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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

September 21, 2011

Mr. Ed Riege
Environmental Manager
Western Refining, Southwest Inc., Gallup Refinery
Route 3, Box 7
Gallup, New Mexico 87301

**RE: NOTICE OF DISAPPROVAL
FACILITY WIDE GROUNDWATER MONITORING WORK PLAN
WESTERN REFINING COMPANY, SOUTHWEST, INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-11-001**

Dear Mr. Riege:

The New Mexico Environment Department (NMED) has completed its review of the *Facility-Wide Groundwater Monitoring Work Plan* (Work Plan), dated March 2011, submitted on behalf of Western Refining Company, Southwest Inc., Gallup Refinery (Permittee) and hereby issues this Notice of Disapproval (NOD). The Permittee must address the following comments.

Comment 1

Figure 3 and Figure 5 are too small to read; NMED has commented on the size of figures submitted in previous work plans (*see* NMED's April 2010 Second NOD, Comment 5). The Permittee must provide figures that are readable so that NMED can review the Work Plan. The Permittee must provide a larger scale map (at least 11x17) so that the text is legible. Additionally, ensure that Figure 3 shows the location of all of the wells at the Facility, if a previous version of Figure 3 is used, it must be updated, because it is missing wells (for example MW-4). Also, correct the dates for Figure 5, it is not clear if the piezometric surface is based on data from 2009 or 2010. Revise the figures so that they are readable and include accurate and current information.

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Comment 2

In Section 5.2.1 (Sampling Locations) the list of wells to be sampled is missing MW-2. In addition, EP-1 Inlet is listed twice (once in the Outfalls section and once in the Ponds section). Revise the Work Plan to list all of the wells, ponds, inlets, and any other monitoring locations and ensure that there is no repetition.

Comment 3

For Appendix C, Well Data 2010 Summary Table 2010 Annual Groundwater Discharge Report, ensure that the ground level elevations, well casing rim elevations, stick-up lengths, well casing bottom elevations, and total well depths are corrected according to the results collected during the resurveying of the wells as required by NMED's June 6, 2011 letter. Additionally, check that the reported screened intervals are correct (e.g., MW-2 is recorded as having a screened interval of 100 feet). Also, check that the reported stratigraphic unit where the screens are located in each well is correct. For example, MW-1 and MW-2 are reported as being screened in the Chinle alluvium, which appears to be inaccurate. Revise Figure 3 if necessary (i.e., wells screened in Chinle alluvium are blue, wells screened in the Sonsela are red).

Comment 4

Section 2.1 (Historical and current site uses), page 9 states, "[g]asoline and diesel is delivered to the Pilot Center via tanker truck. An underground diesel pipeline exists between the refinery and Pilot and Western is working with OCD and PSTB to place this line back in service." Revise the Work Plan to provide more background and the current status regarding the shut-in line. The OCD has determined that the since the line is off-property, it is not within their jurisdiction.

Comment 5

In Section 2.4 (Summary of contaminant releases that could contribute to possible ground water contamination) the Permittee discusses releases and potential contamination. The Permittee must note that GWM-2 and GWM-3 are supposed to be dry and water has been observed in both wells for the last several quarters. Also note that benzene has been detected in samples obtained from GWM-1. Revise the Work Plan as necessary.

Comment 6

In Section 4.2.1 (Sample Handling), the Permittee writes, "[s]ample containers and procedures for storage and shipping will be according to test method protocols and as recommended by the testing laboratory approved." Provide a description of the proposed procedures in the revised Work Plan.

Comment 7

In Appendix B (Gallup Field Sampling Collection and Handling Standard Procedures) the Permittee must revise to Work Plan to add text in the first section, "Field Data Collection: Elevation and Purging," that states that field water quality parameters measured during purging

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(pH, electrical conductivity, temperature, and dissolved oxygen), must stabilize to within 10% for a minimum of three consecutive measurements before collecting a groundwater sample from each well.

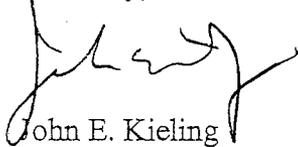
Comment 8

In Appendix D, Table 1, revise the table to include MW-2 in the sampling schedule. MW-2 must be monitored and sampled at the same frequency and the samples tested for the same analytical suite as monitoring wells MW-1, MW-4, and MW-5.

The Permittee must address all comments contained in this NOD and submit a revised Work Plan to NMED and OCD on or before **November 7, 2011**. The revised Work Plan must be accompanied by a response letter that details where all revisions have been made, cross-referencing NMED's numbered comments. In addition, the Permittee must provide an electronic version of the Work Plan that shows where all revisions have been made in redline-strikeout format.

If you have questions regarding this NOD please contact Kristen Van Horn of my staff at 505-476-6046.

Sincerely,



John E. Kieling
Acting Chief
Hazardous Waste Bureau

cc: D. Cobrain NMED HWB
K. Van Horn NMED HWB
C. Chavez, OCD
C. Johnson, Western

File: Reading File and WRG 2011 File
HWB-WRG-11-001