

December 16, 2015

Mr. John E. Kieling, Chief
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Bldg 1
Santa Fe, New Mexico 87505-6303

FedEx Tracking #: 7752 2199 8450

**RE: RESPONSE TO DISAPPROVAL
2015 FINANCIAL ASSURANCE COST ESTIMATE
WESTERN REFINING SOUTHWEST INC., BLOOMFIELD REFINERY
EPA ID # NMD089416416
HWB-WRG-MISC**

Dear Mr. Kieling:

Western Refining Southwest, Inc. (“Western”) has reviewed the New Mexico Environmental Department (NMED) comment letter dated October 21, 2015. NMED indicates there appears to be an error regarding the Annual Refinery Complex (RCRA Investigation Wells) calculation in Table 1C. Western has reviewed Table 1C and determined the 2015 cost estimate was accurately prepared in accordance with the June 2013 Facility-Wide Groundwater Monitoring Plan (“the 2013 Plan”), the plan of record at the time the estimate was prepared.

Table 1C Review

- There are 20 wells shown in the “# of sample locations”, while there are only five wells included the “# of samples” column in Table 1C.
- As noted in the footnote to the table, the cost estimate was prepared based on the June 2013 Facility-Wide Groundwater Monitoring Plan, which was in effect at the time the cost estimate was prepared. While at the time, there were 20 RCRA investigation wells, it was not a requirement of the Plan to collect groundwater samples from all 20 wells.
- Groundwater samples were to be collected from the new RCRA investigation wells for the first two years pursuant to Table 3 of the Plan. Since the Plan did not include additional sampling of 15 of the RCRA investigation wells (MW-52 through MW-66) only the five wells scheduled for sampling in the Plan are shown for sample collection in Table 1C of the cost estimate.
- In the April 25, 2014 Approval with Modification letter for the Plan, NMED provided comments regarding additional analytical requirements (e.g., semi-volatile analyses) for the RCRA investigation wells; however, none of these criteria (e.g., exceedance of “unknown oil” standard that was subsequently eliminated) have been met that would require additional analyses.

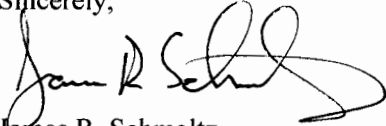
NMED directed Western to revise the 2015 cost estimate, however Western believes the 2015 cost estimate accurately reflects the work that was required under the 2013 Plan. Western notes that, if the 2015 cost estimate were to be revised at this time, credit for the work completed in 2015 would actually lower the cost estimate for demonstrating financial assurance for 2015.

2016 Cost Estimate

A new cost estimate for 2016 is due in January which will be prepared pursuant to an updated June 2014 Facility-Wide Groundwater Monitoring Plan approved by NMED on June 15, 2015, any adjustments to the amount of financial assurance should be based on the upcoming 2016 cost estimate and not outdated cost estimates.

If there are any questions, please contact me at (505) 632-4171 or Ms. Kelly Robinson at (505) 632-4166.

Sincerely,



James R. Schmaltz
Health, Safety, Environmental and Regulatory Director
Western Refining Southwest, Inc. – Bloomfield Terminal

cc D. Cobrain NMED HWB
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