



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT
OF
ENVIRONMENTAL QUALITY



Misael Cabrera
Director

CERTIFIED MAIL

Return Receipt Requested

USPS # 7020 0640 0000 7685 9101

USPS # 7020 0640 0000 7685 9194

September 25, 2020

Red Mesa Trading Company
Attn: Mr. Craig Calloway
501 Airport Drive, Suite 100
Farmington, New Mexico 87401

RE: CORRECTIVE ACTION PLAN TERMINATION

**UST Owner/Operator ID #6518
LUST File #4927.01
LUST File #4927.02
LUST File #4927.03
Facility ID #0-004674
Coconino County**

**Red Mesa Trading Co, Inc.
10,000-gallon gasoline UST #1 piping
10,000-gallon gasoline UST #2 piping
10,000-gallon gasoline UST #3 piping
Red Mesa Express #505
701 North Navajo Drive
Page, Arizona 86040**

Dear Mr. Calloway:

The Arizona Department of Environmental Quality (ADEQ) Waste Program Division's Underground Storage Tank (UST) Corrective Action Unit (CAU) has reviewed the referenced LUST case file, and the approved *Corrective Action Plan* (CAP) dated April 19, 2007. In accordance with Arizona Administrative Code (A.A.C.) R18-12-263.02 (J), ADEQ has determined that the approved CAP should be terminated based on the corrective action goals not being met.

PUBLIC PARTICIPATION

Pursuant to A.A.C. R18-12-264.01, ADEQ will provide an opportunity for public comments on the termination of the approved CAP by publishing a public notice on ADEQ’s website and making the Leaking UST (LUST) case file available for viewing at ADEQ’s Phoenix office. A copy of the public notice titled *PROPOSED TERMINATION OF THE APPROVED CORRECTIVE ACTION PLAN* is attached.

Main Office Southern Regional Office
1110 Washington Street • Phoenix, AZ
(602) 771-2300 (520) 628-6733 printed on

85007 400 West Congress Street • Suite 433 • Tucson, AZ
recycled paper

85701 www.azdeq.gov

The public comment period will be in effect from September 29, 2020 through October 29, 2020. If ADEQ receives written comments from the public during the notification period, ADEQ will consider those comments and determine if a public meeting will be held.

ADDITIONAL INFORMATION

The Facility ID and LUST case file numbers should be included on all correspondence and reports relating to this UST facility to ensure accuracy of file identification. The enclosed *Document Submittal Form* must be attached to any document submitted to ADEQ. Information pertaining to the UST program can be obtained by accessing ADEQ’s web page at www.azdeq.gov, or by visiting ADEQ’s office at 1110 W. Washington Street, Phoenix. Information pertaining to A.R.S., Title 49, can be obtained by accessing the Arizona Legislative Computer Services web page at www.azleg.gov. The UST rule citations may be found at www.azsos.gov.

You may contact the Records Center staff about reviewing or copying case file information at (602) 771-4380. If you have any questions regarding this correspondence, please contact me at (602) 771- 4667 or at Abel.Erin@azdeq.gov.

NOTICE OF RIGHT TO FORMAL APPEAL

Please review the enclosed *Notice of Appeal Rights of Interim Decision* if you wish to appeal the contents of this letter. To file a formal appeal of this letter, you must file a notice of appeal or a request for a hearing with ADEQ within thirty (30) days of receiving this letter.

ADEQ encourages you to request a facility meeting to discuss the site. Facility meeting requests can be made by completing the form found at https://static.azdeq.gov/forms/ust_facility_meeting_rqst.pdf and submitting by email to ustadmin@azdeq.gov or by fax to 602-771-4272.

Sincerely,



Notice of Appeal Rights of Interim Decision

This letter is considered an interim determination and you have the right to an informal appeal. To exercise the right, you must file a request for an agency review of the decision by filing a Notice of Disagreement pursuant to A.R.S. §49-1091. The review process may include an informal meeting with ADEQ to discuss the decision.

To File Notice of Disagreement

To file an informal appeal of this decision, you must file a Notice of Disagreement (Notice) with ADEQ within thirty (30) days of receiving this letter. Pursuant to A.R.S. § 49-1091(C) the notice must include a written description of the specific portions of the decision with which you disagree and may include a request for a meeting with ADEQ to resolve the disagreement. ADEQ shall issue a final written decision within forty-five (45) days after receiving the Notice, or within fifteen (15) days of the informal meeting, whichever is later. If ADEQ fails to issue a final written decision within the times specified, the written interim determination becomes the final written decision which is an appealable agency action pursuant to A.R.S. §41-1092.03.

If No Notice of Disagreement is Filed

If you do not file a Notice of Disagreement, ADEQ shall issue a final written decision within forty-five (45) days after issuance of the interim decision. If ADEQ fails to issue a final written decision within the time specified, this written interim decision becomes the final written decision which is an appealable agency action pursuant to A.R.S. §41-1092.03.