

ENTERED

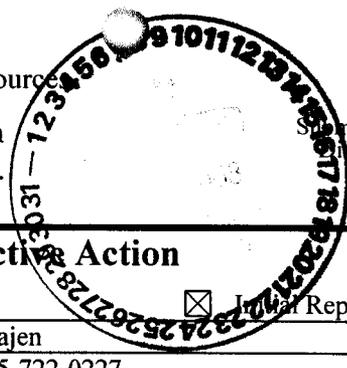
State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-141
Revised October 10, 2003

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

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 Southwest Inc.	Contact Gaurav Rajen
Address I-40 Exit 39, Jamestown, NM 87347	Telephone No. 505-722-0227
Facility Name Gallup Refinery	Facility Type Oil refinery

Surface Owner Western Refining	Mineral Owner Western Refining	Lease No.
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LOCATION OF RELEASE

Unit Letter	Section 23&33	Township 15N	Range 15W	Feet from the	North/South Line	Feet from the	East/West Line	County McKinley
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Latitude 35°29'22" Longitude 108°25'24"

NATURE OF RELEASE

Type of Release Ultra-Low Sulfur Diesel (ULSD)	Volume of Release 75 barrels (3150 gallons) estimate	Volume Recovered 12 barrels (500 gallons) estimate
Source of Release Overflow from Tank 116	Date and Hour of Occurrence 4/24/2008; 2:00 am (approximately)	Date and Hour of Discovery 4/24/2008; 2:50 am
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? Carl J. Chavez, NMEMNRD, Oil Conservation Division; Hope Monzeglio, NMED Hazardous Waste Bureau (via telephone)	
By Whom? Gaurav Rajen and Cheryl Johnson	Date and Hour 4/24/2008 (approximately) 11:00 am	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse. Not applicable	

If a Watercourse was Impacted, Describe Fully.* Not applicable

Describe Cause of Problem and Remedial Action Taken.* At approximately 2:50 am on 4/24/2008, the Operations Shifter discovered Tank 116 running over. The Pump Operator was notified and a transfer was started into Tank 583. Tank 116 had run over and spilled ULSD onto the soil within the area surrounded by a berm. A lesser amount of ULSD ran down within the foam line leading into the tank. Through a drain valve on the foam line that is buried in the ground outside the berm area, some ULSD leaked out onto a service road running adjacent to Tank 116. The operator used a backhoe to build a containment dike on this road outside the tank berm area, and the spill on the road was blocked from further migration.

Describe Area Affected and Cleanup Action Taken.*

The affected area within the berm had a surface area less than approximately 500 square feet with some vertical penetration of the ULSD (of as yet unknown depth, but, based on prior experience, presumed to be of the order of 1-2 feet maximum). An affected area of approximately 500 feet in length and 2-10 feet wide (depending on the amount of pooling of the spilled material) lay along the service road. The material on the road surface is expected to have penetrated to a depth of the order of a few inches (maximum) into the underlying surface as the road surface is partially paved.

A truck with a vacuum pump was used to collect free ULSD product from within the berm and on the service road. Absorbent material was placed on the spill along the road; and this area was isolated through the use of barricades. In further cleanup actions, contaminated soils will be excavated, confirmatory environmental samples will be collected and analyzed, and all contaminated materials will be disposed off in accordance with applicable regulations.

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:	<u>OIL CONSERVATION DIVISION</u>	
Printed Name: Mark B. Turri	Approved by District Supervisor:	
Title: Refinery Manager - Gallup	Approval Date:	Expiration Date:
E-mail Address: mturri@wnr.com	Conditions of Approval:	Attached <input type="checkbox"/>
Date: 4-30-2008	Phone: 505-722-0833	

- Attach Additional Sheets If Necessary