



Steph -  
Please refer  
to letter for  
my signature  
Spinto

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October 28, 1998

Mr. Benito Garcia  
Hazardous and Radioactive Materials Bureau  
New Mexico Environment Department  
2044 Galisteo  
Santa Fe, New Mexico 87502

**Accelerated Sampling Schedule for the Ciniza Refinery Land Treatment Unit**

Dear Mr. Garcia:

The purpose of this letter is to request written confirmation from New Mexico Environment Department (NMED)/Hazardous and Radioactive Materials Bureau (HRMB) to proceed with clean closure activities and accelerated sample collection frequency at Giant Refining Company - Ciniza Refinery's (Ciniza's) Land Treatment Unit (LTU). The purpose of the accelerated sampling schedule is to demonstrate to NMED/HRMB that the LTU meets the Closure Performance Standards identified in your October 26, 1997, letter to Ciniza. Once the closure performance standards and requirements established by the NMED/HRMB are met, Ciniza intends to prepare and submit a closure certification report to NMED/HRMB. The request for clean closure will be consistent with 20 NMAC 4.1, 40 CFR §264.280(d).

The performance standards will be met by: 1) demonstrating completion of in situ treatment of hazardous wastes and waste residues; 2) placement of a vegetative cover on the LTU; and 3) decontamination of equipment as necessary. In situ treatment ensures the degradation of waste residues to NMED-approved levels.

The accelerated sampling schedule will occur in three phases. We propose to begin the Phase 1 sampling event in November 1998, weather and contractor availability permitting. Phase 2 will occur within four weeks of Phase 1 completion. If we experience any weather delays, Ciniza will notify NMED/HRMB. We will prepare a closure certification report of Phase 1 and 2 activities to verify and properly document clean closure of the LTU according to the established standards.

Sampling and analysis activities include the following elements:

- Background
  - During Phase 1, Ciniza will establish appropriate background concentrations for inorganic hazardous constituents consistent with your above referenced letter. Ciniza will establish background concentrations of the inorganic constituents as identified in the Modified Skinner List (see Tables 4C and 4D of the *Amended Closure Plan, July 1996*). The analytical results from an adequate sample population will provide the range necessary to establish background concentrations for waste metals. Cell 3 of the LTU, which has not received hazardous waste at any time, will again be used as the background cell.

- Soil Sampling
  - Ciniza will obtain soil samples following the protocol established in the Ciniza Hazardous Waste Facility Permit (the Permit), which identifies procedures for obtaining soil samples, determining sampling locations, decontaminating equipment, and chain of custody.
  - During Phase 1, Ciniza will randomly select three coring points in each of Cells 1 and 2, and four points in Cell 3. During Phase 2, three coring points each in Cells 1 and 2 will be taken. Soil samples will be taken at predetermined depths within the Zone of Incorporation (ZOI), treatment zone, and Below the Treatment Zone (BTZ) to verify the absence of hazardous waste to meet the closure performance standard.
- Analytical Parameters
  - Ciniza will analyze samples collected in Phase 1 for Modified Skinner List constituents. Analytical parameters selected during Phase 1 are for both inorganic and organic hazardous constituents. The one-time selection of the Modified Skinner List for Phase 1 activities is based on the hazardous constituents expected to have been present in the refinery waste that was applied to Cells 1 and 2.
  - Ciniza will analyze samples collected in the Phase 2 sampling event for primary hazardous constituents (PHCs) (see Table E-1 of the Ciniza Refinery *LTU Post-Closure Permit Application*, 1998). Analytical parameters selected during Phase 2 are the PHCs for inorganic and organic hazardous constituents as established in the Permit. These hazardous constituents were selected by NMED/HRMB in the Permit as the most mobile, persistent, and most difficult to degrade.
- Performance Standards for Cells 1 and 2
  - Inorganic Hazardous Constituents: Background concentrations established during Phase 1 activities.
  - Organic Hazardous Constituents: Background concentrations established during Phase I activities.
- Sample Results
  - Analytical results will be available from the lab within a normal turnaround time of 15 working days for both Phase 1 and 2 activities.
- Quality Assurance/Quality Control
  - QA/QC requirements from the *Amended Closure Plan* (July 1996) will be followed in addition to those established in the Ciniza operating permit for both Phases 1 and 2.
  - Due to the nature of proper core sampling techniques, it is not possible to obtain true duplicate samples. Therefore no duplicate sampling is proposed. Two equipment rinsate samples will be taken from each drilling auger flight to verify the adequacy of decontamination procedures to prevent any cross contamination between sampling point locations.

During Phase 3 activities, Ciniza will modify and then submit to NMED/HRMB an *Amended Closure Plan* that reflects those activities and closure performance standards necessary for clean closure of the LTU. After approval of the *Amended Closure Plan*, Ciniza will submit a closure certification report

to the NMED/HRMB consistent with 20 NMAC 4.1, Subpart V, 40 CFR §264.280(d), and those closure performance standards and requirements established by the NMED/HRMB. The closure certification report will include data analysis from Phases 1 and 2, as well as reasons for any deviations necessary in field activities and supporting documentation required by the NMED/HRMB-approved closure plan. The certification report will be attested to by a registered independent professional engineer or qualified independent soil scientist and will be signed by the appropriate Ciniza official in accordance with 20 MAC, 40 CFR §264.115.

If there are any questions or comments regarding this accelerated sampling schedule, please call me at (505) 722-0227. Provided there are no questions or comments that identify additions, deletions and/or modifications established in your confirmation letter, Ciniza intends to begin Phase I activities within 14 calendar days of receipt of your letter, weather and contractor availability permitting. We expect to complete all sampling and analytical activities and certify clean closure of the LTU by the second quarter of calendar year 1999. Thank you for your consideration of this matter.

Sincerely,



Dorinda Mancini  
Environmental Manager

cc: Matt Davis, Ciniza Refinery Manager  
Dave Pavlich, HSE Manager  
Benchmark Environmental Corporation