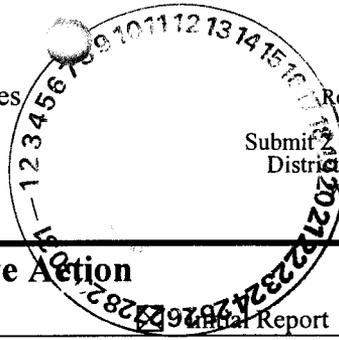


District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

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

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.	

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 Gasoline (87 Octane)	Volume of Release 50 barrels of gasoline (2100 gallons) estimate	Volume Recovered In process
Source of Release Overflow from Marketing Tank # 3	Date and Hour of Occurrence 8/7/2008; 4:15 pm (approximately)	Date and Hour of Discovery 8/7/2008; 4:30 pm
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	Date and Hour 8/7/2008 (approximately) 5:00 pm	
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 4:15 pm on 8/7/2008, the Operations Supervisor discovered that Marketing Tank #3 was running over. This Marketing Tank #3 was running over at the roof drains and spilling 87 Octane Gasoline onto the soil within the area surrounded by a berm. No product left the containment area within the berm. Water and foam were sprayed on the spilled product for suppression of any possibility of fire. There is a detailed investigation underway – the tank was overfilled, and the primary cause is yet to be determined.

Describe Area Affected and Cleanup Action Taken.*

The affected area within the berm had a surface area of approximately 10000 square feet with some vertical penetration of the gasoline (of as yet unknown depth, but, based on prior experience, presumed to be of the order of 2 feet or less).

The area was isolated through the use of barricades to prevent unauthorized intrusion. Trucks with vacuum pumps will be used to collect free liquids (product mixed with foam and water) from within the berm. Given the duration of the discharge from the drain pipes, and the tank and pipe geometry, the estimate of the spill is approximately 50 barrels of gasoline spilled onto the ground.

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. There is a drainage ditch running alongside the bermed area that did not exhibit any signs of contamination apart from spray of water and foam from the fire suppression techniques employed. The water reaching the drainage ditch via the spray had not contacted any gasoline. This drainage ditch area will also be tested in the sampling and assessment to be undertaken.

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: <i>Mark B. Turri</i>	OIL CONSERVATION DIVISION	
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:	
Date: 8-4-2008	Phone: 505-722-3833	Attached <input type="checkbox"/>