WESTERN REFINING SOUTHWEST, INC., BLOOMFIELD REFINERY COMMENTS ON THE FINAL CLOSURE PLAN NORTH AND SOUTH AERATION LAGOONS Summary and Response				
Comment Number	**TOPIC AREA OR CLOSUER PLAN LOCATION**	**COMMENT SUMMARY**	**NMED RESPONSE TO COMMENT**	**CHANGE MADE TO CLOSURE PLAN Yes/No**
1	Closure Plan	It is not anticipated that significant impacts to wildlife or sensitive habitats will result from closure of the Aeration Lagoons. A list of species of concern in San Juan County was provided.	Closure of the North and South Aeration Lagoon do not pose a threat to the San Juan River or associated species of concern.	No
2	General	The Closure Plan should reference closure certification, a closure report, and a survey plat.	Section 4.4 of the Closure Plan has been modified to state *Upon completing closure of the Aeration Lagoons, Western must submit a Closure Report. The Closure Report must be submitted to NMED within 60 days of completing closure. Western may include the required Closure Certification (40 CFR 265.115) and a Survey Plat (40 CFR 265.116) as an appendix to the Closure Report. For clarification, the Closure Report is different from Closure Certification. The Closure Report describes all closure activities completed during closure in accordance with the specifications of the Closure Plan. Closure Certification is a letter that certifies that the hazardous waste management unit has been closed in accordance with the specifications in the approved closure plan as required by 40 CFR 265.115.*	Yes

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3	Section 4.1.1 and 4.1.2	Any waste removed from beneath the ponds will be sent to the San Juan County Regional Landfill as special waste as long as it is non-hazardous. OCD discharge requirements for approval of the special waste to the San Juan Regional Landfill as Special Wastes are listed under 19.15.35.8 [Disposal of Certain Non-Domestic Waste at Solid Waste Facilities].	Appendix B (Management of Investigation Derived Waste) of the Closure Plan has been modified to state *Western must comply with OCD requirements for management of special waste found in 19.15.25.8 Disposal of Certain Non-Domestic Waste at Solid Waste Facilities, as applicable.*	Yes
4	Appendix C (Closure Cost Estimate)	While the Closure Plan does not limit the excavation depth of impacted soils to any specific depth, it is necessary to assume a specific excavation depth for development of the cost estimate. A depth of two feet was used based on available site-specific information provided with the comment.	Justification for the two foot excavation depth included in the cost estimate was provided.	No