

**GW - 014**

**RESCISSION OF  
DISCHARGE  
PERMIT**

**(Transfer to AP-110)**

**2012**

**Chavez, Carl J, EMNRD**

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**From:** Chavez, Carl J, EMNRD  
**Sent:** Tuesday, February 14, 2012 2:45 PM  
**To:** Lackey, Johnny  
**Subject:** OCD February 9, 2012 Letter w/ Reference to GW-032

Johnny:

Good afternoon. I was not involved in the review of the above subject letter that included GW-032, but please disregard the reference to GW-032. The OCD meant to only address GW-014 under Navajo.

Please contact me if you have questions. Thank you.

Carl J. Chavez, CHMM  
New Mexico Energy, Minerals & Natural Resources Dept.  
Oil Conservation Division, Environmental Bureau  
1220 South St. Francis Dr., Santa Fe, New Mexico 87505  
Office: (505) 476-3490  
Fax: (505) 476-3462  
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<http://www.emnrd.state.nm.us/oed/environmental.htm#environmental>)



# New Mexico Energy, Minerals and Natural Resources Department

**Susana Martinez**  
Governor

**John H. Bemis**  
Cabinet Secretary

**Brett F. Woods, Ph.D.**  
Deputy Cabinet Secretary

**Jami Bailey**  
Division Director  
Oil Conservation Division



**FEBRUARY 9, 2012**

Mr. Johnny Lackey  
Senior Environmental Manager  
The Holly Frontier Companies  
P.O. Box 159  
501 E. Main St.  
Artesia, NM 88211-0159

Dear Mr. Lackey:

Based on your responses given in the "Oil & Gas Facilities Questionnaire for Determination of a WQCC Discharge Permit" and a file review, the Oil Conservation Division (OCD) has determined that two of your facilities with an expired or soon to be expired permit are not required to operate under a Water Quality Control Commission (WQCC) Discharge Permit. This means that the WQCC Discharge Permit for GW-014 (Lovington Refinery) [REDACTED] IS [REDACTED] hereby rescinded and you are not required to proceed with the renewal of these expired WQCC Discharge Permit. OCD will close these discharge permits in its database.

Previously, Navajo Refining has conducted abatement of ground water contamination at these facilities under the authority of its WQCC Discharge Permits, pursuant to 20.6.2.4000 NMAC (PREVENTION AND ABATEMENT OF WATER POLLUTION). OCD has determined that Navajo does not intentionally discharge at these two facilities; therefore, no WQCC Discharge Permit is required. However, because of existing ground water contamination at these facilities, OCD is requiring Navajo to continue to abate pollution of ground water pursuant to 19.15.30 NMAC (REMEDIATION). The new Abatement Plan case number for the former GW-014 site is AP-110. [REDACTED]  
Please use these Abatement Plan case numbers in all future correspondence.

Because these WQCC Discharge Permits will now longer be in effect, you may be required to obtain separate OCD permit(s) for other processes at your facility, such as: pits, ponds, impoundments, below-grade tanks; waste treatment, storage and disposal operations; and landfarms and landfills. OCD will determine if any of these existing processes may require a separate permit under OCD's Oil, Gas, and Geothermal regulations. If OCD determines that a separate permit(s) is required, then a letter will be sent to you indicating what type of permit is required.

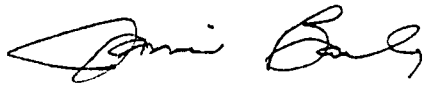
Mr. Johnny Lackey

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Please keep in mind, if your facility has any discharges that would require a WQCC Discharge Permit now or in the future, then you will be required to renew or obtain a WQCC Discharge Permit.

If you have any questions regarding this matter, please contact Glenn von Gonten at 505-476-3488.

Thank you for your cooperation.



**Jami Bailey**  
Director

JB/gvg





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Previously, Navajo Refining has conducted abatement of ground water contamination at these facilities under the authority of its WQCC Discharge Permits, pursuant to 20.6.2.4000 NMAC (PREVENTION AND ABATEMENT OF WATER POLLUTION). OCD has determined that Navajo does not intentionally discharge at these two facilities; therefore, no WQCC Discharge Permit is required. However, because of existing ground water contamination at these facilities, OCD is requiring Navajo to continue to abate pollution of ground water pursuant to 19.15.30 NMAC (REMEDIATION). The new Abatement Plan case number for the former GW-014 site is AP-110. The new Abatement Plan case number for the former GW-032 site is AP-111. Please use these Abatement Plan case numbers in all future correspondence.

Because these WQCC Discharge Permits will now longer be in effect, you may be required to obtain separate OCD permit(s) for other processes at your facility, such as: pits, ponds, impoundments, below-grade tanks; waste treatment, storage and disposal operations; and landfills. OCD will determine if any of these existing processes may require a separate permit under OCD's Oil, Gas, and Geothermal regulations. If OCD determines that a separate permit(s) is required, then a letter will be sent to you indicating what type of permit is required.

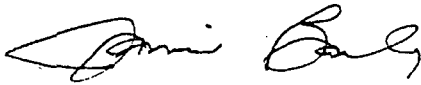
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If you have any questions regarding this matter, please contact Glenn von Gonten at 505-476-3488.

Thank you for your cooperation.

A handwritten signature in black ink, appearing to read "Jami Bailey". The signature is fluid and cursive, with the first name "Jami" and last name "Bailey" clearly distinguishable.

**Jami Bailey**  
Director

JB/gvg