



ENTERED

NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1

Santa Fe, New Mexico 87505-6303

Phone (505) 476-6000 Fax (505) 476-6030

www.nmenv.state.nm.us



BILL RICHARDSON
Governor

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 23, 2008

Mr. Ed Riege
Environmental Superintendent
Western Refining Gallup Refinery
Route 3, Box 7
Gallup, New Mexico 87301

**RE: APPROVAL WITH DIRECTION
SUMMARY OF DRILLING AND SAMPLING ACTIVITIES
WESTERN REFINING SOUTHWEST, INC., GALLUP REFINERY
NMED ID # NMD000333211
HWB-GRCC-08-002**

Dear Mr. Riege:

The New Mexico Environment Department (NMED) has received Western Refining Southwest, Inc., Gallup Refinery's (Permittee) *Summary of Drilling and Sampling Activities* (Report) dated April 14, 2008. The Report describes the installation of the replacement monitoring wells in the vicinity of the New API separator (NAPIS). NMED hereby issues this Approval with Direction and provides the following comments.

Comment 1

The Permittee states on the cover page and on page 2 that the well installation and sampling was performed in accordance with NMED's December 20, 2007 approval letter.

The December 20, 2007 letter was an approval of the Permittee's extension request to install the monitoring wells at a later date and not an approval of the installation and sampling activities. The well installation and sampling requirements were established in NMED's letter dated October 15, 2007. No revision is necessary.

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Comment 2

The Permittee states on page 4, bullet three that “[a] composite soil sample was collected from the cuttings from existing monitoring wells KA-2 and KA-3, as well as from replacement monitoring wells KA-1R, KA-2R, and KA-3R, following installation. The sample was collected for classification in order to dispose of the cuttings in Western’s on-site landfarm. Cuttings from the existing monitoring well KA-1 could not be sampled due to damage to the drum. The composite sample was analyzed for anions per EPA Method 9056A, mercury per EPA Method 7471, and for total metals per EPA Method 6010B. The sample was also to be analyzed for free liquid, ignitability, corrosivity, and reactivity; and...”

NMED has the following comments:

- a. The Permittee must explain why a discrete sample was not collected and analyzed for volatile organic compounds (VOCs) using EPA Method 8260, since VOCs are present in the groundwater in this area.
- b. The Permittee must explain how the drum containing cuttings from KA-1 was managed since it was not sampled.
- c. The Permittee must obtain permission from the Oil Conservation Division (OCD) to dispose of the cuttings at the on-site landfarm and test the soils as required by OCD.

Comment 3

The Permittee states on page 5 (Groundwater Analytical Results) that “[m]ethyl tert-butyl ether was detected at 260 µg/L, which is above the NMWQCC standard of 100 µg/L.”

There is no Water Quality Control Commission (WQCC) numerical standard for methyl tert-butyl ether (MTBE). In the future, the Permittee must apply the EPA Region 6 Human Health Medium-Specific Screening Levels, residential water standard for MTBE, which is currently 11 µg/L.

Comment 4

The Permittee provides a summary of fluid level measurements in Table 1. The depth to water (DTW) measurements for KA-3 were 12.50 feet below ground surface (bgs) on 6/12/07, 8.50 feet bgs on 6/21/07, and 8.61 feet bgs on 3/20/08.

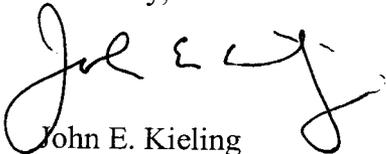
There appears to be a significant difference between the DTW measurement collected on June 12, 2007 and the measurements collected on June 21, 2007 and the March 20, 2008. The Permittee must explain this significant difference in the water level measurements.

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The Permittee must submit a response to this Approval with Direction addressing all comments requiring a response to NMED on or before July 7, 2008.

If you have any questions regarding this letter please call Hope Monzeglio of my staff at (505) 476-6045.

Sincerely,



John E. Kieling
Program Manager
Permits Management Program
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
C. Frischkorn, NMED HWB
H. Monzeglio, NMED HWB
W. Price, OCD
C. Chavez, OCD
B. Powell, OCD Aztec Office
G. Ragen, Western Gallup
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