

# COMMUNICATION RECORD

Job No.

**INDEXED**

Phone In X: Hope Monzeglio-NMED and Ron Shannon-Region 6 EPA.

Route to:

Date: 6/28/06

Time: 2:30 pm

Phone No.

Recorded By: hm

Subject: Giant Refining Company, Bloomfield Refinery – EPA’s compliance order

Remarks: The conversation was to address a surge tank that Giant is proposing to install with the benzene strippers to comply with EPA’s requirements associated with EPA’s Compliance Order.

NMED’s contacted EPA to determine if a surge tank was needed in the wastewater flow process from the API separator to the surface impoundments. If a surge tank was needed for surge protection, could the wastewater flow bypass the surge tank and be utilized only in emergency situations or major storm events. If the wastewater flow process goes from the API separator to the surge tank, to the benzene strippers, and then to the surface impoundments, according to the RCRA regulations, F037 and F038 waste would be created in the surge tank at which point the surface impoundments would need to be permitted for treatment of hazardous waste. However, if the wastewater flow process bypasses the surge tank, F037 and F038 waste is no longer created, aggressive biological treatment exemption removes the F037 and F038 listing in the surface impoundments and the surface impoundments would not need a permit for treatment of hazardous waste. (40 C.F.R. 261.31 (2)(i) – (3i)(A))

According to Ron Shannon, EPA was not making Giant put in a surge tank. EPA’s concern is benzene entering into the surface impoundments. EPA was requiring Giant to demonstrate that the benzene strippers remove the benzene before entering the surface impoundments and there was no requirement of a tank and was unaware of the need for surge protection. Ron mentioned in Giant’s proposal to EPA that the wastewater would flow from the API separator through the benzene strippers and into the surface impoundments. The plan EPA received did mention a tank.