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JOHN A. SANCHEZ
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NEW MEXICO 
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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BUTCH TONGATE
Cabinet Secretary
BRUCE YURDIN
Acting Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

November 8, 2018

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

**RE: REJECTION
REVISED INVESTIGATION WORK PLAN
SANITARY LAGOON
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-18-004**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) has received the *Investigation Work Plan Sanitary Lagoon* (Work Plan), dated May 2018 (Revised October 2018), submitted on behalf of Western Refining, Southwest Inc., Gallup Refinery (the Permittee). There are multiple administrative problems with the submittal; therefore, NMED hereby issues this Rejection of the revised Work Plan in accordance with RCRA Permit Section I.J.11. The Permittee must re-submit the document.

In a letter dated September 7, 2018 titled *Document Submittal Requirements*, NMED provided clarification regarding document submittals to the agency. The Permittee did not follow the guidelines outlined in the letter for the revised Work Plan submittal. Below are the deficiencies that must be addressed by the re-submittal that must also be addressed for all future submittals:

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- a) The cover letter arrived October 9, 2018 while the document arrived October 11, 2018. In the future, ensure that the cover letter arrives with the submittal so that documents can be properly tracked by NMED.
- b) The document is more than twenty (20) pages and was received unbound. All documents with more than 20 pages must be bound.
- c) A disc was included; however, the disc was not labeled. Ensure that all enclosures are properly labeled.

Other occurrences regarding submittal issues were discussed in an email dated October 3, 2018 when NMED notified the Permittee regarding issues related to submittal of the revised 2015 and 2016 Facility-wide Groundwater Monitoring Reports and the 4th Quarter Interim Measures Report. Another email from NMED, dated August 9, 2018, required that the Permittee send the second copies of the 2018 Groundwater Monitoring Work Plan and the Work Plan for OW-58 twin-well installation to comply with Permit Section II.C.7.

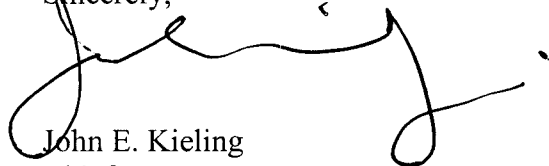
In the future, please ensure that all submittals are checked for completeness, that two bound hard copies are included (if the document is greater than 20 pages), include discs with electronic versions of all components of the submittal and ensure that the disc(s) is labeled, and ensure that the cover letter or transmittal letter is included with the submittal.

The Permittee must re-submit the revised Work Plan. Two bound hard copies and an electronic version must be submitted to NMED. Include a red-line strikeout version in electronic format showing where all revisions to the Work Plan have been made. The revised Work Plan must be accompanied with a response letter that details where all revisions have been made, cross-referencing NMED's numbered comments. The revised Work Plan must be submitted to NMED no later than **December 3, 2018**.

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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: K. Van Horn, NMED HWB
M. Suzuki, NMED HWB
C. Chavez, OCD
L. King, EPA Region 6

File: Reading File and WRG 2018 File
HWB-WRG-18-004