

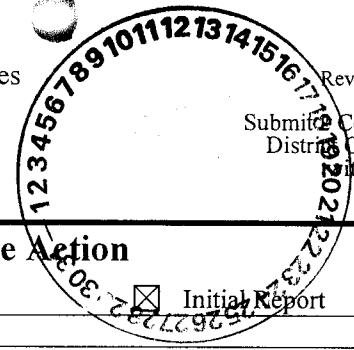
District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

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 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 Gasoline (Premium)	Volume of Release 200 barrels of gasoline (8400 gallons) estimate	Volume Recovered 2100 barrels of an oil and water mixture (with 190 barrels or 8000 gallons of oil in the mixture) estimate
Source of Release Overflow from Tank 116	Date and Hour of Occurrence 8/2/2008; before 6:45 am (approximately)	Date and Hour of Discovery 8/2/2008; 6:45 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	Date and Hour 8/2/2008 (approximately) 10:00 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 6:45 am on 8/2/2008, the Operations Supervisor discovered that Marketing Tank #2 was running over. This Marketing Tank #2 was running over at the roof vents and drains and spilling premium 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. The response team used earth moving equipment to build up the containment barrier at that end of the containment berm at which product was collecting. This was done as a precautionary measure as the volume of liquid present was increasing from the water and the foam being sprayed onto the tank and being used to cover the spilled product. Product from the bottom of the tank was also drained out on to the ground to prevent further outflow from the roof drains – this action was taken as the outflow from the roof had a greater possibility of creating an explosive situation and draining directly on to the ground was preferable from a safety perspective. Either from the roof or the ground drain, the product was reaching the ground. This drain was disconnected from the sewer system which prevented any possibility of explosion within the sewers. This disconnect was previously in place from ongoing maintenance work. Water used to spray the tank was also entering into the tank, so water was emerging from the bottom drain along with product. There is a detailed investigation underway – the tank was overfilled, and the primary cause is yet to be determined.

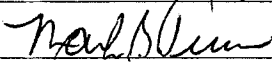
Describe Area Affected and Cleanup Action Taken.*

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. Two trucks with vacuum pumps were used on Saturday 8-2-2008 (21 loads) and Sunday 8-3-2008 (7 loads) to collect free liquids (product mixed with foam and water) from within the berm. Approximately 28 truck-loads of approximately 75 barrels per load were collected for a total of approximately 2100 barrels (88200 gallons). Visual observation of the area determined that there was 1 inch of gasoline floating on about a foot and greater of water – i.e. a 10:1 ratio of the water to oil mixture. This leads to an estimate of approximately 200 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 some limited spray of water 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: 		<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:	
Date: 8-4-2008 Phone: 505-722-3833			

- Attach Additional Sheets If Necessary

Monzeglio, Hope, NMENV

From: Rajen, Gaurav [Gaurav.Rajen@wnr.com]
Sent: Monday, August 11, 2008 10:22 AM
To: Chavez, Carl J, EMNRD; Monzeglio, Hope, NMENV
Cc: Riege, Ed; Turri, Mark
Subject: Typographical error on incident report of August 2, 2008

Dear Carl and Hope:

It is a pleasure to write to you.

My apologies for a typographical error in our initial incident report filed for a spill from Marketing Tank #2 that occurred on August 2, 2008 – the text in answer to the section on “source of release” says “overflow from Tank 116”, but should read “overflow from Tank# 2”.

We will make sure that in the future such errors are not carried over by virtue of having used a prior spill report as a template. Please note this correction for our report.

Many thanks and best regards,

Gaurav Rajen

This inbound email has been scanned by the MessageLabs Email Security System.
