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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

July 9, 2015

Mr. Randy Schmaltz
Health, Safety, Environmental, and
Regulatory Director
Western Refining, Southwest, Inc.
Bloomfield Refinery
P.O. Box 159
Bloomfield, New Mexico 87413

**RE: DISAPPROVAL
ACCELERATED CORRECTIVE MEASURES COMPLETION REPORT
FORMER DIESEL DISPENSER SYSTEM
WESTERN REFINING SOUTHWEST INC., BLOOMFIELD REFINERY
EPA ID# NMD089416416
HWB-WRB-13-007**

Dear Mr. Schmaltz:

The New Mexico Environment Department (NMED) has received Western Refining Southwest, Inc., Bloomfield Refinery's (Western) *Accelerated Corrective Measures Completion Report Former Diesel Dispenser System* (Report), dated December 30, 2013. NMED has reviewed the Report and hereby issues this Disapproval with the following comments.

Comment 1

In Section 3 (Decommissioning Activities), page 6, Western lists the decommissioning activities completed at the site which includes Bullet Item 2, the "[r]emoval of the former diesel fueling pumps, [aboveground storage tank (AST)], and concrete fueling pad." Western did not provide a discussion about the removal of the AST and concrete pad from the site or the collection of soil confirmation samples beneath the AST in the Report. Revise the Report to include a discussion about the removal of the AST or remove "AST" from the bullet item, if the work was not

performed. If removal of the AST has not been completed and Western plans on decommissioning the AST site in the future, NMED must be notified and Western must submit a work plan describing the proposed removal of the AST and concrete pad and sample locations to evaluate for releases that may have occurred at the site.

Comment 2

In Section 3.1 (Excavation Activities), pages 6 through 7, Western describes the excavation activities at the former Diesel Dispensing System. However, there is no discussion about the concrete sump at the diesel fuel pump station. Comment 3 from NMED's February 24, 2012 Notice of Disapproval (NOD) letter requested similar information and Western responded to the NOD in a letter dated May 17, 2012. In order to consolidate the historical information from site, revise the appropriate sections of the Report to include the information from Western's response to Comment 3 from the May 17, 2012 letter. Below are the comments that must be addressed in the revised Report:

- a. Discuss the concrete sump and provide its dimensions, the condition of the sump, and explain how the sump material was removed while the unit was active and the frequency that the material was removed, if known. Also include information if there was piping connected to the sump (i.e., length of pipe, dimensions and outlet, if applicable).
- b. Describe the piping at the fuel dispensers and provide the depth(s) of the piping directly below the fuel dispensers, and the condition of the piping. Discuss the observations and results of flushing potable water into the former fuel lines.
- c. Provide the final excavation dimensions for each of the excavations and a scaled figure depicting the excavations and soil sample locations.

Comment 3

In Section 3.1.3 (Excavation at Fueling Pads), page 7, paragraph 2, Western states, "[v]isually impacted soil was stock-piled and shipped off-site for disposal. Soil confirmation samples were collected to navigate the extent of excavation activities. The majority of impacted soils were observed in the area of the south dispenser. Below the south dispenser, impacted soils extended to approximately 28 feet [below ground level (bgl)]." It appears that the source of the impacted soil is from the fuel dispensers even though Western states that there have not been any documented releases at the AST and dispenser pumps. Western did not discuss the source of the impacted soil in the Report. In addition, Western defined the vertical extent of the excavation at a depth of 28 feet but did not discuss the lateral extent of the impacted soil. Regardless, visual field screening is typically not sufficient to determine the extent of contaminated soils containing contaminant concentrations greater than applicable screening levels that requires removal. Include a discussion about the lateral extent of the impacted soil and discuss the source of the contamination in the revised Report.

Comment 4

In Section 3.1.3 (Excavation at Fueling Pads), page 7, paragraph 3, Western states, “[a]s part of the bench excavation, unaffected soils were stockpiled separately from the impacted soils for the purpose of being used for backfill.” Explain the factors utilized to determine if the soils were clean enough to be used as backfill in the revised Report.

Comment 5

In Section 3.2.2 (Trench Soil Sampling), page 8, Western collected seven soil samples from “the trench where the former fueling piping was located that connected the AST to the dispenser pumps.” The soil sample location descriptions in Section 3.2.2 are vague and it is not clear which samples were collected as floor or wall samples or if floor and/or wall samples were collected. Table 1 (Field Screening and Soil Sample Analytical Summary) provides a description in the column titled, *Area*, for each sample ID; however, it does not indicate if the samples were collected as floor or wall samples. Include the descriptions from Table 1 in the discussion and provide a figure with the soil sample locations. Provide scaled figures depicting the soil sample locations, including the excavation boundaries and include additional information about the soil samples indicating which soil samples were collected from the floor and the walls of the excavations in the appropriate sections of the revised Report and Table 1.

Comment 6

In Section 3.6 (Waste Characterization), Western states that “a soil sample was collected using a hand auger within the vicinity of the south dispenser pump. The hand auger was used to collect soil from 1 foot to 12 feet below ground level. The most highly visually impacted soil from the 1 foot to 9 foot interval was submitted to the lab for analysis.” Section 3.6 requires additional information to clarify the waste characterization activities at the site.

- a. Paragraph 2 in Section 3.6 explains the waste characterization activities for the concrete diesel fueling pad and describes the analytical results for the characterized waste as “nonhazardous” and that it was disposed at a landfill as nonhazardous waste. However, the same information is not provided for the soil samples collected in the vicinity of the south dispenser pumps. Explain if the waste characterization analytical results for the soil samples indicated whether the excavated soils were nonhazardous or hazardous waste and provide information about the disposition of this waste in the revised Report.
- b. It is not clear where each waste characterization sample was collected (e.g., waste characterization sample 1’-12’ was collected directly below sample 1’-9’).
- c. Explain why a second sample was collected at 12 feet and no waste characterization samples were collected in the trench between the diesel fuel pump station and the AST.

Comment 7

In Section 4 (Results and Conclusions), pages 12 through 13, Western discusses the field screening and logging results, soil sampling results, and conclusions from the decommissioning activities at the former Fuel Dispenser Area. However, as stated earlier, Western did not provide a scaled figure depicting the extent of each of the excavation areas, the sample locations, sample IDs or clearly describe where all of the soil samples were collected (e.g., bottom of excavation, east sidewall). Provide a scaled figure depicting the final excavation limits, the soil sample locations and their sample IDs and include a discussion to support the selection of the soil sample locations (*see also* Comment 5). In Section 4.2.1 (Fueling Trench Soil Sampling), Western describes collecting one soil sample at each end of the trench and five soil samples at the coupled fittings of the pipeline. However, it is not clear if the soil samples were collected at the bottom of the trench or also along the sidewalls. In addition, if sidewall samples were not collected along the trench, Western must explain why sidewall samples were not collected to demonstrate that the lateral extent of contamination had been addressed. Provide the additional discussions in the appropriate sections of the revised Report as well as scaled figures depicting the excavation boundaries and soil sample locations and sample IDs.

Comment 8

In Section 4.2.2 (Fueling Dispenser Area Soil Sampling), page 13, Western describes the sample locations for some of the samples collected in the fuel dispenser excavation area; however, as stated in the comments above, there are no figures depicting the sample locations. Because the excavation appears to vary in depth, provide a scaled figure in the revised Report of a cross-section of the Fuel Dispenser Area depicting the soil sample locations and the depths of the soil confirmation samples that were collected or otherwise label the depths of the base of the excavation and sample locations.

Comment 9

In Section 4.2.2 (Fueling Dispenser Area Soil Sampling), page 13, paragraph 3, Western states, “[o]ne of the three side wall samples detected [total petroleum hydrocarbons-diesel range organics (TPH-DRO)] at concentrations above the laboratory reporting limit, with a reported concentration of 2,770 mg/kg (DD-11-28’).” Western did not provide an explanation for this high concentration at this depth. If there were no releases, other than the event in 2009, explain how the TPH-DRO soil concentration could be found at this depth. In addition, provide the lateral extent of contamination at this depth and provide a scaled figure depicting the lateral extent of the TPH-DRO exceedance at 28 feet (*see also* Comment 3).

Comment 10

Monitoring wells MW-13 and MW-60 are approximately 300 feet north and northeast of the site, respectively, and MW-6 is approximately 625 feet east. The depth to groundwater is at approximately 41 feet at MW-13, 43 feet at MW-60 and no water is present in MW-6 as reported

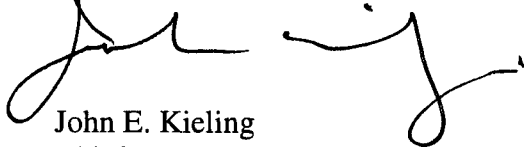
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in the annual groundwater monitoring report for 2013. Propose to investigate whether groundwater was impacted by releases from this site.

Western must address all comments contained in this Disapproval and submit a revised Report to NMED no later than **September 30, 2015**. The revised Report 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 Report must be submitted that identifies where all changes were made in red-line strikeout format.

If you have any questions regarding this letter, please contact Leona Tsinnajinnie of my staff at (505) 476-6057.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

- cc: D. Cobrain, NMED HWB
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