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NEW MEXICO  
ENVIRONMENT DEPARTMENT **ENTERED**

*Hazardous Waste Bureau*

2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
Phone (505) 476-6000 Fax (505) 476-6030  
[www.nmenv.state.nm.us](http://www.nmenv.state.nm.us)



RON CURRY  
Secretary

SARAH COTTRELL  
Deputy Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

November 8, 2010

Mr. Randy Schmaltz  
Environmental Manager  
Western Refining, Southwest, Inc.  
Bloomfield Refinery  
P.O. Box 159  
Bloomfield, New Mexico 87413

**RE: NOTICE OF DISAPPROVAL  
INVESTIGATION WORK PLAN GROUP 6 (AOC NO. 19 SEEP NORTH  
OF MW-45, AOC NO. 20 SEEP NORTH OF MW-46, AND  
AOC NO. 21 SEEP NORTH OF MW-47)  
WESTERN REFINING SOUTHWEST, INC., BLOOMFIELD REFINERY  
EPA ID # NMD089416416  
WRB-10-002**

Dear Mr. Schmaltz:

The New Mexico Environment Department (NMED) has reviewed Western Refining Southwest, Inc., Bloomfield Refinery (Western) *Investigation Work Plan Group 6 (AOC No. 19 Seep North of MW-45, AOC No. 20 Seep North of MW-46, and AOC No. 21 Seep North of MW-47)* (Work Plan) dated December, 2009. NMED hereby issues this Notice of Disapproval. Western must address the following comments before NMED can take final action on the Work Plan.

**Comment 1**

Western discusses the facility's surface and subsurface conditions in Sections 3.1 (Surface Conditions) and Section 3.2 (Subsurface Conditions). However, these Sections do not address the conditions for subject AOCs. Western must revise these Sections to address the surface and subsurface conditions for AOCs 19, 20, and 21.

**Comment 2**

In Sections 4.1 (Anticipated Activities) and 5.2 (Soil Sampling), Western proposes to advance hand augured soil borings to a depth of two feet or more based on field screening at the seeps and drainage pathways leading toward the San Juan River. Western proposes to submit soil samples collected from each boring at depths of 0-0.5 feet and 1.5 to 2 feet below ground surface (bgs), and from the intervals where field screening evidence of contamination is observed for laboratory analysis. In order to determine the vertical extent of contamination, the soil sample collected from the bottom of all samples locations must be submitted for laboratory analysis. Western must revise the Work Plan accordingly.

**Comment 3**

In Section 4.2 (Background Information Research), page 9, Western states “[d]ocuments containing the results of previous investigations and subsequent routine groundwater monitoring data from monitoring wells and the seeps were reviewed to facilitate development of this work plan. The previously collected data provide detailed information on the overall subsurface conditions, including hydrogeology and contaminant distribution within groundwater on a site-wide basis. The data collected under this scope of services will supplement the existing soil and groundwater information and provide specific information regarding contaminant occurrence and distribution within soils near the seeps.” It is unclear where the previously collected data is located within this document. Western must identify where within the Work Plan the data are located, or revise the Work Plan to include the data.

**Comment 4**

In Section 5.2 (Soil Sampling), page 11, Western states “[s]urface soil samples (0-6”) collected from the sides of the steep slopes along the drainage pathways and at the edge of catchment liners will be used to define the horizontal extent of any impacts identified in the seep faces and bottom of the drainage pathways.” Western must also determine the vertical extent of contamination. Western must revise the Work Plan to include the details for determining the vertical extent of contamination. See also Comment 2.

**Comment 6**

In Section 6 (Monitoring and Sampling Program), page 20, Western states “[g]roundwater is removed from any seep where analytical results exceed any of the standards set by the Water Quality Control Commission (WQCC), the EPA Maximum Contaminant Level (MCL), or the EPA Region VI Human Health Medium Specific Screening Levels (Tap Water) in the absence of a WQCC standard or MCL (NMED, 2008).” The Tap Water Screening Levels have been replaced with the EPA Regional Screening Levels (as updated). Western must revise the Work Plan to reference the EPA Regional Screening Levels (as updated) instead of the Tap Water Screening Levels.

**Comment 6**

In Appendix A (Photographs), the first photograph from Google maps does not contain any cardinal directions on it. Western must revise the Work Plan to include a reference compass direction for this photograph.

Randy Schmaltz  
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Western must address all comments contained in this NOD and submit a revised Work Plan to NMED on or before February 8, 2011. The revised Work Plan must be submitted with a response letter that details where all revisions have been made, cross-referencing NMED's numbered comments. In addition, an electronic version of the revised work plan must be submitted that identifies where all changes have been made in redline strikeout format.

If you have any questions regarding this letter, please contact Hope Monzeglio of my staff at (505) 476-6045.

Sincerely,



James P. Bearzi  
Chief  
Hazardous Waste Bureau

JPB:hm

cc: J. Kieling, NMED HWB  
D. Cobrain, NMED HWB  
C. Chavez, OCD  
A. Hains, Western  
File: WRB-10-002 and Reading 2010