



NEW MEXICO
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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RON CURRY
Secretary

JON GOLDSTEIN
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 15, 2009

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

Mr. Beck Larsen
Environmental Engineer
Western Refining, Southwest Inc.,
Gallup Refinery
Route 3 Box 7
Gallup, New Mexico 87301

**SUBJECT: FORMAL REPORT SUBMITTAL TO THE
SEPTEMBER 5, 2009 API SEPARATOR OVERFLOW
WESTERN REFINING, SOUTHWEST INC., GALLUP REFINERY
EPA ID NO. NMD000333211
HWB-GRCC-MISC**

Dear Messrs Riege and Larsen:

The New Mexico Environment Department (NMED) requires Western Refining Southwest Inc., Gallup Refinery (the Permittee) to submit a formal report summarizing the events and actions taken to address the API separator overflow which occurred on September 5, 2009. This spill released K051, F038, and potentially D018 hazardous wastes into the environment. As a reminder, the Permittee must comply with Section II.F.2 (Twenty-four Hour Reporting) of the Post-Closure Care Permit which can be found using the following link:
<http://www.nmenv.state.nm.us/hwb/giant/GRC-C%20PCC%20PERMIT.pdf>.

The Permittee met the 24-hour oral reporting requirements by contacting Steve Connolly, the NMED Incident Response Coordinator. When reporting all future spills, the facility may continue to contact Steve Connolly; however, the Permittee must also contact the Project Leader for Gallup (Hope Monzeglio) of the Hazardous Waste Bureau.

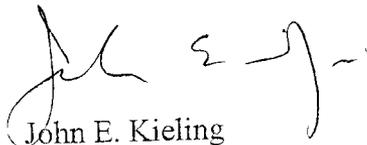
Mr. Ed Riege
Gallup Refinery
September 15, 2009
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The formal report addressing the September 5, 2009 API separator overflow must describe the following:

- a. The incident (how the overflow occurred).
- b. The volume of overflow and how this value was determined.
- c. All cleanup activities. Describe the methods and procedures of the cleanup, what activities were conducted (e.g., soil removal methods, waste management, sample collection), and include the volume of soil removed and any chemical analytical results from sampling.
- d. The hazardous wastes that were potentially released to the environment.
- e. The activities that were conducted to demonstrate the spill was cleaned up.
- f. Disposal activities.
- g. The steps Gallup will implement to ensure overflows to the API separator do not continue to occur.

The formal report must be submitted to NMED on or before October 21, 2009. If you have questions please contact 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
H. Monzeglio, NMED HWB
C. Chavez, NMEMNRD OCD
File: Reading GRCC 2009
GRCC-MISC