

August 9, 2010

Kristen Van Horn  
New Mexico Environment Department  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505-6303



RE: NMED's "Direction for Additional Soil Confirmation Sample Collection and Approval of Extension Request, Railroad Rack Lagoon Overflow Ditch and Fan-Out Area SWMU No. 8 Subsurface Investigation Final Report Western Refining Company Southwest, Inc., Gallup Refinery EPA Id # NMD000333211 HWB-WRG-10-002"

Dear Ms. Van Horn:

The purpose of this letter is to respond to the New Mexico Environment Department's (NMED) *Direction for Additional Soil Confirmation Sample Collection and Approval of Extension Request, Railroad Rack Lagoon Overflow Ditch and Fan-Out Area, SWMU No. 8 Subsurface Investigation Final Report, Western Refining Company Southwest, Inc., Gallup Refinery EPA ID # NMD000333211 HWB-WRG-10-002* (Direction for Additional Sampling), dated July 28, 2010. The *Railroad Rack Lagoon Overflow Ditch and Fan-Out Area, SWMU No. 8, Subsurface Investigation Final Report* (Report) was submitted on behalf of Western Refining Company Southwest Inc., Gallup Refinery (Western) on January 6, 2010. NMED issued comments to the Report in a *Notice of Disapproval* (NOD), dated May 12, 2010. Western responded to NMED's NOD comments in a correspondence dated June 22, 2010. NMED's July 28 Direction for Additional Sampling was issued in response to Western's June 22 correspondence.

In the Direction for Additional Sampling, NMED requested that Western collect 11 additional confirmation samples to confirm that soil exceeding NMED's Diesel Range Organic (DRO) clean up standard of 890 mg/kg has been removed from the Fan-Out Area. Western agrees to collect the additional confirmation samples at the NMED-proposed locations. Western assumes that NMED's other NOD comments have been adequately addressed in Western's June 22 correspondence. Previously approved sample collection techniques (i.e. collecting samples using a hand auger, spade, or back hoe bucket) will be utilized.

NMED requested that additional sampling be conducted and the revised Report be submitted on or before September 30, 2010. If the results of the additional confirmation sampling are below the clean up standard, Western should be able to meet this deadline. However, if confirmation sampling suggests that additional excavation is required, an additional extension may be needed. Should this situation arise,

Mr. James P. Bearzi  
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Western will contact NMED to discuss the volume of soil requiring excavation and the time needed to perform this work.

Western has begun making preparations for the additional confirmation sampling. The Report will be revised to include the results of the additional confirmation sampling. Other Report revisions described in Western's June 22 correspondence will also be made. The revised Report will be accompanied by a response letter detailing where revisions have been made, cross-referencing NMED's numbered comments. A redline-strikeout version that includes changes and edits to the report (electronic copy) will also be submitted.

If you have any questions, or if we can be of further service to you, please do not hesitate to call me at (505) 722-0217.

Sincerely,  
Western Refining Company



Ed Riege  
Environmental Superintendent

Attachments

c: H. Monzeglio NMED HWB  
C. Chavez, OCD