

**STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT
BEFORE THE SECRETARY OF ENVIRONMENT**

IN THE MATTER OF)	
WESTERN REFINING SOUTHWEST, INC.)	NO. HWB-WRG-10-008
APPLICATION FOR A RENEWED HAZARDOUS)	
WASTE POST-CLOSURE CARE PERMIT UNDER)	
THE NEW MEXICO)	
HAZARDOUS WASTE ACT)	
EPA NO. NMD 000333211)	

FINAL ORDER

1. This matter comes before the Secretary of Environment through an application for a Hazardous Waste Facility Post-Closure Care Permit for the Western Refining Southwest, Inc. (“Western”) Gallup Refinery, in McKinley County, which Western submitted to the New Mexico Environment Department (“Department”) on February 23, 2010 under provisions of 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 public comment and a hearing on a draft permit. The Department issued the draft permit on September 16, 2011, 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 hearing. The original comment period ended on November 16, 2011. Western requested an extension of time for submittal of comments during the comment period. At the request of Western, the Department extended the comment period on November 30, 2011 to end on December 16, 2011. The Department received comments from Western, but received no comments from other members of the public. The Department has responded to Western’s comments on the draft permit in writing.

IT IS THEREFORE ORDERED:

1. The Hazardous Waste Facility Post-Closure Care Permit ("Permit") for the Western Refining Southwest, Inc. Gallup Refinery attached hereto, is hereby issued.
2. The Permit shall remain in effect for ten years from the effective date in accordance with 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 20.4.1.901 NMAC, or 20.4.1.900 NMAC, incorporating 40 C.F.R. § 270.41, § 270.42, and § 270.43, or the post-closure care period is shortened pursuant to 24.1.500 NMAC incorporating C.F.R. 264.117(a)(2).
3. Western shall comply with all terms and conditions of the Permit. This Permit consists of all the terms and conditions therein including those in Permit Attachments A through J.
4. The Permit shall become effective on **December 2, 2013** under 20.4.1.901.A(10) NMAC.



Tom Blaine, P.E.
Director
Environmental Health Division

10/31/13

Date