUBLIC MEETING**

On April 5, 2013, the Navajo Refining Company, LLC (Navajo) Artesia, New Mexico, Refinery (the Refinery) submitted a Resource Conservation and Recovery Act (RCRA) Part B Post-Closure Permit Renewal Application for its petroleum refinery located in Artesia, New Mexico. As the Renewal Application includes Class 3 modifications to the existing Permit and Approved Permit Application, in accordance with Title 40 Code of Federal Regulations (CFR) Section 270.42(c), the Refinery posts this notice of Permit Renewal Application submittal, repository availability, and public meeting announcement to all persons on the facility's mailing list.

The Refinery, located at 501 East Main Street Artesia, New Mexico, processes crude oil into asphalt, fuel oil, gasoline, diesel, jet fuel and liquefied petroleum gas. Currently, the Refinery has the capacity to process approximately 100,000 barrels per day of crude oil. This Renewal Application is for a RCRA Part B Post-Closure Permit.

In accordance with 40 CFR 270.42(c)(3) interested citizens are invited to review copies of the revised portions of the facility RCRA Part B Post-Closure Permit Renewal Application at the following location:

New Mexico Environment Department (NMED) Hazardous Waste Bureau Hazardous Waste Facilities webpage: [http://www.nmenv.state.nm.us/HWB/hwb\\_facil.html](http://www.nmenv.state.nm.us/HWB/hwb_facil.html)

The NMED website will act as the public information repository and documents may be viewed and downloaded at any time while the documents are posted on the NMED website. The repository materials will be updated periodically as appropriate.

The designated facility contact who will address questions regarding the RCRA Part B Post-Closure Permit Renewal Application documents is:

**Michael Holder, PG**  
Environmental Manager  
Navajo Refining Company, LLC  
The Artesia Refinery  
P.O. Box 159, NM 88211  
Telephone: (575) 746-5361

In accordance with 40 CFR 270.42(c)(4), a public meeting to answer questions about the application has been scheduled for April 24, 2013, from 2:00 PM to 3:00 PM at the Artesia Center on 612 N 8th Street, Artesia, New Mexico, 88210.

In accordance with 40 CFR 270.42(c)(5), written comments will be accepted from the public for 60 days from the publication of this notice and must be postmarked by June 8, 2013. Comments should be sent to the following NMED contact:

**David Cobrain**  
Staff Manager  
New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East Bldg. 1  
Santa Fe, NM 87505-6313  
Telephone: (505) 476-6055  
Email: [dave.cobrain@state.nm.us](mailto:dave.cobrain@state.nm.us)

The Artesia Refinery's compliance history during the life of the permit being modified is available upon request from Mr. David Cobrain at the NMED.

## **AVISO DE LA PRESENTACIÓN DE SOLICITUD DE RENOVACIÓN DE PERMISO, DISPONIBILIDAD DE DEPÓSITO PÚBLICO, Y JUNTA PÚBLICA**

El día 5 de Abril de 2013, la Compañía Refinera Navajo (Navajo Refining Company, LLC [Navajo]) en Artesia, New Mexico, (la Refinería) presentó una Solicitud de Renovación de Permiso para el Tiempo Después del Cierre de la Parte B de la Ley de Conservación y Recuperación de Recursos (RCRA) para su refinería de petróleo localizada en Artesia, New Mexico. Como la Solicitud de Renovación contiene modificaciones de Tipo 3 al Permiso existente y la Solicitud de Permiso Aprobada, en acuerdo con el Título 40 del Código de Regulaciones Federales (CFR) Sección 270.42(c), la Refinería publica este aviso de Presentación de Solicitud de Renovación, disponibilidad de depósito público, y aviso de junta pública a todas las personas en la lista de envío de la instalación.

La Refinería, localizada en 501 East Main Street Artesia, New Mexico, procesa petróleo crudo a asfalto, aceite combustible, gasolina, diesel, combustible para avión, y gas licuado de petróleo. Actualmente, la Refinería tiene la capacidad para procesar aproximadamente 100,000 barriles de petróleo crudo al día. Esta Solicitud de Renovación es para un Permiso para el Tiempo después del Cierre de la Parte B de RCRA.

En acuerdo con 40 CFR 270.42(c)(3), los ciudadanos interesados están invitados a revisar copias de las porciones modificadas de la Solicitud de Renovación para un Permiso para el Tiempo Después del Cierre de la Parte B de RCRA para la instalación en la siguiente dirección:

Departamento del Medio Ambiente de New Mexico (NMED), Oficina de Residuos Peligrosos, Página Electrónica de Instalaciones de Residuos Peligrosos:  
[http://www.nmenv.state.nm.us/HWB/hwb\\_facil.html](http://www.nmenv.state.nm.us/HWB/hwb_facil.html)

La página electrónica del NMED actuará como el depósito de información pública y los documentos podrán ser vistos y descargados en cualquier momento mientras los documentos estén publicados en la página electrónica del NMED. Los documentos del depósito público serán actualizados periódicamente de manera apropiada.

El contacto designado de la instalación que contestará preguntas sobre la Solicitud de Renovación para un Permiso para el Tiempo Después del Cierre de la Parte B de RCRA es:

**Michael Holder, PG**  
Environmental Manager  
Navajo Refining Company, LLC  
The Artesia Refinery  
P.O. Box 159, NM 88211  
Telefono: (575) 746-5361

En acuerdo con 40 CFR 270.42(c)(4), una junta pública para contestar preguntas sobre la solicitud se a programado para el día 24 de Abril de 2013, de 2:00 PM a 3:00 PM en el Artesia Center localizado en 612 N 8th Street, Artesia, New Mexico, 88210.

En acuerdo con 40 CFR 270.42(c)(5), los comentarios por escrito serán aceptados por 60 días a partir de la publicación de esta noticia y deben tener el sello postal a mas tardar del día 8 de Junio de 2013. Comentarios deben ser mandados al siguiente contacto de la NMED:

**David Cobrain**  
Staff Manager  
New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East Bldg. 1  
Santa Fe, NM 87505-6313  
Telefono: (505) 476-6055  
Correo Electronico: [dave.cobrain@state.nm.us](mailto:dave.cobrain@state.nm.us)

La historia de cumplimiento de normas durante la vida del permiso que esta siendo modificado de la Refinería de Artesia esta disponible a pedido de Mr. David Cobrain con el NMED.

**ATTACHMENT 2**  
**FACILITY MAILING LIST**

**Facility Mailing List**  
**Current as of April 5, 2013**

Contact	Title	Organization	Address	City	State	Zip Code
		Sheet Metal Workers L.U.#49	2300 Buena Vista SE, Suite 110	Albuquerque	NM	87106
Pamela Allen		NMED - HWB	2905 Rodeo Park Dr. East, Bldg 1	Santa Fe	NM	87505
Edward F. Askew		C/O C.E.M.R.C/NMSU	1400 University Drive	Carlsbad	NM	88220
Eileen Banashek			4548 Calle Blanca	Santa Fe	NM	87507
Larry Brnicky		USEPA Region 6	1445 Ross Ave., Suite 1200	Dallas	TX	75202
Radel Bunker-Farrar	Environmental Program Manager	NASA-JSC White Sands Test Facility	P.O. Box 20	Las Cruces	NM	88004
Mr. Harry R. Burgess	City Administrator	City of Carlsbad	P.O. Box 1569	Carlsbad	NM	88220
Larry Caldwell			711 N. Zinc Street	Deming	NM	88030
Robert Combs		Navajo Refining Company	P.O. Box 159	Artesia	NM	88211-3311
Roseria Duwyenie	Navajo Area Office	Bureau of Indian Affairs	P.O. Box 1060	Gallup	NM	87305
Andy Freeman		Hall Environmental	4901 Hawkins NE	Albuquerque	NM	87109
John Geddie			8040 Bellamah Ct NE	Albuquerque	NM	87110
John Hale	Environmental Engineer	Public Service Company of NM	2401 Aztec NE - Z160	Albuquerque	NM	87107
Karen J. Herman			W8079 South US Hwy 2/141, Trlr 74	Iron Mountain	MI	49801-9496
Margie, Steve, & Ian Hughes			P.O. Box 340	Santa Fe	NM	87504
Timothy Z. Jennings		NM State Senator - District 32	Box 1797	Roswell	NM	88202-1797

**Facility Mailing List (Continued)**  
**Current as of April 5, 2013**

<b>Contact</b>	<b>Title</b>	<b>Organization</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>
John Kieling	Bureau Chief	NMED - HWB	2905 Rodeo Park Dr. East, Bldg 1	Santa Fe	NM	87505
Dan Kwielinsky		MKM Engineers	P.O. Box 1226	Cedar Crest	NM	87008
Jimmy N. Mackey		SRS Citizens Advisory Board	120 Old Towne Road	Okatie	SC	29909-3962
Kyle Marksteiner			712 Tierra Del Sol #C	Carlsbad	NM	88220
Caitlin McHugh			813 Waldo Street	Santa Fe	NM	87505
Michael Holder, PG	Environmental Manager	Navajo Refining Company	P.O. Box 159	Artesia	NM	88211-0159
James Moore, Jr.	Director of Operations	Rinchem Co., Inc.	6133 Edith Blvd., NE	Albuquerque	NM	87107
Linda Ramirez			1205 Wiggins Road	Roswell	NM	88201
Lenya Reese			1494 S. St. Francis Drive	Santa Fe	NM	87505
Carmen M. Rodriguez			P.O. Box 32586	Santa Fe	NM	87594
Mark Rudd		Marla Painter	506 Valley High SW	Albuquerque	NM	87105
Robert Schiller			2613 Garner SW	Albuquerque	NM	87105
Randy Schmaltz		Western Refining Southwest, Inc.	P.O. Box 159	Bloomfield	NM	87413
Pat J. Vigil			151 Pennsylvania SE	Albuquerque	NM	87108
Erika Wanemacher		Scott Cadenasso	1422 Agua Fria	Santa Fe	NM	87505
Jan Ward		NM Dept. of Game & Fish	P.O. Box 25112	Santa Fe	NM	87504
Jenelyn Wessler			11800 Highway 99 South	Ashland	OR	97520-9742
Karin Wikstrom-Miller			111 Barranca Road	Santa Fe	NM	87501-8890



**ATTACHMENT 3**  
**AFFIDAVITS OF PUBLICATION**  
**(ENGLISH AND SPANISH)**

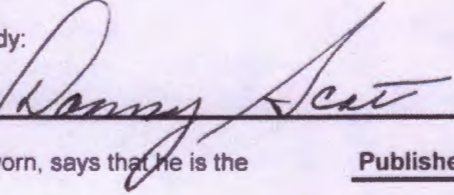
# Affidavit of Publication

NO. 22512

STATE OF NEW MEXICO

County of Eddy:

Danny Scott



being duly sworn, says that he is the Publisher

of the Artesia Daily Press, a daily newspaper of general circulation, published in English at Artesia, said county and state, and that the hereto attached

### Legal Notice

was published in a regular and entire issue of the said Artesia Daily Press, a daily newspaper duly qualified for that purpose within the meaning of Chapter 167 of the 1937 Session Laws of the state of New Mexico for 3 Consecutive weeks/days on the same

day as follows:

First Publication	<u>April 9, 2013</u>
Second Publication	<u>April 16, 2013</u>
Third Publication	<u>April 23, 2013</u>
Fourth Publication	<u></u>
Fifth Publication	<u></u>

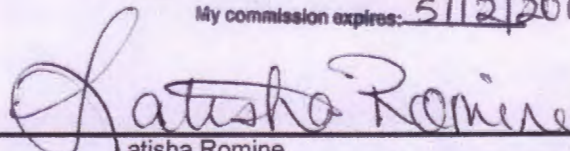
Subscribed and sworn to before me this

25th day of April 2013



OFFICIAL SEAL  
Latisha Romine  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 5/12/2015



Latisha Romine  
Notary Public, Eddy County, New Mexico

# Copy of Publication:

## LEGAL NOTICE

### NOTICE OF PERMIT RENEWAL APPLICATION SUBMITTAL, PUBLIC REPOSITORY AVAILABILITY, AND PUBLIC MEETING

On April 5, 2013, the Navajo Refining Company, LLC (Navajo) Artesia, New Mexico, Refinery (the Refinery) submitted a Resource Conservation and Recovery Act (RCRA) Part B Post-Closure Permit Renewal Application for its petroleum refinery located in Artesia, New Mexico. As the Renewal Application includes Class 3 modifications to the existing Permit and Approved Permit Application, in accordance with Title 40 Code of Federal Regulations (CFR) Section 270.42(c), the Refinery posts this notice of Permit Renewal Application submittal, repository availability, and public meeting announcement to all persons on the facility's mailing list.

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In accordance with 40 CFR 270.42(c)(3) interested citizens are invited to review copies of the revised portions of the facility RCRA Part B Post-Closure Permit Renewal Application at the following location:

New Mexico Environment Department (NMED) Hazardous Waste Bureau Hazardous Waste Facilities webpage:  
[http://www.nmenv.state.nm.us/HWB/hwb\\_facil.html](http://www.nmenv.state.nm.us/HWB/hwb_facil.html)

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The designated facility contact who will address questions regarding the RCRA Part B Post-Closure Permit Renewal Application documents is:

Michael Holder, PG  
Environmental Manager  
Navajo Refining Company, LLC  
The Artesia Refinery  
P.O. Box 159, NM 88211  
Telephone: (575) 746-5361

In accordance with 40 CFR 270.42(c)(4), a public meeting to answer questions about the application has been scheduled for April 24, 2013, from 2:00 PM to 3:00 PM at the Artesia Center on 612 N 8th Street, Artesia, New Mexico, 88210.

In accordance with 40 CFR 270.42(c)(5), written comments will be accepted from the public for 60 days from the publication of this notice and must be postmarked by June 8, 2013. Comments should be sent to the following NMED contact:

David Cobrain  
Staff Manager  
New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East Bldg. 1  
Santa Fe, NM 87505-6313  
Telephone: (505) 476-6055  
Email: [dave.cobrain@state.nm.us](mailto:dave.cobrain@state.nm.us)

The Artesia Refinery's compliance history during the life of the permit being modified is available upon request from Mr. David Cobrain at the NMED. Published in the Artesia Daily Press, Artesia, N.M., April 9, 16, 23 2013. Legal No 22512.

# Affidavit of Publication

NO. 22513

STATE OF NEW MEXICO

County of Eddy:

Danny Scott *Danny Scott*  
being duly sworn, says that he is the Publisher

of the Artesia Daily Press, a daily newspaper of general circulation, published in English at Artesia, said county and state, and that the hereto attached

### Legal Notice

was published in a regular and entire issue of the said Artesia Daily Press, a daily newspaper duly qualified for that purpose within the meaning of Chapter 167 of the 1937 Session Laws of the state of New Mexico for 3 Consecutive weeks/days on the same

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Fourth Publication	
Fifth Publication	

Subscribed and sworn to before me this  
25th day of April 2013



OFFICIAL SEAL  
Latisha Romine  
NOTARY PUBLIC-STATE OF NEW MEXICO

My commission expires: 5/12/2015

*Latisha Romine*  
Latisha Romine  
Notary Public, Eddy County, New Mexico

# Copy of Publication:

## LEGAL NOTICE

### AVISO DE LA PRESENTACIÓN DE SOLICITUD DE RENOVACIÓN DE PERMISO, DISPONIBILIDAD DE DEPÓSITO PÚBLICO, Y JUNTA PÚBLICA

El día 5 de Abril de 2013, la Compañía Refinera Navajo (Navajo Refining Company, LLC (Navajo)) en Artesia, New Mexico, (la Refinería) presentó una Solicitud de Renovación de Permiso para el Tiempo Despues del Cierre de la Parte B de la Ley de Conservación y Recuperación de Recursos (RCRA) para su refinería de petróleo localizada en Artesia, New Mexico. Como la Solicitud de Renovación contiene modificaciones de Tipo 3 al Permiso existente y la Solicitud de Permiso Aprobada, en acuerdo con el Título 40 del Código de Regulaciones Federales (CFR) Sección 270.42(c), la Refinería publica este aviso de Presentación de Solicitud de Renovación, disponibilidad de depósito público, y aviso de junta pública a todas las personas en la lista de envío de la instalación.

La Refinería, localizada en 501 East Main Street Artesia, New Mexico, procesa petróleo crudo a asfalto, aceite combustible, gasolina, diesel, combustible para avión, y gas licuado de petróleo. Actualmente, la Refinería tiene la capacidad para procesar aproximadamente 100,000 barriles de petróleo crudo al día. Esta Solicitud de Renovación es para un Permiso para el Tiempo despues del Cierre de la Parte B de RCRA.

En acuerdo con 40 CFR 270.42(c)(3), los ciudadanos interesados están invitados a revisar copias de las porciones modificadas de la Solicitud de Renovación para un Permiso para el Tiempo Despues del Cierre de la Parte B de RCRA para la instalación en la siguiente dirección:

Departamento del Medio Ambiente de New Mexico (NMED), Oficina de Residuos Peligrosos, Página Electrónica de Instalaciones de Residuos Peligrosos: [http://www.nmenv.state.nm.us/HWB/hwb\\_facil.html](http://www.nmenv.state.nm.us/HWB/hwb_facil.html)

La página electrónica del NMED actuará como el depósito de información pública y los documentos podrán ser vistos y descargados en cualquier momento mientras los documentos estén publicados en la página electrónica del NMED. Los documentos del depósito público serán actualizados periódicamente de manera apropiada.

El contacto designado de la instalación que contestará preguntas sobre la Solicitud de Renovación para un Permiso para el Tiempo Despues del Cierre de la Parte B de RCRA es:

Michael Holder, PG  
Environmental Manager  
Navajo Refining Company, LLC  
The Artesia Refinery  
P.O. Box 159, NM 88211  
Telefono: (575) 746-5361

En acuerdo con 40 CFR 270.42(c)(4), una junta pública para contestar preguntas sobre la solicitud se a programado para el día 24 de Abril de 2013, de 2:00 PM a 3:00 PM en el Artesia Center localizado en 612 N 8th Street, Artesia, New Mexico, 88210.

En acuerdo con 40 CFR 270.42(c)(5), los comentarios por escrito serán aceptados por 60 días a partir de la publicación de esta noticia y deben tener el sello postal a mas tardar del día 8 de Junio de 2013. Comentarios deben ser mandados al siguiente contacto de la NMED:

David Cobrain  
Staff Manager  
New Mexico Environment Department  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East Bldg. 1  
Santa Fe, NM 87505-6313  
Telefono: (505) 476-6055  
Correo Electronico: [dave.cobrain@state.nm.us](mailto:dave.cobrain@state.nm.us)

La historia de cumplimiento de normas durante la vida del permiso que esta siendo modificado de la Refinería de Artesia esta disponible a pedido de Mr. David Cobrain con el NMED.  
Published in the Artesia Daily Press, Artesia, N.M., April 9, 16, 23 2013. Legal No 22513.