

**From:** Jean M. Flores  
**Sent:** Wednesday, January 05, 2011 7:00 AM  
**To:** 'edelstein.david@epamail.epa.gov'  
**Cc:** 'broyles.ragan@epa.gov'; 'hansen.mark@epa.gov'  
**Subject:** Western Gallup CAFO



**ENTERED**



Dave:

I received your email and voicemail today and will give you a call in morning to discuss.

This email is notice under the CAFO of 2 benzene exceedences at Western's Gallup refinery over this past holiday weekend resulting from a force majeure event. On Friday, December 31<sup>st</sup> the fourth benzene stripper was taken out of service for maintenance work involving repair of the blower. After repairs were completed on Friday, Gallup operations tried to restart the stripper and found everything was frozen due to subzero temperatures. That evening, an extreme cold snap resulted in the temperature dropping down to 15 degrees below zero Fahrenheit (-15 F) and on Saturday, January 1<sup>st</sup>, to 18 degrees below zero Fahrenheit (-18 F). To minimize any impact of this event, two extra maintenance personnel were brought in on New Year's Day, Saturday, January 1<sup>st</sup> to assist but Gallup was still unable to thaw the unit out. Efforts continued from January 1<sup>st</sup> through Monday, January 3<sup>rd</sup> to thaw the stripper out. These best efforts succeeded Monday afternoon and the stripper was placed back into service at 4:30 pm. Yesterday, January 4<sup>th</sup>, early evening, the outside laboratory reported to Western that benzene levels of .97 and 1.5 ppm were experienced on January 1<sup>st</sup> and 2<sup>nd</sup> while the stripper was frozen by the subzero temperatures. (Those results were emailed by Western to NMED yesterday.) We believe these benzene levels were the direct result of an act of nature within the definition of a force majeure event in Paragraph 119 of the CAFO. The CAFO non-compliance caused by this force majeure event has ended and, in the opinion of Western, did not cause or contribute to any endangerment to public health or the environment. Accordingly, Western requests EPA to waive performance under the CAFO for the benzene exceedences on January 1 and 2, 2011.

Also, please note that the diversion tank and piping construction is expected to be completed by the end of January at which time that new system will go into operation. This is one of the CAFO's major milestones and, as we discussed in detail during the last joint EPA/NMED/Western conference call, is expected to have a significant positive effect on the benzene level in the refinery effluent.

I am copying Ragan Broyles (and also, based on a note from Joel concerning re-organization in Region 6, Mark Hansen) and mailing a hard copy of this email to the Chief of the Hazardous Waste Bureau of NMED as specified in the notification section of the CAFO. Please let me know if you need any further information.

Regards,

Jean

**Cc:** Chief (via U.S. Mail)  
Hazardous Waste Bureau  
NMED

Jean M. Flores  
Guida, Slavich & Flores, P.C.  
750 N. St. Paul Street, Suite 200  
Dallas, Texas 75201  
214.692.0009 phone

214.692.6610 fax  
214.692.0017 direct  
[flores@gsfpc.com](mailto:flores@gsfpc.com)  
[www.guidaslavichflores.com](http://www.guidaslavichflores.com)

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