

GW - 014

**RESCISSION OF
DISCHARGE
PERMIT**

(Transfer to AP-110)

2012

Chavez, Carl J, EMNRD

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
E-mail: CarlJ.Chavez@state.nm.us
Website: <http://www.emnrd.state.nm.us/ocd/>

"Why not Prevent Pollution; Minimize Waste; Reduce the Cost of Operations; & Move Forward with the Rest of the Nation?" To see how, go to "Pollution Prevention & Waste Minimization" at:
<http://www.emnrd.state.nm.us/ocd/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 This means that the WQCC Discharge Permit for GW-014 (Lovington Refinery) and GW-032 (Gallup Refinery) are hereby rescinded and you are not required to proceed with the renewal of these expired WQCC Discharge Permit.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**. 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 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.

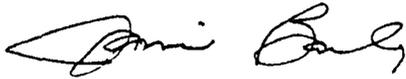
Mr. Johnny Lackey

Page 2

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.

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



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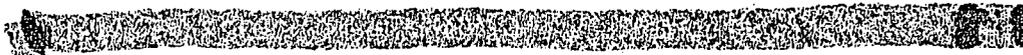
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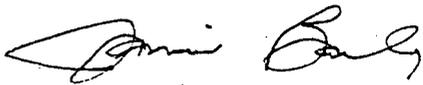
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