ENTERED

Western Refinery
Gallup
TA-35
Waste Water
Treatment System

Western Refining
GALLUP

WNR LISTED NYSE

November 10, 2011

Mr. Carl J. Chavez
Environmental Engineer
New Mexico Energy, Minerals, and Natural Resources Department
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

RE: Confirmation Soil Sampling Plan, October 2, 2011 Tank 35 Release, Western Refining Company Southwest, Inc., Gallup Refinery, Gallup, New Mexico

Dear Mr. Chavez:

Western Refining Company's Gallup Refinery (Gallup) has prepared this Confirmation Soil Sampling Plan to guide Tank 35 confirmation soil sampling activities. Confirmation soil sampling will be conducted to verify that soil contaminated as a result of the October 2, 2011 release is removed during soil removal activities. A release of a mixture of stormwater, process water, and oily wastewater occurred when Tank 35 overflowed on October 2, 2011. The location of Tank 35 is shown on Figure 1. Form C-141 was completed and submitted to the New Mexico Oil Conservation Division (OCD) to report the release on October 3, 2011. A copy of From C-141 is included as Attachment A. At the time of the release, Tank 35 was being used to temporarily hold process waters so that API separator issues could be addressed. A heavy rain event occurred during this time frame and runoff water from the process units caused Tank 35 to overflow. Released fluids were contained by the tank berm. The refinery's Maintenance Department immediately began recovery of released fluids using a vacuum truck. Recovered fluids were temporarily stored in Tank 105 (slop oil tank). Based on the volume of fluids stored in Tank 105, approximately 1,240 barrels of process water/stormwater and 13 barrels of oily wastewater were recovered from the Tank 35 overflow.

Soil removal work, consisting of excavating contaminated gravel and soil, is scheduled to commence on November 14, 2011. Gallup believes that contaminated soil may be visually identified by staining and intends to excavate visually stained soil within the Tank 35 berm. Contaminated soil will be managed as hazardous waste and will be shipped off-site for disposal. After visually stained soil is excavated, Gallup proposes to collect five confirmation soil samples to confirm that the contamination associated with the October 2, 2011 release has been removed.

Trihydro Corporation (Trihydro) inspected the release area on October 28, 2011. Areas exhibiting staining were evident during Trihydro's inspection. Trihydro assisted in identifying five locations representative of the areas exhibiting the highest degree of staining. These locations were staked by Trihydro. Gallup intends to collect the confirmation samples from these five locations after soil removal is complete. Approximate confirmation sample locations are shown on Figure 2. Based on the observed staining, these five locations are representative of areas most heavily impacted by the October 2, 2011 release. Therefore, if contaminant concentrations in the confirmation soil samples are less than applicable cleanup standards, contamination associated with the October 2, 2011 release has likely been removed.

Care will be taken during soil removal activities to preserve the staked locations (i.e. staked locations will be surveyed with a global positioning system or their distance from a stationary reference point will be measured so that the areas can be relocated after soil removal activities are complete.) Soil samples will be collected using a clean, stainless steel trowel from approximately 0 to 6 inches below the post-excavated ground surface. The trowel will be decontaminated before and after sample collection using an Alconox or Simple Green solution followed by a de-ionized water rinse. The sampler will use clean latex gloves in order to minimize cross contamination. The sampler will use a new pair of latex gloves for each sample location. Samples will be collected in laboratory-provided sample containers and placed on ice or refrigerated immediately after collection. The soil samples will be analyzed for volatile organic compounds (VOCs) by EPA Method 8260, semi volatile organic compounds (SVOCs) by EPA Method 8270, diesel range organics extended (DRO) and gasoline range organics (GRO) by EPA Method 8015M, and RCRA metals. One sample will be submitted from each of the five locations; samples will not be composited.

Analytical results will be compared to the New Mexico Environment Department (NMED) industrial/occupational soil screening standards. If exceedances of the NMED industrial/occupational soil screening standards are identified, additional excavation will be conducted in the area from which the exceeding sample was collected. An additional confirmation sample will be collected to confirm that the additional excavation was successful in removing soil contamination. This process will be repeated until confirmation samples do not exceed the NMED industrial/occupational soil screening standards.

Soil removal activities are scheduled to commence on November 14. Confirmation soil samples will be collected pending OCD approval of this correspondence. If you have any questions or comments, please do not hesitate to call me at (505) 722-0217.

Sincerely,
Western Refining Company

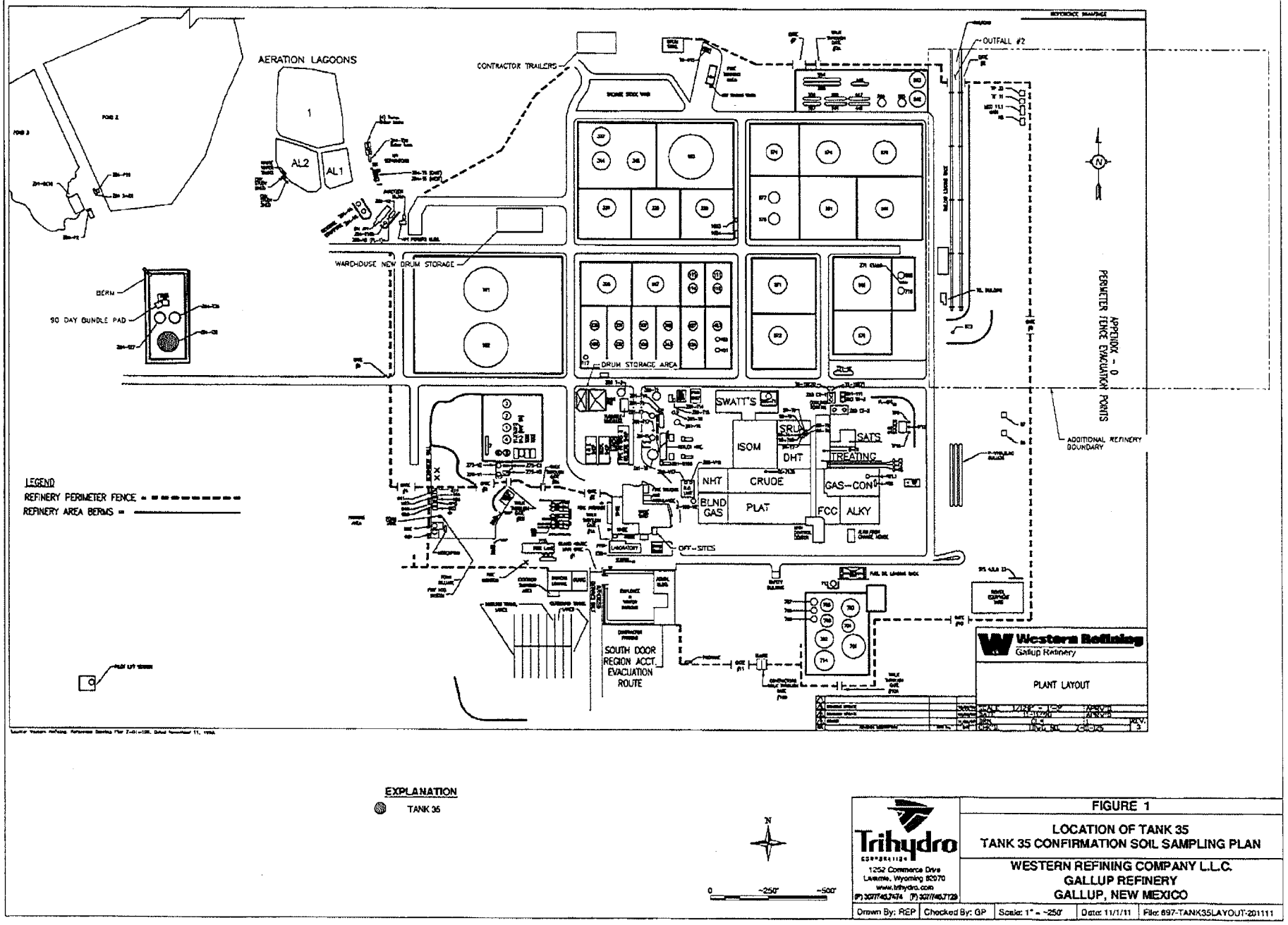
Ed Riege
Environmental Manager

697-039-002

Attachments

cc: L. Morgan, Western Refining
G. Price, Trihydro Corporation
K. Van Horn, NM

**FIGURES**




**EXPLANATION**

TANK 35

N

0 ~250' ~500'

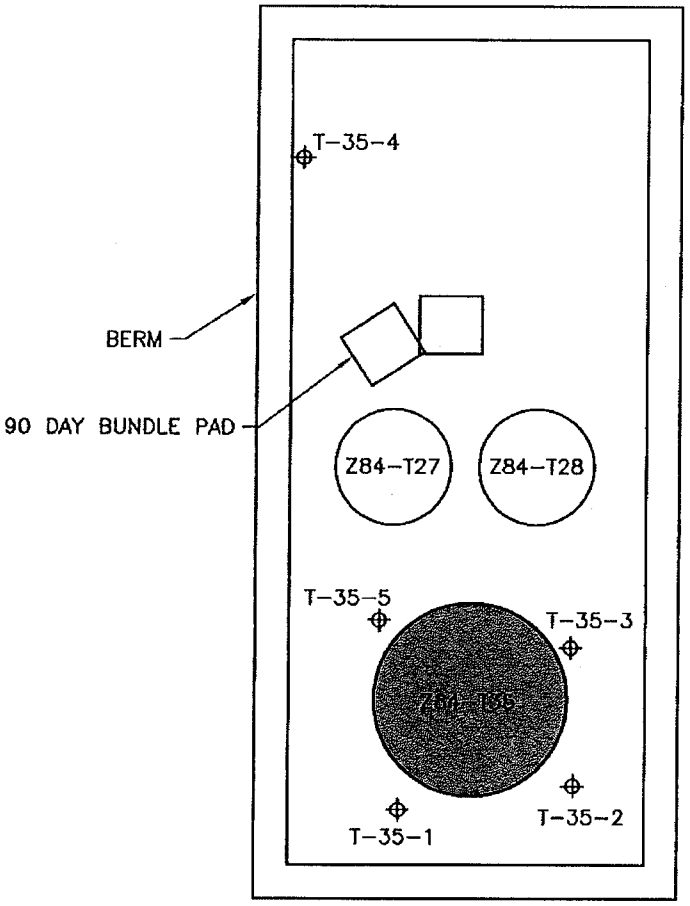
Trihydro Corporation
1252 Commerce Drive
Laramie, Wyoming 82070
www.trihydro.com
(P) 307/745-7474 (F) 307/745-7729

**FIGURE 1**

**LOCATION OF TANK 35**
**TANK 35 CONFIRMATION SOIL SAMPLING PLAN**

**WESTERN REFINING COMPANY L.L.C.**
**GALLUP REFINERY**
**GALLUP, NEW MEXICO**

| Drawn By: REP | Checked By: GP | Scale: 1" = ~250' | Date: 11/1/11 | File: 697-TANK35LAYOUT-201111 |
|---|---|---|---|---|




## EXPLANATION

T-35-1 APPROXIMATE LOCATION OF PROPOSED CONFIRMATION SOIL SAMPLE

TANK 35

N

0 ~80'

Trihydro CORPORATION
1252 Commerce Drive
Laramie, Wyoming 82070
www.trihydro.com
(P) 307/745.7474 (F) 307/745.7729

**FIGURE 2**

**APPROXIMATE LOCATIONS OF PROPOSED CONFIRMATION SOIL SAMPLES TANK 35 CONFIRMATION SOIL SAMPLING PLAN**

**WESTERN REFINING COMPANY L.L.C. GALLUP REFINERY GALLUP, NEW MEXICO**

| Drawn By: REP | Checked By: GP | Scale: 1" = ~80' | Date: 11/1/11 | File: 697-TANK35LAYOUT-201111 |
|---|---|---|---|---|

**ATTACHMENT A**

**FORM C-141**

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: Loretta Morgan |
| Address: I-40 Exit 39 Jamestown, NM 87347 | Telephone No: 505-722-3833 |
| 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: Oily Waste Water 13 bbls (oil) / 1240 bbls (process and stormwater) | Volume of Release: Estimate 13 barrel of oil | Volume Recovered: |
| Source of Release: Tank 35 overflow | Date and Hour of Occurrence: 10/2/2011 3:40 pm | Date and Hour of Discovery: 10/2/2011 3:40 pm |
| Was Immediate Notice Given? ☒ Yes ☐ No ☐ Not Required | If YES, To Whom? Ruth Horowitz, NMED Hazardous Waste Bureau (phone call) Kristen VanHorn, NMED Hazardous Waste Bureau (phone call) Brando Powell, NMED Hazardous Waste Bureau (phone call) Carl J. Chavez, NMEMNRD, Oil Conservation Division (phone call) | |
| By Whom? Loretta Morgan | Date and Hour: 10/3/2011 1:23 pm (approximately) | |
| Was a Watercourse Reached? ☐ Yes ☒ No | If YES, Volume Impacting the Watercourse. No, did not impact watercourse. | |

If a Watercourse was Impacted, Describe Fully.
Not applicable

Describe Cause of Problem and Remedial Action Taken:

At approximately 3:40 pm on 10/2/2011, Tank 35 overflowed due to heavy rain. API was shutdown due to foaming issues so Tank 35 was holding process water while waiting for the API operator to troubleshoot the API foaming issue. During this period, it started to rain heavily and all runoff water from the process units overfilled Tank 35. API operator was trying to manually open the valves to the overflow tanks (Tank 27 and 28), but did not open in time. Tank 35 overflowed water from the vents. Immediate action was taken to clean up the spill. The Maintenance Department was called out to start vacuuming up the area. Overflow did not reach any watercourse and was contained in the berm area of the tank. Approximately 75,600 gallons of rain water and process water first was removed by the vacuum truck and put into T-105 (slop oil tank). Water was then decanted from T-105. The decanting sent process water and storm water from T-105 back to T-35 for reprocessing. The final oil volume in T-105 was determined from a T-105 strapping chart and estimated to be 13 bbls. Rain water was included because during cleanup process, it was still raining. Soil clean-up will commence when able to get heavy equipment into the area.

Describe Area Affected and Cleanup Action Taken:

The area affected is in the dirt berm area of Tank 35. The area is approximately 15 feet by 50 feet where an oily-water mixture had settled. A vacuum truck was used to collect the oily-water mixture. The soil in this berm area is stained with oil. In further cleanup actions, contaminated soils will be excavated, confirmatory environmental samples will be collected and analyzed, and all contaminated materials will be disposed off in accordance with applicable regulations.

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: Mark B Turri | 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 ☐ |
| Date: 10-26-2011 Phone: 505-722-3833 | | |

- Attach Additional Sheets If Necessary