



BRUCE KING  
GOVERNOR

State of New Mexico  
ENVIRONMENT DEPARTMENT  
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File

JUDITH M. ESPINOSA  
SECRETARY

RON CURRY  
DEPUTY SECRETARY

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

May 7, 1992

Mr. Zeke Sherman  
Giant Refining Company  
Route 3, Box 7  
Gallup, New Mexico 87301

Dear Mr. Sherman:

Please find enclosed the Hazardous and Radioactive Materials Bureau April 16, 1992 meeting notes. This meeting, between staff from Giant Refining Company (Zeke Sherman, Environmental Manager and Lynn Shelton, Environmental Technician) and staff from the Hazardous and Radioactive Materials Bureau (Edward Horst-Program Manager, Steve Alexander- Technical Group, Marc Sides-Permits Group and Susan Collins-Permits Group), was held to discuss the proposed modifications to the facility's RCRA operating Permit and Closure or Delay of Closure of the Land Treatment Unit. The notes have only been modified to construct complete sentences. Giant Refining Company has seven (7) days from receipt of this transmittal to provide any comments prior to the inclusion of the meeting notes into the Hazardous and Radioactive Materials Bureau's file on Giant Refining Company.

Thank you for attending the meeting. If you have any questions or comments please contact Steve Alexander, 827-4300.

Sincerely,

Benito Garcia, Bureau Chief  
Hazardous and Radioactive Materials Bureau

EH/sa

cc: Bruce Swanton, HRMB  
Herb Grover, HRMB  
Edward Horst, HRMB  
Steve Alexander, HRMB

I. PROPOSED PERMIT MODIFICATIONS

4/17/92

HRMB proposed modifications will impact language in Module II, Module III, Attachment G and Attachment F of the Permit. The following are the specifics which were addressed:

Module II, Module III

ITEM

1 HRMB: Within the Detection Monitoring program the requirement to conduct statistical analyses and comparisons utilizing the indicator parameters pH and conductivity will be discontinued by deleting them from the text and appropriate tables. Additionally, language which defines detection of organics as concentrations at the MDL is to be included.

GRC: The facility has employed a statistician to review the groundwater monitoring well data and the applicable portions of the Permit and Regulations (40 CFR, Section 264.97(h)) and possibly propose a statistical method different than the one in the Permit. This is being pursued in order to continue using the indicator parameters pH and conductivity for Detection Monitoring.

HRMB: The Bureau will review any proposed Permit modifications.

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2 NOTE: There are additional modifications that were not specifically discussed. The facility has been given a complete copy of the proposed modifications and may contact the Bureau to discuss them.

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3 HRMB: According to the Permit, following each ZOI and BTZ soil-core sampling event the facility must conduct statistical comparisons between the sample concentrations and background concentrations (in the case of the BTZ, comparisons must be made to the last sampling results also). If the statistical analyses indicate that contaminants have entered the BTZ the facility must submit a proposal for a Permit Modification within ninety days. If the statistical calculations were not conducted the only basis for determining contamination in the BTZ are analytical results. Based on the semi-annual BTZ soil core sample analyses conducted 10/10/90 and 10/17/91 m & p-Cresol has been detected in the BTZ.

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ITEM

12 GRC: If the lysimeters, or any of the components of the monitoring system, are proven to be an inappropriate requirement for monitoring the BTZ can they be dropped from the monitoring system?

HRMB: Analysis of water samples taken from the lysimeters have provided data indicating organic contamination within the BTZ. Lysimeters will be required for continued monitoring.

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violmods.grc

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ITEM

- 3 GRC: Do not believe the statistical analyses were done. We are currently familiarizing new staff Environmental Manager with the Permit and will submit all data and analyses required under the Permit.

HRMB: The lack of statistical comparisons constitutes a violation of the Permit as does the failure to submit the proposal for a modification to the Permit.

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- 4 HRMB: Considering the severity of the above mentioned Permit violations the Bureau is requiring a soil core sampling, analysis and reporting program for the BTZ at the Land Treatment Unit in order to determine if hazardous constituents have migrated out of the ZOI.

GRC: We are preparing just such a program and will submit it to HRMB by April 30, 1992. (It was noted at this time that "wastes" had been applied to the 3/3 plot of the LTA. GRC will provide documentation supporting the argument that the waste was non-hazardous).

-----

- 5 GRC: Considering disposing of hazardous waste from off-site and on-site oil field crude oil spills, what is the required procedure?

HRMB: This is a modification of the Permit and would require the appropriate request for modification.

GRC: Probably best to put a hold on this issue for the time being.

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ITEM

6 GRC: Concerned that all prior sampling of BTZ was actually within the ZOI due to errors in determining the original soil surface. Have conducted recent BTZ sampling at the correct depth and will have results soon.

HRMB: How did the facility determine/verify original soil surface of LTA for most recent soil core sampling?

GRC: Conversations with employees present when LTA was opened, referring to old surveys and visual inspection of ZOI-BTZ interface.

HRMB: Will need documentation with appropriate consultant engineer (third party) and GRC legal representative's signatures to verify establishment of original soil surface.

GRC: Will do so.  
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Attachment G  
Groundwater Monitoring

ITEM

7 HRMB: Utilization of MW-4 as the facility background monitoring well will be discontinued and MW-4 will be utilized to obtain piezometric water elevation data only. The proposed background monitoring well OW-11 will be utilized as the replacement background monitoring well, as discussed in Attachment H, Additional Data Submittal Schedule.

GRC: Agree.

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2. GENERAL QUESTIONS

ITEM

- 8 GRC: GRC will be submitting proposed Permit modifications to the: 1) Attachment A Waste Analysis Plan, to reflect the non-hazardous wastes being applied, 2) Training Plan, 3) Inspection Plan, and 4) Contingency Plan. Also, will send information on the previously approved changes to the Financial Assurances (primarily involving updating and attempts to reduce expenditures on unnecessary training). Also, Attachment J: Hazardous Management Regulations are outdated, can they be changed?

HRMB: All proposed modifications must go through the formal application process. Submit the proposed modifications and the Bureau will review them.

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- 9 GRC: We want to continue operating our LTU for receipt of non-hazardous waste, what must we do in order to continue?

HRMB: This is a proposal to Delay Closure and is a modification of the Permit. Refer to the Regulations, Permit and Bureau staff for guidance.

GRC: Will apply for the Delay of Closure immediately.

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- 10 GRC: Concerned about the cost of unnecessary analyses of soil and groundwater, can we drop some constituents (metals) which consistently show as non-detects from the analysis list?

HRMB: This would be a modification to the Permit and would require a formal request from the facility.

GRC: Will propose a list in the near future.

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- 11 GRC: The Sampling and Analysis Plan has not been incorporated into the Permit, does this need to happen, and what about updating the Plan?

HRMB: Will have to look into these issues further and provide **comment** later.

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