

WRG - WWTS
JUNE 2011
ENTERED

From: VanHorn, Kristen, NMENV
To: [Riege, Ed; "ann.allen@wnr.com"](mailto:Ed;ann.allen@wnr.com)
Cc: [Cobrain, Dave, NMENV; "Dougherty, Joel@epamail.epa.gov"; Kieling, John, NMENV;](mailto:Cobrain.Dave.NMENV;Dougherty.Joel@epamail.epa.gov)
["Clay, Jeffrey@epamail.epa.gov"](mailto:Clay.Jeffrey@epamail.epa.gov)
Subject: Western Gallup's Process Design Report Update for WWTS
Date: Thursday, June 30, 2011 3:41:00 PM

Ed,

NMED received an email today (Thursday, June 30, 2011) from Jean Flores withdrawing the revised Process Design Report for the Wastewater Treatment Plant Work Plan that was submitted on June 15, 2011. NMED will disregard the submittal and no review will be performed.

If you have any questions, please contact me.

Thanks,

Kristen Van Horn

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2905 Rodeo Park Drive East Building 1
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Phone: 505-476-6046*

From: [Jean M. Flores](#)
To: [VanHorn, Kristen, NMENV](#)
Subject: FW: Western Gallup CAFO
Date: Thursday, June 30, 2011 3:11:16 PM

Kristin:

Jeff Clay at EPA asked that I forward you directly the email below to EPA and NMED. As you will see in the first paragraph, Western is requesting that NMED disregard the revised process design plan that was submitted on June 15, 2010. There is additional explanation of the submittal below, but only as background and not in connection with any request for review. Thanks.

Jean

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From: Jean M. Flores
Sent: Thursday, June 30, 2011 3:27 PM
To: 'Clay.Jeffrey@epamail.epa.gov'
Subject: Western Gallup CAFO

Jeff:

This email will provide some explanation of the intent of the revised process design plan that was submitted to the agencies by Western on June 15, 2011. However, given some of the confusion apparently caused by the presentation, we ask that EPA and NMED please disregard that submission.

As a threshold point, I want to underscore that, as stated in the cover letter to the submittal of the revised design plan, Western remains on-track for constructing the upgraded wastewater treatment system that complies with the terms of the CAFO. The submitted red-line, although admittedly very difficult to follow, was merely Western's effort to be transparent with the agencies and to follow the submittal procedures previously established with NMED wherein a red-line is always required. In any construction project of this magnitude and complexity, design improvements, negotiated changes, and real-world construction solutions will result in some changes from the original design as the project progresses. Western's red-lined document attempted to describe the current status of the project "as-built" for NMED and EPA's information. With a very few exceptions, the revised text did not change the originally approved plan. It primarily provided additional, hard engineering detail that is not reflected in the process design report approved over a year ago. Western was not, therein, requesting any extensions to the CAFO construction schedule.

For the few points that do represent changes, these are issues that either had been discussed with NMED or simply reflect actual operations of the new units. For example:

- New pond, STP-1 has been added. NMED is aware of this addition which was negotiated as part of the closure of AL-1 and AL-2 wherein EP-1 will be closed and replaced with STP-1. STP-1 is an aerated pond that will receive sanitary flow and process water from the MPPE. The red-lined document attempted to reflect this information.
- The function of Tanks 27 and 28 has changed so the refinery made a factual change to the design plan. Tanks 27 and 28 will no longer receive off-spec wastewater from downstream of the API separator. The red-lined plan indicated that diversion of off-specification wastewater will be accomplished by: (i) stopping the influent to the API separator and holding the wastewater, which would normally flow to the API separator, in Tanks 35, 27 and/or 28; and (ii) routing the off-spec wastewater to the DGF Feed Tank which will be built to RCRA Subpart J standards. This process change provides a larger pumping reservoir for the pumps coming off of the NAPI which will help to equalize flow through the DAF/MPPE units and provide more consistent suction head to these pumps. It will also eliminate the use of ~2000' of 6" piping to recycle any off-spec water by not having to route it all the way back to Tanks 27 and 28 thus reducing power consumption and reducing the risk of a spill, a win-win for all parties.

Since the CAFO incorporates the NMED-approved design, Western thought it would be appropriate to seek NMED's approval of an updated version of the design plan that accurately reflected the current "as-built" status of the project. On reflection, we believe that it would have been simpler to talk through any proposed revision with the agencies before making any submittal. Western still would like to bring its process design plan up-to-date at some point, but we will first suggest a three-way phone call or meeting with Western, and EPA and NMED's program people to talk through the any updates. (I note that the CAFO requires OCD approval as NMED's, but NMED has taken the lead in communicating with OCD when OCD approval is needed .)

I ask that you circulate this email to your management and to the appropriate NMED representatives. Also, this confirms that Joel Dougherty is authorized to contact Ed Riege of Western without legal counsel to discuss diversion tank operations and topics relating to this email.. Ed's phone number is (505) 722-0217. I suggest that Joel send Ed an email in advance to arrange a convenient time to talk. Ed's email is: ed.rieger@wnr.com.

Please let me know if EPA or NMED would like to discuss these issues further. Western specifically asked that I convey to EPA and NMED its sincere commitment to work cooperatively and transparently with EPA and the NMED. Thanks.

Jean

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