

**Monzeglio, Hope, NMENV**

**From:** Jim Lieb [Jim.Lieb@wnr.com]  
**Sent:** Monday, March 10, 2008 2:17 PM  
**To:** Chavez, Carl J, EMNRD; Monzeglio, Hope, NMENV  
**Cc:** Mark Turri; Bryon Holbrook; Ed Riege; Joel Quinones; Ann Allen  
**Subject:** OCD's C-141 Reporting Form for Diesel Tank Overfill at Western Refining - Gallup Refinery on 3-7-08  
**Attachments:** MarketingTank1ULSDoverfill3-7-08.pdf

Carl and Hope:

Attached is the completed OCD C-141 form for the diesel (ultra low sulfur diesel) overfill at the Western Refining Gallup Refinery's Marketing No. 1 tank that occurred on Friday March 7, 2008. Immediate notification by telephone on Friday afternoon was made to the OCD and NMED-HWB by Bryon Holbrook.

The overfill was due to failure of the ULSD transfer pump to switch off when the liquid in the tank reached the pre-selected cut-off level. A Western employee was near the tank when the overfill occurred. He notified the lab right away (the lab is responsible for the tank farm) and the pump was shut off. Western will conduct a root cause investigation into why the overfill occurred so that this overfill will not re-occur.

We estimate that 20 barrels (42 gallons per barrel) was spilled. A vacuum truck was dispatched to the dike area and was able to recover approximately 75% of the spilled diesel (15 barrels recovered). All of the spill was contained by the dike that surrounds the refinery's marketing tanks. The un-recovered diesel soaked into the clay soil within the dike area. Western will excavate the diesel impacted soil to clean soil. Samples will be taken to confirm the diesel impacted soil has all been removed. The excavated soil will be placed either in roll-offs or on the ground on plastic pending final disposition. Western may elect to place the soil in its land farm depending on the availability of space.

Western will provide the results of the confirmatory sampling to you.

If you have any questions, please contact me at (505) 722-0227 or Bryon Holbrook at (505) 722-0258.

Regards,  
Jim Lieb

Environmental Engineer  
Western Refining, Inc.  
Gallup Refinery  
I-40, Exit 39  
Jamestown, NM 87347  
(505) 722-0227  
fax (505) 722-0210  
jim.lieb@wnr.com

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3/10/2008

District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
1301 W. Grand Avenue, Artesia, NM 88210  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico  
Energy Minerals and Natural Resources  
Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

Form C-141  
Revised October 10, 2003

Submit 2 Copies to appropriate  
District Office in accordance  
with Rule 116 on back  
side of form

**Release Notification and Corrective Action**

**OPERATOR**

Initial Report  Final Report

Name of Company: Western Refining: Gallup Refinery	Contact: Bryon Holbrook
Address I-40, Exit 39, Jamestown NM 87347	Telephone No. 505-722-0258
Facility Name: Gallup Refinery	Facility Type: Oil refinery
Surface Owner: Giant Industries, Inc.	Mineral Owner: Giant Industries, Inc.
Lease No.	

**LOCATION OF RELEASE**

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
	23 & 33	15N	15W					McKinley

Latitude 35°29'30" Longitude -108°24'40"

**NATURE OF RELEASE**

Type of Release: Ultra Low Sulfur Diesel Fuel	Volume of Release: 20 barrels (estimate)	Volume Recovered: 15 barrels (estimate)
Source of Release: Marketing Tank No. 1	Date and Hour of Occurrence: 3/7/08 @ 1405 hours	Date and Hour of Discovery: 3/7/08 @ 1415 hours
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? OCD - Carl Chavez NMED - Hope Monzeglio	
By Whom? Bryon Holbrook	Date and Hour 3/7/08 at 1615 hours	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	

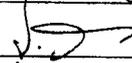
If a Watercourse was Impacted, Describe Fully.\*

Describe Cause of Problem and Remedial Action Taken.\*

Tank overflow. Marketing Tank No. 1 was on auto fill. The transfer pump did not switch off at the pre-selected level. An employee who was near the tank saw the spill and immediately notified the lab and the pump was shut off. Western will conduct a full investigation to determine the root cause of the overflow.  
A vacuum truck was dispatched soon after the spill occurred to vacuum up the spilled diesel. The vacuum truck was able to recover 75% (estimate) of the spilled diesel.

Describe Area Affected and Cleanup Action Taken.\* The release is restricted to the diked area surrounding the marketing tanks. None of the release made its way off of Western property. A vac truck was able to recover approximately 15 barrels of diesel. We estimate that approximately 5 barrels of diesel was released into the soil. We are taking core samples to determine the penetration of the diesel into the soil. The impacted soil will be removed and placed either directly into roll-off boxes or on plastic liner until additional boxes can be obtained. We will sample the excavated area to ensure all the diesel impacted soil has been removed. Upon OCD and NMED approval, the excavation will be back-filled with fresh clay after confirmatory sampling is conducted. Impacted soils anticipated either be landfarmed on site or taken off-site depending availability of space in landfarm.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Signature: 	<b>OIL CONSERVATION DIVISION</b>	
Printed Name: Joel Quinones	Approved by District Supervisor:	
Title: Prod. Quality/Dist. Manager	Approval Date:	Expiration Date:
E-mail Address: joel.quinones@wnr.com	Conditions of Approval:	Attached <input type="checkbox"/>
Date: March 10, 2008 Phone: (505) 722-0260		

\* Attach Additional Sheets If Necessary

**Monzeglio, Hope, NMENV**

**From:** Bryon Holbrook [Bryon.Holbrook@wnr.com]  
**Sent:** Friday, March 07, 2008 4:30 PM  
**To:** Mark Turri; Joel Quinones; Ed Riege; Jim Lieb; Bryon Holbrook  
**Cc:** Monzeglio, Hope, NMENV; Chavez, Carl J, EMNRD  
**Subject:** #1 Marketing Tank Spill - Diesel- OCD/NMED Phone Notification  
**Importance:** High

Mr. Turri,

OCD and NMED were notified at approximately 4:15 pm today, of the spill at Marketing Tank #1 which occurred at approximately 2:15 pm. I informed them of the approximate volume to be between 24 and 36 barrels of Diesel that was released into the dike. I also informed them that there was no release to surface waters of the State. I have explained in the phone notification that we have the incident contained and are currently working on clean up efforts. We will complete the C-141 spill form on Monday and submit accordingly.

Thank you.

Bryon Holbrook, CHMM  
Environmental Engineer  
Western Refining Company  
Gallup Refinery  
I-40 @ Exit 39  
Jamestown, NM 87347  
ph: 505-722-0258  
fax: 505-722-0210  
bryon.holbrook@wnr.com

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# COMMUNICATION RECORD

Job No.

Phone message from: Western Gallup Refinery –Bryon Holbrook

Route to:

Date: 3/7/08

Time: ~4:15pm

Phone No.

Recorded By: hm

Subject: Gallup Refinery

Phone call from Bryon Holbrook to inform NMED that there was an overflow to Marketing Tank #1 which contains diesel. The diesel release was all contained within a dike. A letter will be sent regarding the situation. Western is working on the cleanup.