

April 30, 2010

Mr. James P. Bearzi
Chief, Hazardous Waste Bureau
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

**Subject: Response to Notice of Disapproval
Process Design Report for Wastewater Treatment Plant Work Plan
(Alternative Design)
Western Refining Company Southwest, Inc. (Gallup Refinery)
EPA ID# NMD000333211
HWB-GRCC-09-006**

Dear Mr. Bearzi:

This letter is in response to the Notice of Disapproval (NOD) for Western Refining's "Process Design Report for Wastewater Treatment Plant Work Plan (Alternate Design) dated September 2009 (Work Plan). The comments from the NOD and the responses addressing those comments are included below. In addition, the Work Plan (Alternative Design) has been revised and is being re-submitted with this response as a complete replacement for the Work Plan dated September 2009. In Western Refining's responses in this letter, references to the Work Plan now refer to the attached "Process Design Report for Wastewater Treatment Plant Work Plan (Alternative Design, Revision A)" dated April 2010.

Among the Work Plan revisions are two new sub-sections in Section 4. New Section 4.2.1 is entitled "Combined Process Sewer and Process Area Storm Sewer," and new Section 4.2.4 is entitled "API Separator Influent Pump Station." The original sub-sections of Section 4 are re-numbered accordingly in the Work Plan. When this letter refers to Section 4 sub-sections, brief acknowledgments are given of former and current numbering.

Comment 1

The "Response to Comment A" identified in the Cover Letter dated September 25, 2009 "Process Design for the Wastewater Treatment Plant Work Plan (Alternative Design)." The Permittee requests approval to continuously discharge flows of less than 30 gpm from the storm sewer to T27 and T28.

NMED Response

NMED approves the use of Tank T27 and T28 to receive storm water flow. See Comment 8 below for required revisions to the Work Plan.

Western Refining Response

Western Refining appreciates the approval of this request.

We want to advise NMED that the design approach for the process sewer and process area storm sewer has been changed. The design now incorporates the use of a single sewer to convey the process wastewaters and process area storm water to either the Equalization (EQ) tank or to T27/28. This change was motivated by the location of the existing tanks, and the ease of installing a new equalization tank at a low elevation close to the future process area. This in turn enabled the use of a single sewer that conveys both process wastewater and storm water to the three tanks, rather than a segregated sewer for the storm water all the way into the containment area and directly to T27/28. Normal flow from the combined sewer will be to the EQ Tank. Sewer flows will be directed to T-27/28 when the EQ Tank is out of service or nearing its capacity or to ensure that the contents of the tank(s) meet the <90-day storage requirements. Please see the Comment 2 response and Section 4.2.1 of the revised Work Plan for further discussion.

Comment 2

The Permittee states on the second page of the Cover Letter that “[Note: We believe it is prudent to have interconnectivity between the process sewer and the storm sewer in order to provide flexibility in management of our process wastewater and storm waters. This “normally closed” interconnection is reflected in Figure 1 of the PDR Work Plan.]”

NMED Response

NMED is assuming this is the line identified in Figure 1 with arrows on either end that states “(NORMALLY CLOSED)” upstream of Tanks T27 and T28 and the Equalization (EQ) Tank. The above statement does not explain the purpose of this connection between the Storm Water Tanks and the EQ Tank. The Permittee must explain the purpose for the proposed interconnectivity between the process sewer and the storm sewer and explain flexibility in management of the process wastewater and storm water and why it is desirable.

Western Refining Response

With a single sewer in the containment area conveying process wastewater and the small amount of dry weather storm sewer flow, the normal management of conveyed flow will be to direct it to the EQ Tank. High-flow wastewaters associated with significant storm events will be directed first to the EQ Tank and then to T27 or T28 if the EQ Tank approaches its capacity. However, it is reasonable to anticipate a situation in which an alternative wastewater management will be preferable – that is, flow conditions may occur or the tanks may be at such a capacity that, for a limited period, the EQ Tank or T27/28 will be in a better position than the others for receiving influent flow from the sewer. Thus, piping flexibility is valuable. Please see Section 4.2.1 of the revised Work Plan for further discussion.

Comment 3

In the “Response to comment D” identified in the Cover Letter dated September 25, 2009; “Process Design for the Wastewater Treatment Plant Work Plan (Alternative

Design),” the Permittee requests an extension from September 4, 2010 to March 31, 2011 to have the upgraded wastewater treatment system installed and operating. The Permittee also states that “[t]o date, we have researched an upgraded wastewater treatment system and completed its process design. However, we have not been able to complete the full design package required for construction due to the negotiation of the recently finalized Compliant and Consent Agreement and Final Order (CAFO). The CAFO now requires compliance with 40 CFR 62.34(a) [sic] which has a major impact on the design requirements for the alternative system.”

NMED Response

NMED does not approve of this extension request. An alternative deadline may be established upon approval of the revised Work Plan, if and when this Work Plan is approved; however, the Permittee already has an approved work plan and could have begun implementing the plan as of September 1, 2009. The Permittee has known since the first submittal of the February 26, 2009 *Process Design Report for Wastewater Plant Upgrade* that the system would likely have to comply with 40 CFR 262.34(a). In addition, a meeting was held on August 7, 2009 between NMED and Gallup explaining that these requirements would be required. No response is necessary.

Western Refining Response

Please refer to the revised Work Plan Section 5 for our proposed schedule.

Comment 4

In Section 1.2 (Project Scope), bullet one, page 2, the Permittee states “[t]wo existing tanks put in service for the storage of process area storm water and diversion of off-spec wastewater.”

NMED Response

It is not clear which two existing tanks are being references, nor is it clear what “off-spec wastewater” is. The Permittee must revise the Work Plan to identify the two existing tanks by name (e.g., Tanks 27 and 28). The Permittee must clearly define what “off-spec wastewater” is (identify all sources) since this term is used throughout the Work Plan. The Permittee must also discuss the capacity of these tanks and their ability to handle the additional flow volumes and the ability of the API separator to handle potential increased flow from these tanks.

Western Refining Response

Work Plan Section 1.2 was revised to clarify tank designation and the meaning of “off-spec wastewater.” Sections 4.2.2 and 4.2.3 (formerly 4.2.1 and 4.2.2) discuss the wastewater storage capacities of T27, T28 and the new EQ Tank. Section 4.2.4 describes how the flow to the API Separator will be controlled so the design capacity of 500 gpm will not be exceeded.

Comment 5

In Section 1.4 (Treatment Objectives), page 2, the Permittee states “[t]he treatment objectives for the WWTP upgrade are to provide water quality that is suitable for discharge to the unlined EP-1. Specifically, the objectives are for there to be no visible

free oil \leq 0.5 mg/L benzene. This project design was developed based on these objectives.”

NMED Response

The effluent entering into the unlined Evaporation Pond 1 (EP-1) must have benzene concentrations less than 0.5 mg/L. In addition, the treatment objective of the upgraded wastewater treatment system (WWTS) is for all effluent entering into EP-1 to comply with all applicable regulations. Discharges to the unlined Evaporation Ponds must not create the potential for impacts to groundwater. The Permittee must revise the Work Plan to state that benzene concentrations will be below 0.5 mg/L for benzene.

Western Refining Response

Work Plan Section 1.4 was revised to state that the effluent entering EP-1 must be $<$ 0.5 mg/L benzene, rather than \leq 0.5 mg/L benzene. Also, the revised Section 1.4 states that the effluent entering EP-1 shall meet the definition of EPA RCRA non-hazardous as required by Condition 23 of our OCD Discharge Permit GW-032.

Comment 6

In Section 2.3 (Pilot Travel Center Wastewaters), page 4, the Permittee states “[t]he lift station’s submersible pumps then transfer the wastewater through a pipeline to the refinery for further pumping and treatment.” In Section 4.2.5 (Travel Center Pretreatment), page 9, the Permittee states “The sanitary wastewater from the Pilot Travel Center and refinery will be pretreated prior to discharge to EP-1”... “[t]he new pretreatment system will provide removal of soluble organics. The technology selection for the system has not been finalized, but candidate technologies include: A new lined aeration lagoon (treating only Pilot Travel Center and refinery sanitary wastewaters), vertical flow wetlands, a recirculation media filter.”

NMED Response

The Permittee does not appear to have a finalized pretreatment system design to treat the sanitary wastewater generated at the Pilot Station and at the refinery. NMED cannot evaluate the design of a system without knowing the system being proposed. The revised Work Plan must include the selected proposed pretreatment technology and design, process flow diagram(s), required maintenance, and contingencies that will be put in place if the system fails, etc. A list of candidate technologies is not acceptable.

Western Refining Response

Work Plan Section 4.2.7 (formerly 4.2.5) was enhanced to provide design information about the aerated lagoon technology selected to treat Travel Center sanitary wastewaters.

Comment 7

In Section 3.3 (Macro Porous Polymer Extraction Technology), page 6, the Permittee states “[a] schematic of MPPE process is provided in Figure 2.”

NMED Response

The schematic diagram shown in Figure 2 is a generic schematic diagram from the

manufacturer, which was also shown in Attachment B. The Permittee must revise Figure 2 of the Work Plan to include the design drawing of Macro Porous Polymer Extraction (MPPE) Technology that will actually be installed at the facility, in addition to all design details.

Western Refining Response

Western Refining would ask that NMED forgoes review of the design detail prior to approval, based on the results provided by the pilot demonstration. The pilot demonstration results summary is attached in the revised Work Plan: Attachment D. The pilot test was able to demonstrate that this technology will produce the required results of the treated waste water. The pilot demonstration is more prudent to the applicability than the process and instrumentation diagrams. We agree to provide NMED with the detailed plans and specification that will be used for construction, at the time they are released for contractor bidding. This sequence will allow NMED to review and comment on system details prior to construction.

Comment 8

In Section 4.2.1 (Stormwater/Diversion Tanks), page 8, paragraph 2, the Permittee states “Oil that may accumulate on the liquid surfaces of T27 and T28 will be captured from a skimmer device contained within each tank’s floating roof. The skimmed oil will be collected by a vacuum truck and transferred to the refinery’s rerun oil system for recycling back to the refining process. Prior to pumping the T27/T28 contents to the API Separator, solid material that may have settled on the tank bottom will be re-suspended through mixing.”

NMED Response

The Permittee provided insufficient detail concerning the removal of skimmed oil and the mixing process described above. The Permittee must revise the Work Plan to address the following. (see also Comment 1)

- a. Indicate how often oil will be skimmed from Tank T27 and T28.
- b. Explain how the solid material will be re-suspended through mixing (e.g., how will the mixing occur, what equipment will be used). The Permittee must also discuss what measures will be implemented to demonstrate that mixing was successful.
- c. Explain how the refinery will demonstrate that the liquids and solids in Tanks T27 and T28 meet the 90-day storage requirements, by clearly explaining the type of measurements and record keeping to be implemented to assure that the 90-day accumulation period is not exceeded.
- d. Tanks T27 and T28 shall not accumulate more than two feet of sludge during any 90-day accumulation period. The Permittee must demonstrate how the sludge level will be measured.

Western Refining Response

Refer to revised Work Plan Section 4.2.2 (formerly 4.2.1).

Item a: Oil level will be checked before a wastewater pumping event (or approximately every two weeks), with skimming conducted as needed. The minimum frequency for checking/skimming the oil will be every 75 days, because the wastewater pumping will be at least that often.

Item b: Solids re-suspension will be done by pump recirculation, a commonly used method for mixing tank contents. Revised Section 4.2.2 explains the approach for re-suspension and demonstrating successful mixing.

Item c: The tank (T27/28) pumped effluent flow rate and liquid level will be tracked, both electronically logged, thus acquiring the data needed to follow the guidelines of the USEPA February 16, 2007 interpretation letter (included as Attachment C of the revised Work Plan) regarding the turnover of hazardous waste stored in tanks.

Item d: We do not understand NMED's basis for limiting the accumulation of solids in the bottom of T27/28 to less than 2 feet. The re-suspension mixing described under Item b and in the revised Work Plan will ensure that the 90-day accumulation period is not exceeded. Therefore, the amount of sludge that accumulates in the interim is not relevant to complying with this requirement. We request relief from the requirement that solids accumulation be limited to less than 2 feet.

Comment 9

In Section 4.2.1 (Stormwater/Diversion Tanks), page 8, paragraph 3, the Permittee states "Cleanouts will be installed on the conveyance pipelines to and from the Stormwater/Diversion Tanks...[u]nderground piping will be buried below the frost line to prevent freezing. Above ground piping will be electric heat traced to prevent freezing."

NMED Response

The Permittee must revise the Work Plan to provide a figure of the WWTS that identifies where all cleanout and above and below ground piping will be placed and describe how pipelines will be tested for mechanical integrity or leakage.

Western Refining Response

Please also see the response to Comment 10, which relates to secondary containment and leak detection for piping, and to the response to Comment 16, which references a new table in the revised Work Plan Section 4.5 that itemizes, among other things, the locations of above ground and below grade piping.

Revised Section 4.2.2 (formerly 4.2.1) states that cleanouts will be placed in gravity piping (not force mains) approximately every 300 feet (four are anticipated on the 1,200 linear feet of new buried gravity sewer pipe). Cleanouts on force mains will be minimal, if any, due to continuous flows, acceptable scour velocities, and the desire for all-welded

connections. The exact placement of cleanouts will shown on the detailed design plans and specifications for construction, which will be shared with NMED (see Comment 6).

The revised flow diagram (Figure 1) provided with the Work Plan indicates which piping is buried and which piping is above ground. The new buried and above ground piping installed for the project will be hydrostatically tested with clean water prior to being placed into service. This will be the initial test of mechanical integrity and leak detection. Once in service, we will comply with the requirements of 40 CFR 265.193(f) for the piping covered under paragraph 100 E and F of the CAFO since the piping is ancillary equipment (“CAFO piping”). We will meet the requirements of 40 CFR 265.193(f) by a combination of providing full secondary containment (per 40 CFR 265.193(b); using welded flanges, welded joints, and welded connections for above ground piping; and inspecting the above ground piping daily. The intention is for all CAFO piping to be above ground to allow for visual inspection. Where CAFO piping is within a tank secondary containment area, then that containment area will be used to provide containment for that piping. Where CAFO piping is outside of a tank containment area, then the approach of welded piping with daily visual inspection will be used. Revised Section 4.5 of the Work Plan provides a listing of which piping runs are covered by the CAFO and what method will be used to comply with 40 CFR 265.193(f) for that piping.

Comment 10

In Section 4.2.1 (Stormwater/Diversion Tanks), page 8, paragraph 3, the Permittee states “[u]nderground piping will be buried below the frost line to prevent freezing. Above ground piping will be electric heat traced to prevent freezing. The piping design is referenced in section 4.5.”

NMED Response

Section 4.5 does not include many details relating to the piping design as stated above. Section 4.5 states “[t]he secondary containment and leak detection requirements for piping systems covered by the CAFO will also be implemented where required.” The Permittee must revise the Work Plan to describe what type of secondary containment and leak detection will be used for the piping systems. All design details proposed to comply with the CAFO must be included in the Work Plan.

Western Refining Response

Section 4.5 has been revised to provide additional details regarding which piping segments are deemed to be covered by the CAFO and the proposed secondary containment and leak detection measures (if any) for each piping segment. The detailed drawings of the piping design will be included in the construction documents to be provided to NMED (see Comment 6).

Comment 11

The Permittee addresses the Equalization Tank (EQ) in Section 4.2.2.

NMED Response

The Permittee provided insufficient detail concerning the EQ Tank and must address

the items below in the revised Work Plan.

- a. Discuss the operation of this tank in detail (e.g., flow controls, residence time, capacity).
- b. Explain the oil recovery process including the destination of the skimmed oil.
- c. Discuss sludge accumulation and address how the sludge be managed. Describe tank maintenance procedures (e.g., how will the tank be cleaned, frequency of cleaning, will cleaning require the tank to be removed from service, if so, how long will it be removed from service, effects on the operation of the wastewater treatment system, contingencies to be put in place to accommodate cleaning).

Western Refining Response

Item a: Refer to the revised Section 4.2.3 (formerly Section 4.2.2).

Item b: Refer to the revised Section 4.2.3 (formerly Section 4.2.2).

Item c: Sludge that accumulates in the EQ Tank will be managed like tank sludge elsewhere in the refinery, with standard cleanout and removal procedures implemented as needed, expected to be every three to five years. The flexibility of wastewater management discussed under Comments 1 and 2 will enable either T27 or T28 to function in the place of the EQ Tank during sludge removal periods (normally about two to four weeks).

Comment 12

The Permittee address the Dissolved Gas Flotation System in Section 4.2.3.

NMED Response

This Section did not discuss the maintenance of the Dissolved Gas Flotation (DGF) system. The Permittee must revise this section to address maintenance required for this system, the frequency of maintenance, and all other operation and maintenance details.

Western Refining Response

Work Plan Section 4.2.5 (formerly Section 4.2.3) has been revised to discuss float management further. Attachment A provides maintenance information from the DGF vendor. Mechanical dewatering, if needed, will be conducted by a contract service, who will manage their equipment maintenance.

Comment 13

In Section 3.3 (Macro Porous Polymer Extraction Technology), page 6, the Permittee states “[t]he design of the MPPE system employs two extraction columns allowing continuous operation in one column with simultaneous extraction and regeneration in the other column. A cycle time of one-hour extraction and one hour regeneration is typical.” The Permittee states in Section 4.2.4 (MPPE System), page 9, that “[t]he MPPE system will consist of two columns operating in parallel. One column will be in

service while the other is being regenerated. The columns will switch their mode of operation on a routine schedule (e.g., hourly).”

NMED Response

The Permittee must revise the Work Plan to address the maintenance of the MPPE system to include the frequency of maintenance and the effects of such maintenance on the operation of the WWTS.

Western Refining Response

Attachment B in the revised Work Plan provides maintenance guidance from the MPPE vendor. (The previous Attachment B information has not been re-submitted.) Section 4.2.6 (formerly 4.2.4) of the Work Plan has been updated to discuss the MPPE maintenance impacts on WWTP operations. Section 4.2.3 (formerly 4.2.2) describes the storage capacity of tankage upstream of the MPPE system, presenting calculations demonstrating that the combination of EQ Tank and T27/28 will be able to retain 2.5 to 3 days of wastewater flow without discharge to the API Separator, DGF unit, or MPPE system. This wastewater storage and discharge retention will enable MPPE system maintenance (as well as maintenance of other downstream WWTP components), given the vendor-supplied descriptions of recommended maintenance and expected maintenance durations.

Comment 14

In Section 4.2.3 (DGF System), page 9, paragraph 3, the Permittee states “The DGF float material will be skimmed from the top of the DGF using a variable speed scraping mechanism. The skimmed float will be sent to the DGF float storage and dewatering system. The float system will consist of retention tanks with gravity dewatering. This material will normally be recycled to a refining process (on-site or off-site). If recycling is not available, the float material will be managed as a hazardous waste.”

NMED Response

The Permittee must provide more details about the DGF unit and DGF float storage and dewatering system and revise the Work Plan to identify how many retention tanks will be utilized and discuss all maintenance requirements and frequency of maintenance of the DGF unit and the DGF float storage and dewatering system.

Western Refining Response

See response to Comment 12.

Comment 15

In Section 4.4 (Management of Off-Spec Wastewater), page 10, the Permittee states “[p]rocess monitoring will be used to identify when this diversion is needed.”

NMED Response

The Permittee did not describe or define the process monitoring, does not address how the upgraded WWTS will be monitored to ensure system is operating correctly, or discuss how the Permittee will demonstrate that the effluent entering into EP-1 is not a hazardous waste. The Permittee must revise the Work Plan to include sampling

activities that will be conducted to monitor the upgraded wastewater treatment system and describe “process monitoring.” In addition, the Permittee must discuss in detail in the text of the Work Plan where sample ports will be located within the wastewater treatment system (influent and effluent sampling ports in the EQ Tank, new API separator, DGF, MPPE, T27/T28). The sampling ports must be constructed in a manner that allows for reduced flow rate (low flow) to minimize the loss of volatile organic compounds (VOCs) when samples are collected (Figure 1 depicts sample points but these are not described within the text).

Western Refining Response

Work Plan Section 4.4 is revised to describe the process monitoring approach.

Comment 16

In Section 4.5 (Tank Design, Secondary Containment, and Leak Detection), page 11, the Permittee states “Under the terms of the CAFO, the tanks and ancillary equipment downstream of the API Separator, including diversion tank systems, are subject to 40 CFR §262.34(a). By reference, these systems are therefore subject to 40 CFR 265 Subpart J for tank systems. Accordingly, the systems downstream of the new API separator will comply with the tank design requirements of 40 CFR 265 Subpart J, including secondary containment and leak detection. Since the CAFO was signed just recently, Western Refining is still determining how the specific design requirements of the CAFO will be implemented.”

NMED Response

NMED cannot evaluate a Work Plan that does not include complete design specifications. The Permittee must revise the Work Plan to include all the design details that comply with 40 CFR 262.34(a) and 40 CFR 265 Subpart J Tank Systems. The Permittee must identify all units by name that are subject to the requirements and how they will comply with 40 CFR 34(a) and 40 CFR 265 Subpart J (this must include the EQ Tank, Tanks T27 and T28, the DGF, the DGF Float Storage and Dewatering tank(s), and the MPPE unit).

Western Refining Response

A new Table 4-2 is inserted into revised Section 4.5 (Tank Design, Secondary Containment, and Leak Detection), which presents a component-by-component description of what is required by paragraphs 100 E and F of the CAFO, as well as methods to be used for secondary containment and leak detection.

Comment 17

In Section 4.5 (Tank Design, Secondary Containment, and Leak Detection), page 11, the Permittee states “[i]n general, secondary containment requirements for tanks will be met through concrete or impermeable liner containment areas. Containment volumes will be 1.3 times the volume of the largest tank within that area to include an allowance of precipitation. Leak detection for tanks with bottoms that cannot be visually inspected will be provided by installing double bottoms with leak detection on those tanks. The secondary containment and leak detection requirements for piping systems covered by the CAFO will also be implemented where required.”

NMED Response

The Permittee indicates that the upgraded system, where applicable, will comply with secondary containment and leak detection requirements. The Permittee must revise Work Plan to provide the specific design details where secondary containment and leak detection will be constructed, including the specific units and individual type of secondary containment to be constructed, including piping and leak detection devices. The upgraded WWTS must comply with the applicable requirements of the OCD Discharge Permit (GW-032) as well.

Western Refining Response

Please see response to Comment 16.

Comment 18

In Section 4.5 (Tank Design, Secondary Containment, and Leak Detection), page 11, the Permittee states “In the event that there are new tank(s) or ancillary equipment not covered by the CAFO, such as those upstream of the API separator, those systems will be designed to standards in accordance with GW-032 and related OCD requirements.

NMED Response

The WWTS must be designed to meet all applicable regulations upstream and downstream of the API separator.

Western Refining Response

Please see response to Comment 16.

Comment 19

In Section 4.6 (Air Emissions Control), page 11, the Permittee states that some units generate “Negligible air emissions.”

NMED Response

The Permittee must revise the Work Plan to define the methods used to determine air emission levels and, based on those methods what would be considered negligible. The Permittee must identify and describe air sampling ports and their locations within the WWTS.

Western Refining Response

There will be two new emission points associated with the upgraded WWTP: the DGF and the MPPE condensate drum. A common vapor-phase granular activated carbon (GAC) will be used for emission control of these points. The air sampling ports will be at the DGF emission point, MPPE emission point, GAC inlet, and GAC canister outlet, as shown on Figure 1. Revised Work Plan Section 4.6 addresses this comment.

Comment 20

The Permittee provided supplemental information for the DGF and MPPE in Attachments A and B, respectively. The attachments provide the general manufacturers information about the DGF and MPPE units, which also include system diagrams. The

diagrams are not necessarily specific to the WWTS. The Permittee must revise the Work Plan to include the design and process flow diagrams for the actual DGF and MPPE units that will be installed at the refinery. See Comment 21 Below.

Comment 21

The Permittee included a flow diagram of the alternative design to the WWTS in Figure 1 Flow Diagram Alternative WWTP UPGRADE (attached). The Permittee must revise the figure and add additional figures as necessary to address the following in the revised Work Plan.

- a. The Legend found in Figure 1 defines dashed lines as existing; the figure has the API separator surrounded by dashed lines because it is an existing structure. In the response letter, the Permittee must explain why the Storm Water Tanks T27 and T28 were not surrounded by dashed lines since these also are existing structures. The Permittee must revise the figure accordingly.
- b. The figure(s) must be design drawings of the actual WWTS that will be installed. The drawings must include the exact number of tanks that make up each component of the WWTS, piping, secondary containment, and leak detection. The drawing must also depict exactly where the flows will be entering and exiting through the various WWTS units (e.g., will influent enter at the top of tanks, sides).
- c. The flow diagram must present all above and underground piping associated with the WWTS.
- d. NMED requires additional flow meters. The locations of the flow meters are shown on the Attached Figure 1.

Western Refining Response

Item a: T27 and T28 physically exist, but they have never been in service for the purpose intended in the September 2009 Work Plan or the revised Work Plan. Therefore, we considered it misleading to depict them with the dashed line indicative of existing equipment, and the Figure has not been changed.

Item b: The Figure 1 flow diagram has been updated to provide more information. Figure 2 has been added to provide a site layout drawing. The detailed plans and specifications to be used for construction will be provided to NMED for review and comment when available.

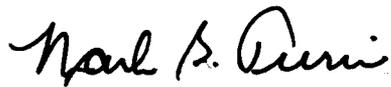
Item c: Figure 1 has been updated to distinguish between below ground and above ground piping.

Item d: Figure 1 has been updated to reflect the location of flow meters to be installed in the new system. We have included a flow meter on the diversion line to T27/28 as requested by NMED. We have included a flow meter on the discharge to the API Separator (from the EQ Tank, T27, or T28). This latter flow meter will serve the intent of the flow monitoring the EQ Tank influent, T27/T28 influent, and T27/T28 effluent proposed by NMED.

Mr. James Bearzi
April 30, 2010
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Please contact me at (505) 722-0202 if you have any comments or questions regarding the contents of this letter or the enclosed report.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark B. Turri". The signature is fluid and cursive, with a large initial "M" and a stylized "B".

Mark Turri
General Manager

cc: Ed Riege
Ann Allen
Don Riley
Shane White
OCD
EPA Region 6