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NEW MEXICO
ENVIRONMENT DEPARTMENT



Hazardous Waste Bureau

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DAVE MARTIN
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Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 2, 2011

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

**RE: APPROVAL WITH MODIFICATIONS
REQUEST FOR APPROVAL OF PROCESS DESIGN CHANGES
WESTERN REFINING COMPANY SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-MISC**

Dear Mr. Riege:

The New Mexico Environment Department (NMED) has reviewed the *Request for Approval of Process Design Changes Process Design Report (Approved May 24, 2010)*, dated September 14, 2011, submitted on behalf of Western Refining Company Southwest Inc., Gallup Refinery (Permittee). NMED hereby issues this Approval with the following modifications. Some of the comments were addressed during a phone call between NMED and the Permittee on October 7, 2011; however, NMED requires that the Permittee provide clarification in a written response to this letter.

Comment 1

The description of the function of the tanks in the second point of the letter was difficult to interpret without a drawing. In the future, ensure that letters that describe changes to the process system are accompanied by the appropriate figures.

Ed Riege
Gallup Refinery
December 2, 2011
Page 2

Comment 2

Sludge that settles in Tanks 27 and 28 or 35 must be treated as hazardous waste if it is removed rather than entrained in the wastewater stream and sent through the treatment system. Solids recovery must be part of the tank system maintenance.

Comment 3

Provide a letter to OCD and NMED describing the factors that influence whether or not to divert the storm sewer, process sewer, RO reject and/or softener regeneration water to Tanks 27 and 28 instead of flowing directly to Tank 35. Recently an oily wastewater overflow at Tank 35 occurred due to a precipitation event. It appears that there may be a lack of wastewater handling capacity when reliance is placed on Tank 35 and Tanks 27 and 28 will likely help prevent overflows in the future. However, the manual diversion of wastewater to tanks is an issue when a rapid surge occurs, such as in the Tank 35 overflow incident. The Permittee must ensure that the tanks are frequently or continuously monitored and maintain a water level in Tank 35 that is low enough to avoid overflows.

Comment 4

The Permittee must provide a letter describing the diversion system in more detail and discuss whether or not the existing tank diversion network has the capacity to handle the designed maximum volume of the waste water treatment system (WWTS). Discuss the lag time between sampling and shut off/diversion if samples indicate that the water is off-spec.

Comment 5

Provide a figure or design drawing depicting the sampling port design(s) per location, if different, for the WWTS monitoring system.

Comment 6

The Permittee states that the "DGF Feed Tank is sized to accommodate the required material in the WWTS itself that might need to be drained to facilitate maintenance and access to equipment." Provide a description of the size of the DGF Feed Tank and the steps necessary to divert the waste stream when this tank is taken out of service, (i.e., diversion of influent containing VOCs to Tanks 27, 28 and 35).

Comment 7

The drawing provided to NMED (Wastewater Treatment Plant (WWTP) Work Plan Flow Diagram) no longer shows the location of flow meters; NMED assumes that flow meters are still part of the system and the meters should be depicted in the diagram and identify the type of instrument. If this is not the case, the Permittee must explain why flow meters are no longer part of the system.

Ed Riege
Gallup Refinery
December 2, 2011
Page 3

Provide a letter addressing the issues in the above comments to NMED no later than **December 21, 2011**.

If you have questions regarding this Approval with Modifications, 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
A. Haines, WRG

File: Reading File and WRG 2011 File
WRG-MISC