



MICHELLE LUJAN GRISHAM  
GOVERNOR

JAMES C. KENNEY  
CABINET SECRETARY

**Certified Mail - Return Receipt Requested**



March 13, 2023

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

**RE: FAILURE TO SUBMIT EXCEPTION REPORT  
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY  
MCKINLEY COUNTY, GALLUP, NEW MEXICO  
EPA ID # NMD000333211  
HWB-WRG-23-MISC**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) has received Western Refining Southwest LLC (D/B/A Marathon Gallup Refinery's (the Permittee) *Failure to Submit Exception Report* (Report) dated February 27, 2023.

The Report states that during an internal audit of manifest tracking the Permittee found one instance of a failure to submit an Exception Report for a manifest which was received by the refinery past 45 days as required by Title 40 Code of Federal Regulations Sections 262.42(a). Manifest 017064557FLE was received by the refinery 47 days after shipment date. The waste was accepted by the disposer within 45 days. The Permittee also states that the refinery is using an improved manifest tracking system moving forward to prevent future failures to submit Exception Reports.

This letter acknowledges that NMED has reviewed the Report and acknowledges that while the manifest was received past the deadline, the waste was shipped off site and accepted by the disposal facility for disposal within the regulatory time frame. NMED also acknowledges that the Permittee is now using an improved manifest tracking system to prevent future failures to submit Exception Reports. No further action is necessary.

SCIENCE | INNOVATION | COLLABORATION | COMPLIANCE

Hazardous Waste Bureau - 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico 87505-6313  
Telephone (505) 476-6000 - [www.env.nm.gov](http://www.env.nm.gov)

Mr. Moore  
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If you have questions regarding this letter, please contact Aaron Coffman of my staff at 505-690-5211.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Cobrain".

Dave Cobrain  
Acting Chief  
Hazardous Waste Bureau

cc: A. Coffman, NMED HWB  
L. Andress, NMED HWB  
H. Jones, Trihydro  
L. King, EPA Region 6 (6LCRRC)

File: Reading File and WRG 2023 file