



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

ENTERED

May 3, 1996

Dr. Ed Kelley, PhD, Director
Water & Waste Management Division
New Mexico Environment Department
Hazardous & Radioactive Materials Bureau
P.O. Box 26110
Sante Fe, NM 87502

Dear Dr. Kelley:

The purpose of this letter is to transmit a copy of the Federal Register Notice for the proposed exclusion of K051 contaminated soils at Giant Refining in Bloomfield, New Mexico. The supporting documents for the petition are also included for public viewing in your library.

We appreciate the comments provided by your staff regarding the draft Federal Register Notice and wish to respond to concerns expressed regarding the evaluation of concentrations of Lead in terms of cumulative risk related to multiple constituents and validity of using composite samples for the organic analysis of the wastes.

Due to the conservative assumptions of the ground water model used to evaluate delisting petitions, the evaluation of the cumulative risk of multiple constituents is not necessary. While the compliance point concentration of lead in Giant's waste (0.009 mg/l) does approach the Level of Regulatory concern (0.015 mg/l), the delisting petitions previously issued only consider if the compliance point concentration is less than the health-based level at an assumed risk of 10^{-6} .

This petition was submitted to EPA Headquarters and was developed using the guidance manual for Delisting Petitions. Giant Refining sampling and analysis plan was acceptable based on.

its adherence to the guidance provided in the "Petitions To Delist Hazardous Wastes - A Guidance Manual". The facility also met with Headquarters staff to develop its sampling and analysis plan for April 1993. For additional sampling conducted in April 1993, full-depth core samples (six two-foot samples per sample location) were taken and an aliquot of one grab sample randomly chosen from one core in each of the four quadrants was removed for organic analysis. The remainder of the samples were composited for the semi-volatile analysis. Composite soil samples were not used for organic analysis.

If you have any additional comments regarding this petition and the supporting documents used to evaluate this petition, please contact me or have your staff contact Ms. Michelle Peace at (214) 665-7430.

Sincerely yours,



Mr. William Gallagher, Chief
Region 6 Delisting Program

Enclosures