



MICHELLE LUJAN GRISHAM  
GOVERNOR



**ENTERED**  
KENNEY  
CABINET SECRETARY

**Certified Mail - Return Receipt Requested**

January 31, 2023

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

**RE: FEE ASSESSMENT  
BACKGROUND CONCENTRATIONS INVESTIGATION REPORT  
WESTERN REFINING SOUTHWEST LLC, GALLUP REFINERY  
MCKINLEY COUNTY, GALLUP, NEW MEXICO  
EPA ID # NMD000333211  
HWB-WRG-23-006**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) has received the *Background Concentrations Investigation Report*, dated December 14, 2022, and received on December 19, 2022. The NMED has accepted the submittal for review in accordance with the New Mexico Hazardous Waste Permit and Corrective Action Fee Regulations, 20.4.2.201.B(2) NMAC. NMED will review the submittal after the appropriate fees have been received. The fee invoice is attached to this letter. Upon receipt of the payment, NMED will initiate a technical review of the submittal in accordance with 20.4.2.201.B(3) NMAC.

Payment is due within sixty (60) calendar days from the date that you receive the invoice in accordance with 20.4.2.301.C NMAC. If you disagree with the fee assessed, you may notify the NMED in writing, at the address above, of the intent to appeal the invoice under the provisions of 20.4.2.302.A NMAC.

If payment is by check, then you must provide the invoice number on the check. If payment is transmitted electronically, then you must submit a letter to Mr. Dave Cobrain, NMED Hazardous Waste Bureau, indicating the invoice number, payment amount, and the assessed activity prior to transferring funds.

Mr. Moore  
January 31, 2023  
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If you have any questions regarding this letter, please contact Lane Andress of my staff at 505-690-5826.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Cobrain". The signature is fluid and cursive, with the first name "Dave" being more prominent than the last name "Cobrain".

Dave Cobrain  
Program Manager  
Hazardous Waste Bureau

cc: V. Baros, NMED HWB  
L. Andress, NMED HWB



**New Mexico  
Environment Department  
Hazardous Waste Bureau**

**Western Refining Southwest  
Gallup  
92 Giant Crossing Rd.  
Gallup, NM 87301  
Attn: John Moore**

**1/31/2023**

**Invoice # - HWB-WRG-23-006**

**Background Concentrations Investigation Reporty, Western Refining Southwest LLC, D/B/A  
Marathon Gallup Refinery**

<b>Quantity</b>	<b>Item</b>	<b>Item Cost</b>	<b>Total Cost</b>
1	Investigation Report (RFI Report)/Phase Report - 1st Unit	\$18,000.00	\$18,000.00
	<b>Total Fees</b>		\$18,000.00
	<b>Adjustment</b>		\$0.00
	<b>Pay This Amount</b>		<b>\$18,000.00</b>

**Make Checks Payable to: NMED/HWB**

**Mail Checks and Invoice to:**

**New Mexico Environment Department, HWB  
Attn: Bureau Financial Manager  
2905 Rodeo Park Drive East, Bldg 1  
Santa Fe, NM 87505**

When you provide a check as payment, you authorize the State of New Mexico to either use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.