



CERTIFIED MAIL #: 7007 2560 0002 5890 7222

November 10, 2010

Hope Monzeglio
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

Re: Request to Suspend In-Situ Respiration Testing at the River Terrace Area
Western Refining Southwest, Inc. – Bloomfield Refinery

Dear Mrs. Monzeglio:

In a response letter to New Mexico Environment Department (NMED) dated October 16, 2009, Western Refining Southwest, Inc., Bloomfield Refinery (Western) volunteered to perform an in-situ respiration test at the River Terrace in June 2010. The time period the test was to be conducted was tentative, with the final schedule of the test to be dependant upon site conditions that was preferred to be similar to prior in-situ tests (i.e. San Juan River flowrate). This request was approved by NMED in the *Approval of Changes to the 2009 In-Situ Respiration Test at the River Terrace* letter dated October 27, 2009.

As NMED is aware, Western suspended refining operations at the Bloomfield Refinery in November 2009. This change in site operations has impacted the operation of the dewatering portion of the River Terrace bioventing system. Although the aeration system continues to operate, operation of the dewatering wells has become infrequent due to the lessened demand of fresh water to support current facility operations. Operation of the dewatering system is a key component to ensuring that the in-situ test results represent current bioremedial activity. Consistent operation of dewatering system maximizes exposure of the vadose zone, thus optimizing bioremedial activity within the bioventing area.

Western has conducted a total of three in-situ respiration tests at the River Terrace area; these tests were conducted in May 2006, September 2007, and October 2009. With only the aeration system remaining consistently operational since suspension of refining operations in November 2009, conditions at the River Terrace have not been similar to periods when previous in-situ respiration testing has been conducted. Therefore, an in-situ test has not yet been conducted in 2010. Western feels that the results from a test conducted without operation of the dewatering system would not clearly represent current bioremedial activity, and therefore would not provide results that would be comparable to previous in-situ test results.

Ms. Hope Monzeglio
November 10, 2010

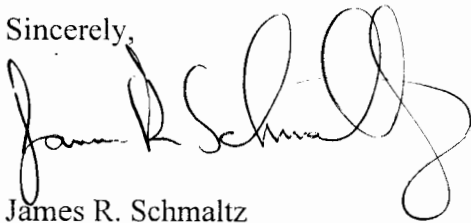
Page 2 of 2

Western is currently reviewing the remedial progress of the River Terrace area, and discussing potential remedial alternatives that would facilitate reaching the goal of remedy completion. As directed by NMED in the *Response to Group 7 Remedy Completion Report* letter dated August 16, 2010, Western will continue to assess the remedial progress of the River Terrace area on an annual basis, and a status of remedy completion will be included in each annual monitoring report.

With this said, Western is requesting NMED's approval to not conduct an in-situ respiration test in 2010. Western further requests that the need for on-going respiration testing be evaluated on an annual basis due to the current operational challenges of the dewatering system. This evaluation as to whether or not an in-situ respiration test would provide value in monitoring remedial progress at the River Terrace area will be included in the River Terrace Voluntary Corrective Measures Bioventing System Annual Report, which is submitted to NMED in March of each year.

Your consideration in this matter is greatly appreciated! If you have any questions or would like to discuss further this extension request, please contact me at (505) 632-4171.

Sincerely,



James R. Schmaltz
Environmental Manager
Western Refining Southwest, Inc.
Bloomfield Refinery

cc: Dave Cobrain – NMED HWB