

Fed-X 807920234555

February 17, 2017



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

RE: Proof of Class 3 Permit Modification Public Notice
WESTERN REFINING SOUTHWEST, INC. GALLUP REFINERY
EPA ID # NMD000333211

Dear Mr. Kieling:

Attached is an affidavit of proof of publishment that the public notice was published by the Gallup Independent on February 3, 2017. Also attached is the hand delivery receipt that the Notification of Class 3 Permit Modification was delivered to the Octavia Fellin Public Library on February 2, 2017.

Please contact me at 505-722-0217 if you have any questions.

Sincerely,



Ed Riege
Remediation Manager
Western Refining Southwest, Inc. – Gallup Refinery

cc K. Van Horn, NMED
A. Hains, WR El Paso

Affidavit of Publication

STATE OF NEW MEXICO

) SS

COUNTY OF MCKINLEY

Stacey Fruchey being duly sworn upon oath, deposes and says:

As LEGAL CLERK of The Independent, a newspaper published in and having a general circulation in McKinley County, New Mexico and in the City of Gallup, New Mexico and having a general circulation in Cibola County, New Mexico and in the City of Grants, New Mexico and having a general circulation in Apache County, Arizona and in the City of St. Johns and in the City of Window Rock, Arizona therein: that this affiant makes the affidavit based upon personal knowledge of the facts herein sworn to. That the publication, a copy of which is hereto attached was published in said newspaper during the period time of publication and said notice was published in the newspaper proper, and not in a supplement thereof, for One Time, the first publication being on the _____ day of _____, 2017, the second publication being on the _____ day of _____, 2017, the third publication being on the _____ day of _____, 2017,

and the last publication being on the 3rd day of February, 2017. That such newspaper, in which such notice or advertisement was published, is now and has been at all times material hereto, duly qualified for such purpose, and to publish legal notices and advertisements within the meaning of Chapter 12, of the statutes of the State of New Mexico, 1941 compilation,

Stacey Fruchey
Affiant.

Sworn and Subscribed to before me this 3rd day of February, A.D., 2017.

Becky Page
Notary Public

My commission expires:
August 27th, 2017.



**Gallup Refinery
Environmental Department
Route 3, Box 7
Gallup, NM 87301**

HAND DELIVERY – RECEIPT

TO: Octavia Fellin Public Library
(505) 863-1291

FROM: Mr. Daniel J. Statile
Western Refining Southwest, Inc.
(505) 722-3833

ADDRESS: Octavia Fellin Public Library
115 W. Hill Ave.
Gallup, NM 87301

DESCRIPTION: **Notification of Class 3 Permit Modification
Western Refining Southwest, Inc. – Gallup Refinery**

Delivered By:

Eo Riege

Please Print Name

[Signature]

Signature

RECEIVED BY:

[Signature]

Please Print Name

MARY FELLIN PELLINGTON

Signature

DATE:

2-2-17

TIME:

10:57 pm

Public Notice and Information Meeting

Class 3 Modification Request to the RCRA Post-Closure Permit for Western Refining Southwest, Inc.

WHO: Western Refining Southwest, Inc., Gallup Refinery

WHAT: Western Refining Southwest, Inc. ("Western" or "Permittee") is providing this public notice for the opportunity for the public to provide comments during the 60-day public comment period on the permit modification request to the RCRA Post-Closure Permit (Permit). Western will conduct a public meeting to provide information on the following permit modification request:

- Class 3 Permit Modification Request and Request for Corrective Action Complete related to addressing certain Areas of Concern and Solid Waste Management Units, and modifying certain reporting and procedural requirements.

WHEN: February 22, 2017 4 to 6 p.m.

WHERE: Holiday Inn Express & Suites – Gallup East
3850 East Highway 66
Gallup, NM 87301

WHY: On February 2, 2017, Western submitted a Class 3 Permit Modification Request package to the New Mexico Environment Department (NMED). The Permit Modification Request proposes to:

- Make changes to the Permit pursuant to a Settlement Agreement resolving Western's appeal of the Permit in the Court of Appeals of the State of New Mexico.
- Proposed changes include: corrective action complete for one SWMU and two AOCs; eleven AOCs to be moved from the Permit and placed into a Consent Order; revised permit language regarding reporting releases and standards for designating SWMUs and AOCs; addition of dispute resolution language and language regarding work already complete; and a revised corrective action submittal schedule including a definition of the term "deferred".

A full description of the background and permit modification is set forth in the permit modification request.

HOW: To obtain additional information about this permit modification request, contact Ed Riege at 505-722-0217 or E-mail: Ed.Riege@wnr.com. The permit modification is also available at the Octavia Fellin Public Library, 115 W. Hill Ave., Gallup, NM 87301. A copy of the requested permit modification may also be obtained from NMED at the address listed below.

COMMENTS: Written comments for the record must be sent to the NMED contact person at the address below and received no later than 5 p.m. on April 4, 2017.

Kristen Van Horn
Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, N.M. 87505
Phone: 505-476-6000
Fax: 505-476-6030
E-mail: Kristen.VanHorn@state.nm.us

The Permittees' compliance history during the life of the Permit being modified is available from Kristen Van Horn at the NMED.

QUESTIONS: Any questions or comments to the Permittee regarding this permit modification request may be sent to Ed Riege at 505-722-0217 or E-mail: Ed.Riege@wnr.com no later than April 4, 2017.