



FILE COPY

STEVEN A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

December 14, 2011

CERTIFIED MAIL

Andrew J. Haar, Environmental Manager
Holly Refining and Marketing, Tulsa LLC.
1700 South Union Avenue, P.O. Box 21001
Tulsa, OK 74121-1001

Re: NOTICE OF DEFICIENCY
RCRA Part B Post Closure and Corrective Action Permit Application
Holly Tulsa East Refinery
EPA ID# OKD990750960

Dear Mr. Haar:

The Oklahoma Department of Environmental Quality Land Protection Division (DEQ) received the above referenced permit application (Application) on October 21, 2011. DEQ has completed an Administrative Review and has found the Application to be deficient in the following areas:

CONTENTS OF PART B: General Requirements [40 CFR 270.14(b)]

1. Holly is required to submit a description of security measures, as required by 40 CFR 270.14(b)(4).
2. Holly is required to submit a 1" = 200 ft topographic map (1"=400 ft is acceptable), as required by 40 CFR 270.14(b)(19) (iii) to (v) and (viii) to (xii).

ADDITIONAL INFORMATION [40 CFR 270.14(c)]

3. Holly is required to submit a summary of groundwater monitoring data, as required by 40 CFR 270.14(c)(1).
4. Holly is required to submit the information from 270.14(c)(2) on the topographic map or other equivalent map, as required by 40 CFR 270.14(c)(3).
5. Holly is required to submit a detailed groundwater monitoring engineering report, as required by 40 CFR 270.14(c)(5).

The report should include (but is not limited to): current condition report (based on the available data); representative cross section of surface and subsurface aquifers and related boring logs; hydrological information on rate of flow and flux towards river;



description of waste previously handled; characterization of contaminated groundwater; detected hazardous constituents (if any) and their potential to migrate off site; and proposed corrective action and groundwater monitoring plan appropriate to the present condition [40 CFR 270.14(c)(5) – (8)].

INFORMATION ON SWMUs [40 CFR 270.14(d)]

6. Holly is required to submit results of sampling and analysis of groundwater, land surface, and subsurface strata, surface water or air to determine if a RCRA Facility Assessment is needed, as required by 40 CFR 270.14(d)(3).

It is assumed that a financial assurance mechanism is already in place as required by 40 CFR 270.14(b)(16) and 270.14(b)(18) for this site. Holly is required to comply with any change to the existing financial mechanism as a result of this permit, within 60 days after issuing the permit.

Holly is advised to prepare a revised post closure cost estimate as required by 40 CFR 270.14(b)(16). For better understanding of what DEQ is looking for in the new cost estimation, a "closure/post-closure cost estimate" from another facility has been sent as an example with the letter dated November 15, 2011. Though a review of the post closure cost estimate is not part of this administrative review, DEQ recommends that Holly use a format similar to that enclosed in the letter dated November 15, 2011.

This Notice of Deficiency does not reflect the adequacy of the technical aspects of the application. A full technical review will be completed once we have received an administratively complete application.

Please direct any questions or comments you may have to Orphius Mohammad at (405) 702-5118, or by E-Mail at Orphius.Mohammad@deq.ok.gov.

Sincerely,



Saba Tahmassebi, PhD, P.E.
Chief Engineer
Land Protection Division

ST/dah