



Gallop file Aug 2010

Ultra - Low Diesel Spill

Tanks 116 + 115
OCD "corrective Action"

VanHorn, Kristen, NMENV

From: Chavez, Carl J, EMNRD
Sent: Tuesday, August 17, 2010 2:57 PM
To: Riege, Ed
Cc: Coleman.Simth@state.nm.us; Van Horn, Kristen, NMENV; VonGonten, Glenn, EMNRD
Subject: Initial C-141 T-116 Release Ultra-Low Sulfur Diesel Signed 8/20/2009 & Corrective Action (CA) Update (GW-032)

Ed:

Re: C-141 Tk-116 Ultra-Low Sulfur Diesel Release Follow-Up

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The OCD requests confirmation of whether T-116 is located within a RCRA SWMU or AOC? If not, NMED- Haz. Waste Bureau needs to also know more about this release.

The information is available on OCD Online at http://ocdimage.emnrd.state.nm.us/Imaging/FileStore/SantaFeAdmin/AO/63592/pENV000GW00033_115_AO.tif (see pages 265-299 and 309 – 362).

Do you have an update or perhaps there is a final report that was submitted to OCD that should be in our file?

A preliminary response is requested by next Friday COB 8/27/2010 and/or a proposed schedule for receipt of report on CA Project may be approved by the OCD. Please contact Cole Smith at (505) 476-5550 and me to discuss. Thank you.

Carl J. Chavez, CHMM
New Mexico Energy, Minerals & Natural Resources Dept.
Oil Conservation Division, Environmental Bureau
1220 South St. Francis Dr., Santa Fe, New Mexico 87505
Office: (505) 476-3490
Fax: (505) 476-3462
E-mail: CarlJ.Chavez@state.nm.us
Website: <http://www.emnrd.state.nm.us/ocd/index.htm>
(Pollution Prevention Guidance is under "Publications")

VanHorn, Kristen, NMENV

From: Chavez, Carl J, EMNRD
Sent: Wednesday, August 18, 2010 8:28 AM
To: Smith, Coleman, NMENV
Cc: Van Horn, Kristen, NMENV; VonGonten, Glenn, EMNRD
Subject: RE: Initial C-141 T-116 Release Ultra-Low Sulfur Diesel Signed 8/20/2009 & Corrective Action (CA) Update (GW-032)

Coleman:

Thanks for the clarification and bringing this to my attention for follow-up. OCD is seeking an update on Western's approved CA. Let me know if I may be of further assistance.

Carl J. Chavez, CHMM
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From: Smith, Coleman, NMENV
Sent: Wednesday, August 18, 2010 8:12 AM
To: Chavez, Carl J, EMNRD
Cc: Van Horn, Kristen, NMENV
Subject: RE: Initial C-141 T-116 Release Ultra-Low Sulfur Diesel Signed 8/20/2009 & Corrective Action (CA) Update (GW-032)

Carl,

I should correct my earlier statement. The T-116 spill should not be considered "cleaned up" – passive bioremediation could take years, and even then, probably would only remediate a small fraction of the total diesel fuel that is in the ground. What I should have said is that after one year, the passive system has probably done about all it's going to do. I understand that OCD (or Haz Waste) will require a true remediation (removal of the soil) if the tank is ever decommissioned and removed.

Gallup has an ongoing Compliance Order with the Air Quality Bureau that requires a quarterly accounting of all benzene waste activities, and a projection for the next quarter. If they exceed 2.5 metric tons in any quarter (a projected rate of 10 metric tons per year), they will become subject to 40 CFR 61, Subpart FF – which contains very strict requirements for benzene disposal. This quarterly accounting applies to all waste streams, including all spills. That is why we are very interested in spills, and analysis of the petroleum liquid benzene content. In the case of the T-116 spill, the diesel analysis showed "non-detect" for benzene. But this cannot be assumed, and Gallup should be giving us the liquid analysis for each spill that happens.

Thanks again,

Cole

Coleman A. Smith, Ph.D.
Permit Specialist, Major Source Unit
Air Quality Bureau
New Mexico Environment Department
1301 Siler Road, Bldg. B
Santa Fe, NM 87507
voice: (505) 476-5550
fax: (505) 476-4375
AQB main: (505) 476-4300



Please consider the environment before printing this e-mail.

From: Chavez, Carl J, EMNRD
Sent: Tuesday, August 17, 2010 4:58 PM
To: Smith, Coleman, NMENV
Cc: Van Horn, Kristen, NMENV
Subject: RE: Initial C-141 T-116 Release Ultra-Low Sulfur Diesel Signed 8/20/2009 & Corrective Action (CA) Update (GW-032)

Thanks Coleman. I will be following up to make sure we have the final closure report with appropriate data to confirm closure of the release.

Carl J. Chavez, CHMM
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1220 South St. Francis Dr., Santa Fe, New Mexico 87505
Office: (505) 476-3490
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E-mail: CarlJ.Chavez@state.nm.us
Website: <http://www.emnrd.state.nm.us/ocd/index.htm>
(Pollution Prevention Guidance is under "Publications")

From: Smith, Coleman, NMENV
Sent: Tuesday, August 17, 2010 4:55 PM
To: Chavez, Carl J, EMNRD
Subject: RE: Initial C-141 T-116 Release Ultra-Low Sulfur Diesel Signed 8/20/2009 & Corrective Action (CA) Update (GW-032)

Carl,
I received the .tif file and was able to save it to .pdf, then print out the part about the diesel spill and corrective action. Thank you so much – this is just the information I was looking for. It appears that Gallup already cleaned up the Tank 116 spill, and is now asking for a “blanket” air quality exemption to install similar perforated pipes at any future spill site. So the exemption application isn’t specific to the Tank 116 spill.

I don't know why they waited until now to contact us. That is one of the questions I will ask Ed tomorrow.

Thanks again,

Cole

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From: Chavez, Carl J, EMNRD
Sent: Tuesday, August 17, 2010 3:26 PM

To: Smith, Coleman, NMENV

Subject: FW: Initial C-141 T-116 Release Ultra-Low Sulfur Diesel Signed 8/20/2009 & Corrective Action (CA) Update (GW-032)

Carl J. Chavez, CHMM
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Website: <http://www.emnrd.state.nm.us/ocd/index.htm>
(Pollution Prevention Guidance is under "Publications")

From: Chavez, Carl J, EMNRD

Sent: Tuesday, August 17, 2010 2:57 PM

To: 'Riege, Ed'

Cc: 'Coleman.Simth@state.nm.us'; Van Horn, Kristen, NMENV; VonGonten, Glenn, EMNRD

Subject: Initial C-141 T-116 Release Ultra-Low Sulfur Diesel Signed 8/20/2009 & Corrective Action (CA) Update (GW-032)

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Re: C-141 Tk-116 Ultra-Low Sulfur Diesel Release Follow-Up

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Based on an excavation and proposed passive soil vent remediation, chem.-flow model with soil monitoring, the OCD approved the CA on September 21, 2009 with the requirement that a schedule for installation of the perforated pipes with notification that pipes were installed, etc. The OCD is also seeking to determine the status of the passive remediation proposed by Western to determine whether remediation was achieved and the basis? The disposition of excavated contaminated soils?

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A preliminary response is requested by next Friday COB 8/27/2010 and/or a proposed schedule for receipt of report on CA Project may be approved by the OCD. Please contact Cole Smith at (505) 476-5550 and me to discuss. Thank you.

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VanHorn, Kristen, NMENV

From: Chavez, Carl J, EMNRD
Sent: Thursday, August 26, 2010 3:56 PM
To: Smith, Coleman, NMENV
Cc: Van Horn, Kristen, NMENV; Larsen, Thurman; Riege, Ed; VonGonten, Glenn, EMNRD; Cobrain, Dave, NMENV
Subject: FW: T-116 Passive Bio-venting Project Status- OCD RESP 082710
Attachments: OCD RESP 082710.pdf

Coleman:

I think NMED- Hazardous Waste Bureau (HWB) and OCD are awaiting NMED- AQB's approval of the corrective action.....

The OCD is concerned about migration of contamination to the water table near this location. Western will need to comply with the OCD's approval with conditions on the corrective actions.

OCD and NMED should be sharing information on this OCD corrective action/ RCRA- Area of Concern (AOC). It appears the contamination lies within a HWB AOC.

Please contact me if you have questions.

Thank you.

Carl J. Chavez, CHMM
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E-mail: CarlJ.Chavez@state.nm.us
Website: <http://www.emnrd.state.nm.us/oed/index.htm>
(Pollution Prevention Guidance is under "Publications")

-----Original Message-----

From: Larsen, Thurman [<mailto:Thurman.Larsen@wnr.com>]
Sent: Thursday, August 26, 2010 2:34 PM
To: Chavez, Carl J, EMNRD
Cc: Van Horn, Kristen, NMENV; Riege, Ed
Subject: T-116 Passive Bio-venting Project Status- OCD RESP 082710

<<OCD RESP 082710.pdf>> Dear Mr. Chavez,

The above attachment is in response to your e-mail from August 17, 2010 concerning the status of T-116 (Release of Ultra-Low Sulfur Diesel) spill and the Passive Bio-venting Remediation Project.

Regards,

Beck Larsen,
Environmental Engineer
Western Refining

The message is ready to be sent with the following file or link attachments:

OCD RESP 082710

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



WNR
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NYSE

GALLUP

August 26, 2010

New Mexico Energy, Minerals & Natural Resources Dept
Oil Conservation Division, Environmental Bureau (OCD)
1220 South St. Francis Drive
Santa Fe, New Mexico 87505
Attention: Mr. Carl Chavez

Dear Mr. Chavez:

This letter is in response to your e-mail of August 17, 2010 addressing your concerns and further clarification about in-situ passive bio-venting remediation in the contaminated zone surrounding T-116.

In an e-mail of September 21, 2009, Western Refining obtained approval from the OCD to conduct a pilot test and to continue with a larger scale effort to bring down the levels of hydrocarbons in the soils to acceptable levels. The pilot study was initiated using one pipe. Analysis indicated that there was 6000 ppm in an area of 500 square feet and about 2 feet deep. This would equate to maximum of 0.17 TPY. Agency approval has to be received from both OCD and NMED prior to initiating a large scale bio-venting remediation project. Western Refining has been using Trinity Consultants in order to obtain approval from the NMED/ Air Quality Bureau (AQB) in order to proceed with this project. The AQB has contacted OCD for additional information as a result of a request which was submitted to the Agency in order to apply for an exemption to our current air quality permit that would allow us to proceed with this project. This project will not commence until Agency (NMED/AQB) permission has been granted. Once the Agency's approval has been granted, the passive bio-venting remediation project will commence on a larger scale by placing approximately 20 perforated pipes in the affected area according to the sampling plan. These pipes will be placed at uniform spacing of about 6 feet distance between the pipes and at 2 feet depth to the bottom of these pipes.

Volatile Organic Compound (VOC) Monitoring will be conducted using the using a leak detection device (Model # TVA-1000) that is currently utilized under the Leak Detection and Repair (LDAR) Program in order to detect hydrocarbons that may be present in the soil. Soil samples will be collected at the bottom of the pipes about every 6 months in order to determine any VOC reduction. A report will be submitted to the Agencies (OCD, the NMED / Hazardous Waste Bureau (HWB), and the NMED / Air Quality Bureau (AQB). Based on the pilot test, it is expected that the levels of hydrocarbons will be substantially reduced. If the VOC concentrations are not reduced below regulatory levels, the bio-venting process will continue until acceptable levels have been reached.

Remedial activities and soil cleanup have not been initiated for this area due to the proposed Passive Bio-venting that was pending approval from NMED. The purpose of the in-situ Passive Bio-ventilation redial project is to remediate the soil in place. Contaminated soil has not been removed pending approval from the AQB.

The Area of Concern (AOC) for tank (T-116) is part of the Tank Farm System which includes a berm surrounding the tank and is not part of a SWMU. Enclosed is a copy of the Final Report including the C-141 (Final) and the Sampling Plan that was previously submitted to the Agency.

We look forward to a successful conclusion to this effort, recognizing that this approach has many benefits to the environment and to the safe operation of the refinery.

Best regards,


Beck Larsen
Environmental Engineer
Western Refining (Gallup)

Enc: C-141 (Final) with Sampling Plan

Riege, Ed

From: Chavez, Carl J, EMNRD [CarlJ.Chavez@state.nm.us]
Sent: Tuesday, August 17, 2010 2:57 PM
To: Riege, Ed
Cc: Coleman.Simth@state.nm.us; Van Horn, Kristen, NMENV; VonGonten, Glenn, EMNRD
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8/23/2010

Larsen, Thurman

From: Rajen, Gaurav
Sent: Friday, October 23, 2009 7:29 AM
To: 'Wendy Alexander'
Cc: Riege, Ed
Subject: Your questions re AQB and remediation

Do write to me with specific questions – we also need a generic determination regarding remediation projects, not a site specific determination – what are the quantities involved, for example, etc., before AQB regs, kick in?

From: Chavez, Carl J, EMNRD [mailto:CarlJ.Chavez@state.nm.us]
Sent: Monday, September 21, 2009 10:59 AM
To: Rajen, Gaurav; Monzeglio, Hope, NMENV
Cc: Riege, Ed
Subject: RE: Final report - Tank 116 spill

Raj:

Re: Final Report Section 4.0 Conclusions below.

4.0 Conclusions

As the spill site is an active work area, and because of the close proximity of functioning pipelines, we have been compelled to fill in the excavated areas (excavated to 2 feet) after having removed known contaminated dirt. We request the Oil Conservation Division (OCD) to allow us to add more perforated pipes at the location and continue to reduce the DRO levels that were found to exist at the site (of the order of 4000 – 5000 ppm). When this area is removed from service, we will clean up all contaminated soils to required levels if any are found.

Approved. Please provide a schedule for installing the perforated pipes as proposed and notify the agencies when the pipes are installed in accordance with the schedule.

Please contact me if you have questions. Thank you.

Please be advised that NMOCD approval of this corrective action does not relieve Western Refining Southwest, Inc.- Gallup Refinery of responsibility should their operations fail to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD approval does not relieve the Gallup Refinery of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Carl J. Chavez, CHMM
New Mexico Energy, Minerals & Natural Resources Dept.
Oil Conservation Division, Environmental Bureau
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Website: <http://www.emnrd.state.nm.us/ocd/index.htm>
Pollution Prevention Guidance is under "Publications")

From: Rajen, Gaurav [mailto:Gaurav.Rajen@wnr.com]
Sent: Tuesday, August 25, 2009 1:58 PM
To: Chavez, Carl J, EMNRD; Monzeglio, Hope, NMENV
Cc: Riege, Ed
Subject: Final report - Tank 116 spill

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 Southwest Inc.	Contact Gaurav Rajen
Address I-40 Exit 39, Jamestown, NM 87347	Telephone No. 505-722-0227
Facility Name Gallup Refinery	Facility Type Oil refinery
Surface Owner Western Refining	Mineral Owner Western Refining
Lease No.	

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
	23&33	15N	15W					McKinley

Latitude 35°29'22" Longitude 108°25'24"

NATURE OF RELEASE

Type of Release Ultra-Low Sulfur Diesel (ULSD)	Volume of Release 45 barrels (1890 gallons) final estimate	Volume Recovered 12 barrels (500 gallons) estimate
Source of Release Overflow from Tank 116	Date and Hour of Occurrence 4/24/2008; 2:00 am (approximately)	Date and Hour of Discovery 4/24/2008; 2:50 am
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? Carl J. Chavez, NMEMNRD, Oil Conservation Division; Hope Monzeglio, NMED Hazardous Waste Bureau (via telephone)	
By Whom? Gaurav Rajen and Cheryl Johnson	Date and Hour 4/24/2008 (approximately) 11:00 am	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse. Not applicable	

If a Watercourse was Impacted, Describe Fully.* Not applicable

Describe Cause of Problem and Remedial Action Taken.* At approximately 2:50 am on 4/24/2008, the Operations Shifter discovered Tank 116 running over. The Pump Operator was notified and a transfer was started into Tank 583. Tank 116 had run over and spilled ULSD onto the soil within the area surrounded by a berm. A lesser amount of ULSD ran down within the foam line leading into the tank. Through a drain valve on the foam line that is buried in the ground outside the berm area, some ULSD leaked out onto a service road running adjacent to Tank 116. The operator used a backhoe to build a containment dike on this road outside the tank berm area, and the spill on the road was blocked from further migration.

Describe Area Affected and Cleanup Action Taken.*

The affected area within the berm had a surface area originally estimated as approximately 500 square feet with some vertical penetration of the ULSD. Through excavation and sampling, this area has a final estimate of approximately 1000 square feet, and of 2 feet depth. An affected area of approximately 500 feet in length and average 5 feet wide (ranging between 2-10 feet depending on the amount of pooling of the spilled material) lay along the service road. The material on the road surface penetrated to a depth of 3 inches (maximum) into the underlying surface as the road surface is partially paved.

A truck with a vacuum pump was used to collect free ULSD product from within the berm and on the service road. Absorbent material was placed on the spill along the road; and this area was isolated through the use of barricades. In further cleanup actions, contaminated soils were excavated, confirmatory environmental samples were collected and analyzed, and all contaminated materials disposed off in accordance with applicable regulations at a permitted landfill. Details are provided in the attached report.

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.

Signature: <i>Mark B. Turri</i>	OIL CONSERVATION DIVISION	
Printed Name: Mark B. Turri	Approved by District Supervisor:	
Title: Refinery Manager - Gallup	Approval Date:	Expiration Date:
E-mail Address: mark.turri@wnr.com	Conditions of Approval:	Attached <input type="checkbox"/>
Date: 8-20-2009	Phone: 505-722-3833	

- Attach Additional Sheets If Necessary