

Gallup



GALLUP REFINERY



WNR  
LISTED  
NYSE

CERTIFIED MAIL: 7006 3450 0000 7452 3097

November 19, 2008

State of New Mexico  
Energy Minerals and Natural Resources  
Oil Conservation Division (OCD)  
1220 South St. Francis Dr.  
Santa Fe, NM 87505  
Attention: Mr. Carl Chavez

✓ State of New Mexico  
New Mexico Environmental Department-  
Hazardous Waste Bureau (HWB)  
2905 Radio Park East- Bldg #1  
Santa Fe, NM 87505  
Attention: Mr. Steve Conley

Reference: **SPILL INCIDENT (INITIAL REPORT)**-Light Cat Gasoline Spill (November 11, 2008)  
(NMAC 19:15.3.116; NMAC 20.6.1203)- IDEA#888 / GW-032

Dear Mr. Chavez and Mr. Conley;

In accordance with and prescribed in the above regulations, please accept the following submittal for a spill incident that occurred at approximately 0300 hours on November 11, 2008. Light Cat Gasoline was being slopped to Tank 107 at the time of the incident. Tank 107 was overfilled and ran down the sides of the tank due to poor communication and employees not following Company Tank Filling Procedures. The rundown valve was closed immediately and the Light Cat Gasoline was routed to Tank 235. The spill material was contained within an earthen dike that surrounds Tank 107/Tank 108. The onsite Fire Department was immediately dispatched in order to apply a foam blanket over the spill area.

The Environmental Engineer on call was notified at approximately 0315 hours. He arrived at the facility at approximately 0415 hours. After assessing the situation, he then notified both the NMED (Spill Response Hotline, at 0519 hours) and the Oil Conservation Division (OCD, at 0527 hours). Initial cleanup commenced by the removal of any free liquids including the slop product and the foam that was remained in the spill area. Soil samples were collected for analysis. The results are pending at this time. The spill material is to be collected in roll-off boxes pending the analytical results. Once analytical results have been received from the laboratory, a proper determination can be ascertained as to its disposition.

If you should have any questions or concerns in regards to this matter, please feel free to contact me at (505) 722-0258.

Sincerely,

Beck Larsen  
Environmental Engineer-CHMM/REM

✓Cc: NMED-HWB  
File

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	Contact: Beck Larsen
Address: I-40 / Exit 39	Telephone No.: (505) 722-0258
Facility Name: Western Refining (Gallup)	Facility Type: Petroleum Refinery

Surface Owner	Mineral Owner	Lease No.
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**LOCATION OF RELEASE**

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
T-107	28	15 N	15 W					McKinley

Latitude 108° 24' 040" Longitude 35° 29' 030"

**NATURE OF RELEASE**

Type of Release: Light Cat Gasoline	Volume of Release 22 bbls	Volume Recovered 0 bbls
Source of Release T-107	Date and Hour of Occurrence 11/11/2008 0300	Date and Hour of Discovery 11/11/2008 0300
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? Message left with NMED & OCD	
By Whom? Beck Larsen	Date and Hour 11/11/2008 (0519 & 0527 respectively)	
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.\*

The Company experienced a large quantity of Light Cat Gasoline to the slop system (Tank 107). Communication could have been better leading to this event. Employees did not follow designated Company tank filling procedures. Tank 107 overfilled and ran down the sides as a result of not following these Company filling procedures. The Rundown valve at T-107 was immediately closed and the Lt Cat Gasoline was routed to T-235. The spill was contained within an earthen dike area around Tk-107. The onsite Fire Department immediately applied a foam blanket on top of the spilled area.

Describe Area Affected and Cleanup Action Taken.\*

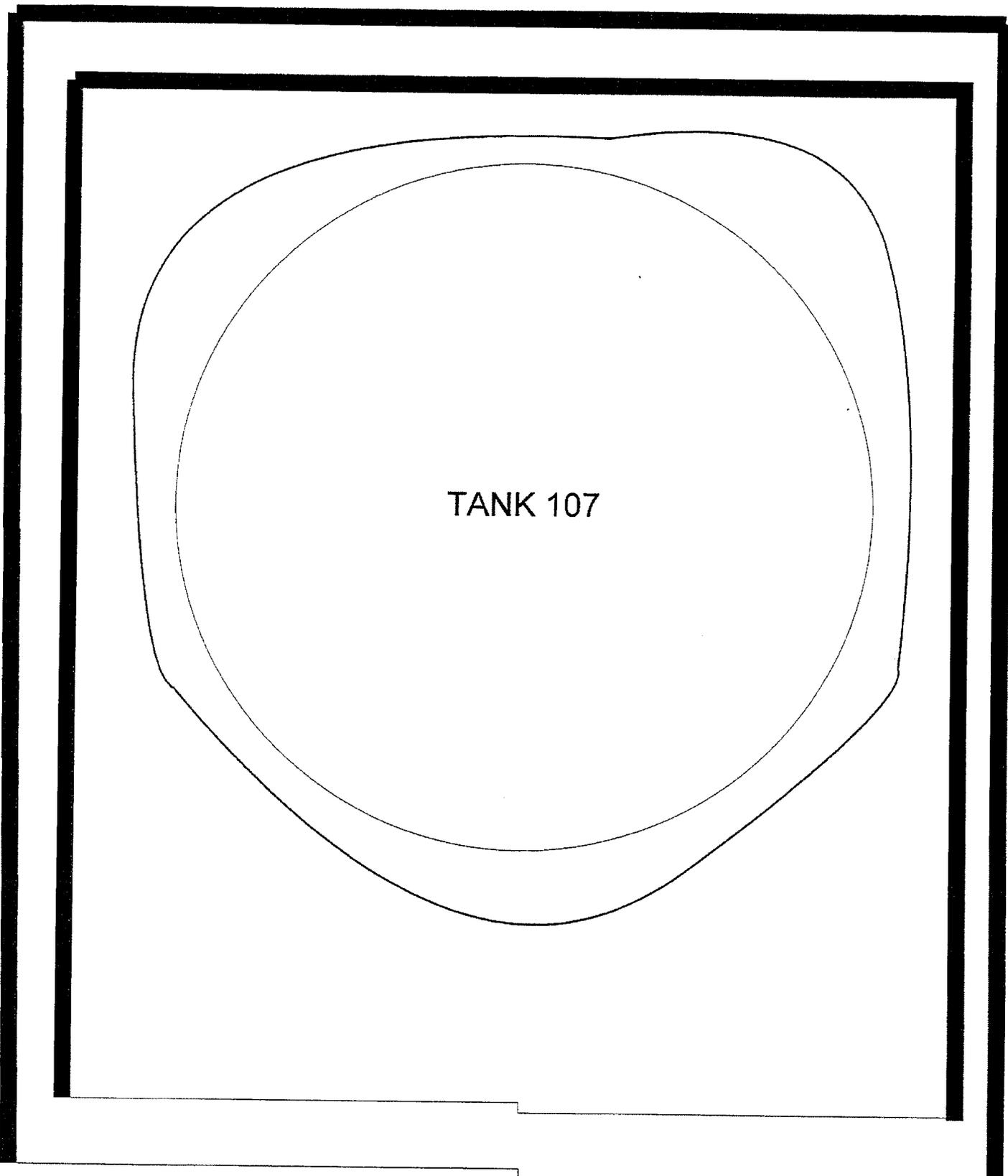
The spill was contained within an earthen dike berm area around Tk-107. The onsite Fire Department immediately applied a foam blanket on top of the spilled area until remediation of the effected area could be initiated. The foam and all liquids were cleaned up using vacuum trucks. Initial sampling and cleanup procedures are commencing requiring soil excavation of the affected area. The contaminated soil will then be shipped to an approved waste facility.

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.

**OIL CONSERVATION DIVISION**

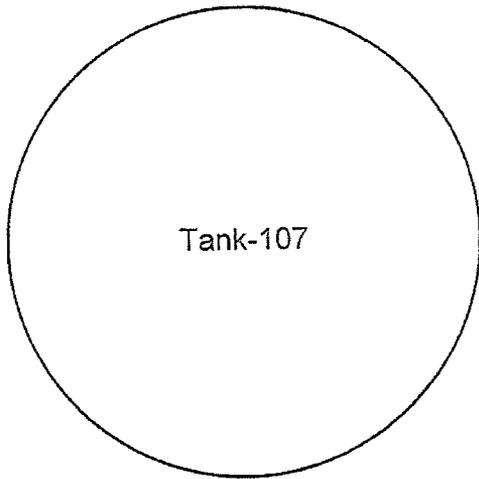
Signature: <i>Mark B. Turri</i> 11-11-08	Approved by District Supervisor:	
Printed Name: Mark B. Turri	Approval Date:	Expiration Date:
Title: Facility Manager	Conditions of Approval:	
E-mail Address: mark.turri@wnr.com	Attached <input type="checkbox"/>	
Date: 11/13/2008	Phone: (505) 949-0904	

\* Attach Additional Sheets If Necessary

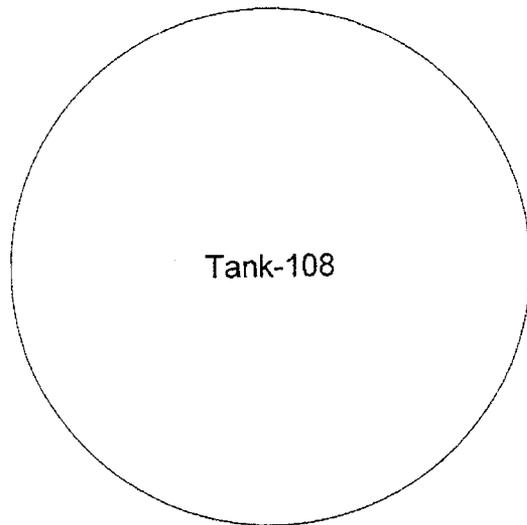


TANK 107

The diagram consists of a thick black square border. Inside this border is a thin black square border. Within the thin border is a large, irregularly shaped circle. The text 'TANK 107' is centered within this circle.



Tank-107



Tank-108