

**STATE OF NEW MEXICO
ENVIRONMENT DEPARTMENT**

In the matter of)	
NAVAJO REFINING COMPANY,)	
ARTESIA REFINERY)	No. HWB NRC-10(P)
)	
Class 3 Permit Modification to the)	
Hazardous Waste Permit under the New Mexico)	
Hazardous Waste Act)	
EPA No. NMD048918817)	

FINAL ORDER

1. This matter comes before the Secretary of Environment through a Class 3 permit modification to the Hazardous Waste Permit for the Navajo Refining Company - Artesia Refinery ("NRC"), in Eddy County, which NRC submitted to the New Mexico Environment Department ("Department") on February 12, 2008 under the New Mexico Hazardous Waste Act (the "Act"), NMSA 1978, §§ 74-4-1 to 74-4-14.

2. Pursuant to the Act, NMSA 1978, § 74-4-4.2(H), the Department has provided an opportunity for a public hearing on the permit. The Department issued a draft permit on June 30, 2010, and allowed a period of sixty days for the public, including the applicant, to submit written comments to the Department on the draft permit and to request a public hearing. The comment period ended on August 30, 2010. NRC submitted timely comments during the comment period. The Department has prepared a response to each of those comments in writing.

IT IS THEREFORE ORDERED:

1. The Hazardous Waste Permit for the NRC, as modified and attached hereto ("Permit"), is hereby issued.

2. The Permit has been modified and shall remain in effect until October 2, 2013 in accordance with section 20.4.1.900 NMAC, incorporating 40 C.F.R. § 270.50(a), unless the permit is modified, suspended or revoked under the Act, NMSA 1978, § 74-4-4.2, or under section 20.4.1.901 NMAC, or section 20.4.1.900 NMAC, incorporating 40 C.F.R. § 270.41, § 270.42, and § 270.43.

4. NRC shall comply with all terms and conditions of this Hazardous Waste Permit. This Permit consists of all the terms and conditions therein including those in Appendix Attachments A through E, and Attachment 1 and 2.

5. The Permit Modification to the Hazardous Waste Permit for NRC will become effective 30 days from the date of this Order.



RON CURRY
Secretary, Environment Department



Date