

GW - 032

**RESCISSION OF
DISCHARGE
PERMIT**

(Transfer to AP-111)

2012

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 17, 2012

Mr. Mark B. Turri
Refinery General Manager
Western Refining Southwest, Inc. - Gallup Refinery
Interstate I-40, Exit 39
Jamestown, New Mexico 87347

Re: Rescission of Discharge Permit Renewal (GW-032) Gallup Refinery (Transfer to Abatement Plan No. 111) Section 28, UL: H, Township 15 North, Range 15 West, NMPM, McKinley County, New Mexico

Dear Mr. Turri:

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 your facility with an expired or soon to be expired permit is not required to operate under a Water Quality Control Commission (WQCC) Discharge Permit. This means that the WQCC Discharge Permit for GW-032 (Gallup Refinery) is hereby rescinded and you are not required to proceed with the renewal of the expired WQCC Discharge Permit. OCD will close this discharge permit in its database.

Previously, Western Refining Southwest, Inc. (Western) has conducted abatement of ground water contamination at this facility under the authority of its WQCC Discharge Permit, pursuant to 20.6.2.4000 NMAC (PREVENTION AND ABATEMENT OF WATER POLLUTION). OCD has determined that Western does not intentionally discharge at this facility; therefore, no WQCC Discharge Permit is required. However, because of existing ground water contamination at this facility, OCD is requiring Western 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-032 site is **AP-111**. Please use this Abatement Plan case number in all future correspondence.

Because this WQCC Discharge Permit will no 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 the type of permit.

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

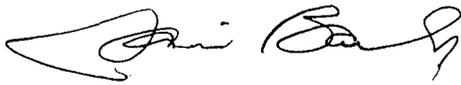
Oil Conservation Division * 1220 South St. Francis Drive
* Santa Fe, New Mexico 87505

* Phone: (505) 476-3440 * Fax (505) 476-3462* <http://www.emnrd.state.nm.us>

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If Western has 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 a large initial "J" and a stylized "B".

Jami Bailey
Director

JB/cjc