



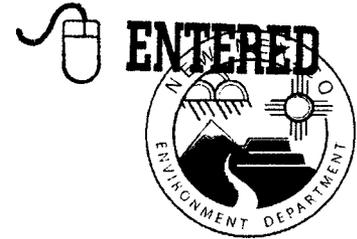
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NEW MEXICO
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

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RON CURRY
Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 10, 2010

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

**RE: NOTICE OF DISAPPROVAL
NEW MONITORING WELLS (OW-50 AND OW-52) INSTALLATION REPORT
AND INITIAL SAMPLING RESULTS: GALLUP REFINERY
WESTERN REFINING COMPANY, SOUTHWEST, INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-10-001**

Dear Mr. Riege:

The New Mexico Environment Department (NMED) received the *New Monitoring Wells (OW-50 and OW-52) Installation Report and Initial Sampling Results: Gallup Refinery* (Report), dated December 30, 2009, submitted on behalf of Western Refining Company, Southwest Inc., Gallup Refinery (the Permittee). NMED has reviewed the Report and hereby issues this Notice of Disapproval (NOD). The Permittee must revise the Report to address the following comments.

Comment 1

In the "Well Locations, Installation and Construction Details" section, page 8, paragraph 3, the Permittee states that "[d]uring drilling, cutting soils were tested with a photo-ionization detector (PID). There were non-detectable levels in all soils other than at the location of OW-50, at which location soils from 35-55 feet depth were found to give a vapor concentration of 1 ppm. As groundwater occurs at 53 feet it is possible that the PID was detecting methane from the decomposition of organic matter. The analytical results do not show any hydrocarbons, VOCs, or SVOCs in groundwater. Given the low levels of hydrocarbons detected by the PID, soils were

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disposed of on-site." This is not the proper procedure for the disposal of drill cuttings. Generally, soil samples (either from the soil cutting or soil samples) are collected for analytical analysis in order to determine the disposal pathway of the investigation derived waste. Field screening is not an acceptable method to determine the proper disposal pathway for drill cuttings. In the future, the Permittee must propose methods and procedures for the disposition of drill cuttings for NMED approval. In the revised Report, the Permittee must provide more details, such as the type (e.g., make, model, and amp voltage) of the PID used, and descriptions of where the soils were disposed of on-site (i.e., returned to borehole, land applied), and whether any drill cuttings samples were submitted for laboratory analyses.

Comment 2

In the "Well Locations, Installation and Construction Details" section, page 8, paragraph 4, the Permittee states "[f]or both the completed wells the casing is made of Schedule 40 PVC of 2 inches diameter. The backfill is expansive grout, the seal is bentonite, and the filter pack is 10/20 silica sand." The Permittee does not provide detail in the text to explain the methods and procedures used to drill the wells. The Permittee must revise the Report to include details, such as whether drilling fluids were used, the groundwater level encountered, the borehole diameter, the placement and thickness of the filter pack, and the surface completion of the well. The Permittees may reference the well diagrams located in Appendix 2 (Report from AMEC on drilling logs and well construction details) for this information.

Comment 3

The Permittee presents the surface elevation and coordinates of the wells, but does not describe how the elevations were surveyed. In the revised Report, the Permittee must describe how the monitoring wells were surveyed (e.g., methods and equipment used and benchmark reference point). Additionally, the Permittee provides the coordinates of the wells, but does not give the coordinate system that the coordinates are based on. The Permittee must provide this information in the revised Report.

Comment 4

In the "Sampling Activities and Results" section, page 11, paragraph 1, the Permittee states "[g]roundwater sample collection was conducted on November 17, 2009, by AMEC personnel. Table 1 describes the analytical tests specified by the NMED/HWB. The field notes and logs are provided in Appendix 3. Purged groundwater was assumed clean and disposed at the well site by AMEC personnel. In the future, Western Refining will ensure that purged groundwater is disposed in the refinery's wastewater treatment system if it is of unknown quality." In the future, the Permittee must adhere to the methods and procedures for the characterization and disposition of purge water. The Permittee may propose to dispose of purge water (or any investigation derived waste water) upstream of the API separator in the process wastewater sewer system or propose to sample for analytical analysis to determine the disposition of the water.

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Comment 5

The Permittee does not discuss the development of the monitoring wells. In the revised Report, the Permittee must discuss in detail the development of the wells (e.g., the wells were pumped, bailed, or surged and the type of instruments used to measure water quality; the procedures used to measure the pH, temperature, and specific conductivity). The Permittee may reference Appendix 3 (Field investigation notes) for this information.

The Permittee must address all comments contained in this letter and submit the revised Report to NMED and OCD on or before May 10, 2010. As part of the response letter that accompanies the revised Report, the Permittee must include a letter that details where all revisions have been made to the Report and that cross-references NMED's numbered comments. In addition, the Permittees must submit a redline-strikeout version that includes all changes and edits to the Report (electronic copy) with the response to this NOD.

If you have questions regarding this NOD please contact Kristen Van Horn of my staff at 505-476-6046.

Sincerely,



James P. Bearzi
Chief
Hazardous Waste Bureau

cc: J. Kieling, NMED HWB
D. Cobrain NMED HWB
H. Monzeglio NMED HWB
K. Van Horn NMED HWB
C. Chavez, OCD
R. Gaurav, Gallup
File: Reading File and WRG 2010 File
HWB-WRG-10-001