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**NEW MEXICO
ENVIRONMENT DEPARTMENT**

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BUTCH TONGATE
Cabinet Secretary

J. C. BORREGO
Deputy Secretary

PUBLIC NOTICE No. 17-02

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO
April 28, 2017**

**NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO REQUEST A
PUBLIC HEARING ON A DRAFT HAZARDOUS WASTE PERMIT FOR
HOLLYFRONTIER NAVAJO REFINING LLC, ARTESIA, NEW MEXICO
EPA ID NUMBER: NMD048918817**

The New Mexico Environment Department (Department) intends to issue modifications to the Hazardous Waste Permit for Post-Closure Care (Permit) for HollyFrontier Navajo Refining LLC, Artesia Refinery (HollyFrontier, or the Facility). The Permit requires the Facility to conduct closure and post-closure care at three inactive hazardous waste management units (HWMUs), the North Colony Landfarm (NCL), the Tetra Ethyl Lead (TEL) impoundment, and the Evaporation Ponds (EPs), and to perform corrective action at solid waste management units (SWMUs), and areas of concern (AOCs) in accordance with the New Mexico's Hazardous Waste Act (HWA) and its associated regulations. The Department is charged with ensuring that HollyFrontier's hazardous waste operations are managed in a manner protective of human health and the environment.

HollyFrontier Navajo Refining LLC is located at the intersection of U.S. Highways 285 and 82 in Artesia, New Mexico. The Facility is situated on the east side of the City of Artesia in the Pecos River Valley of Eastern New Mexico in Eddy County and occupies approximately 561 acres. The Facility is an operating refinery owned by HollyFrontier Navajo Refining LLC (the Permittee), has been in operation since the 1920's, and has a crude oil processing capacity of approximately 115,000 barrels per day. The current and historic operation of the Facility processes crude oils into gasoline, diesel and jet fuels. The Applicant's primary contact for this action is: Mr. Scott M. Denton, Post Office Box 159, Artesia, New Mexico, 88221-0159.

The Facility generates wastes that are regulated under the federal Resource Conservation and Recovery Act (RCRA), the New Mexico Hazardous Waste Act (Chapter 74, Article 4 NMSA 1978, or the HWA), and their implementing regulations.

PUBLIC REVIEW OF THE DRAFT PERMIT

The Administrative Record for this proposed action consists of the Permit Application, the draft Permit, this Public Notice, a Fact Sheet, and other supporting documentation the Department relied on to develop the draft permit. The Administrative Record may be reviewed, with prior appointment, at the following location during the public comment period. A copy of the administrative record may be reviewed at the following location:

NMED - Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Monday - Friday from 8:00 a.m. to 5:00 p.m.
Contact: Ms. Pam Allen
(505) 476-6000

A copy of the draft Permit, this Public Notice, and the Fact Sheet are also available on the Department's website at www.env.nm.gov/HWB/nrcperm.html. To obtain a copy of the administrative record or a portion thereof, or for further information, contact Ms. Pam Allen at (505) 476-6000 or at the address given above. The Department will provide copies, or portions thereof, of the Administrative Record at a cost to the requestor.

The 60-day public comment period begins on **April 28, 2017 and ends on June 27, 2017**. Any person who wishes to comment on this action or request a Public Hearing should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the respective address below. Only comments or requests received on or before **5:00 p.m. MDT June 27, 2017** will be considered. Written comments may be sent to:

Dave Cobrain, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6313
Phone: (505) 476-6000

Ref: HollyFrontier Navajo Refining LLC Draft Permit Public Comments
email: dave.cobrain@state.nm.us

Written comments must be based on the information available for review and include, to the extent practicable, all referenced factual materials. Documents in the administrative record need not be re-submitted if expressly referenced by the commenter. Requests for a public hearing shall provide: (1) a clear and concise factual statement of the nature and scope of the interest of the person requesting the hearing; (2) the name and address of all persons whom the requester represents; (3) a statement of any objections to the Permit; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing. NMED will provide a minimum 30-day notice of a public hearing, if one is scheduled.

The Department must ensure that the draft Permit is consistent with the New Mexico Hazardous Waste Management Regulations. All comments received will be considered in formulating a

decision on issuance of a final permit, or that may cause the revised draft Permit to be modified. The Department will respond in writing to the comments received. This response will specify which provisions, if any, of the draft Permit have been changed in the final decision and the reasons for the changes. All persons who have submitted written comments or who requested notification of the final decision will be notified of the decision by mail. These responses also will be posted on the NMED website.

After consideration of all written public comments received, the Secretary of the Department or his designee will make the final decision on this draft Permit. If NMED modifies the draft Permit, NMED will provide the Permittee a copy of the modified draft Permit and a detailed written statement containing the reasons for the modifications by mail.

NMED will make the final decision publicly available, and will notify the Permittee by certified mail. The final decision will constitute a final agency decision and may be appealed as provided by the HWA.

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability and requiring assistance or auxiliary aid to participate in this process should contact Mr. Vincent Velarde, NMED, Room S-4303, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-6110, TDD or TDY users please access Mr. Velarde's number via the New Mexico Relay Network at 1-800-659-8331.

NONDISCRIMINATION STATEMENT

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 CFR Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact:

Ms. Kristine Pintado, Non-Discrimination Coordinator
New Mexico Environment Department
1190 St. Francis Dr., Suite N4050
P.O. Box 5469
Santa Fe, NM 87502-5469
Phone: (505) 827-2855
e-mail: NMED.NDC@state.nm.us

If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at <https://www.env.nm.gov/NMED/EJ/index.html> to learn how and where to file a complaint of discrimination.