Western Refining

GALLUP REFINERY

ENTERED

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Certified Mail # 7010 1670 0001 3141 0095

March 14, 2012

Mr. John Kieling
Acting Chief
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

RE: Response to Notice of Violation
Western Refining, Gallup Refinery
EPA ID# NMD000333211

Dear Mr. Kieling:

Western Refining Company's Gallup Refinery (Gallup) is submitting this response to the Notice of Violation received from you on March 1, 2012 which was dated February 29, 2012. NMED observations are shown in bold followed by the Gallup response.

1. **Gallup Refinery failed to conduct weekly inspections of the 90-day accumulation area in the North Laydown yard. A white 20-yard roll-off bin in the North Laydown yard was being managed as a 90-day accumulation area at the time of inspection. The roll-off bin contained hazardous (K171) Naphtha Hydro Treater (NHT) waste filters, which have been accumulating since 08/25/2011. A large quantity generator of hazardous waste must be able to demonstrate that their 90-day accumulation area was inspected at least weekly. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.34(a)(1)(i), referring to 40 CFR 265.174.**

A composite sample of the filters was taken on October 6, 2011 and analysis (see Attachment 1) indicates the filters are characteristically non-hazardous including non detect for benzene and arsenic.
The 20 yard roll-off bin with NHT filters in the north laydown yard was picked up for disposal by Rinchem on October 13. This bin has been relocated to the 90 day storage area so it will be inspected during the weekly 90 day storage area inspection.

2. **Gallup Refinery failed to keep closed the 20-yard roll-off bin containing the hazardous NHT waste filters. A container holding hazardous waste must be closed all times except when necessary to add or remove waste. No activities, concerning the roll-off bin, were occurring at the time of inspection. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.34(a)(1)(i), referring to 40 CFR 265.173(a).**

After the inspection, water was vacuumed off the tarp cover and the tarp was properly placed over the bin. In order to keep the NHT filters covered except when adding a waste Gallup went to a new covered bin design. The bin has hard cover lids which can be opened to add waste and then closed. This is a much better design then the tarp which was cumbersome and subject to weather. Keeping waste covered was also included in a recent Environmental Alert which was sent to all Gallup employees as a training tool.

3. **Gallup Refinery failed to remove excess waste greater than 55-gallons, from a satellite accumulation area, to a 90-day accumulation area within three days after the excess waste began to accumulate. Seven 55-gallon black metal drums containing vacuum truck sludge were located on the "drain pad". These drums have been on the drain pad since 09/27/2011. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.34(c)(2).**

The seven 55 gallon metal drums of vacuum truck sludge on the drain pad were moved to the 90 day storage area on October 8. Removing excess waste within the proper time period was also emphasized in a recent Environmental Alert which was sent to all Gallup employees as a training tool.

4. **Gallup Refinery failed to enter actual or accurate quantities of waste on approximately ten uniform hazardous waste manifests dating back to April 2010. Inspectors discovered that destination facilities identified ten shipments of hazardous waste that had weight discrepancies of greater than ten percent of the weight listed on the manifests. The hazardous waste quantities on the manifests should be reported based on actual measurements or reasonably accurate estimates of actual quantities shipped. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.20(a)(1), referring to the Appendix to Part 262, Item #11.**

The ten hazardous waste manifests that had a discrepancy between the total quantities shipped indicated on Item #11 on the waste manifests and the actual weight received by the designated facility was investigated. Gallup did enter waste quantities based on actual measurements in Item 11 (except for Manifest # 007306010) but failed to subtract the weight of the metal bins used for waste storage and shipment. Weight tickets are provided in Attachment 2 for the loads in question. Gallup weighed the trucks as they entered the refinery (tare weight) and weighed the trucks after the metal bins of waste were placed onto the truck (gross weight). The gross weight was then subtracted from the tare weight to calculate a net weight which was used on the manifests. The metal containers did not come with the transportation truck as they were already onsite and not subtracted from the net weight. Gallup called the provider of the metal bins and they stated the average weight of an empty metal bin like Gallup uses is 960 pounds. Shown below are the waste manifests in question with tare, gross and net weights with the number of metal bins with calculated weight. All weights are shown in pounds.

Manifest #	Tare Wt	Gross Wt	Net Wt	Actual Wt Received	Manifest Discrepancy	# of Bins	Estimated Bin Wt. @ 960 lbs/bin	Actual Discrepancy
000735823	28480	52940	24460	17120	7340	9	8640	1300
007306013	28300	50020	21720	13740	7980	9	8640	660
007306012	29660	75240	45580	37990	7590	9	8640	1050
007306011	32000	69120	37120	31360	5760	8	7680	1920
007992741	31460	40060	8600	4920	3680	4	3840	160
006058134	31300	55420	24120	19050	5070	6	5760	690
006058135	30680	56140	25460	20420	5040	6	5760	720
006058133	30240	68620	38380	31073	7307	8	7680	373
006058132	31860	68220	36360	29162	7198	8	7680	482
007306010	Not weighed	Not weighed	10000	6160	3840	2	1920	1920

5. **Gallup Refinery failed to sign and date item #18c on uniform hazardous waste manifest #000143419 VES for a fully rejected load. This hazardous waste shipment was rejected by the destination facility and sent back to the Gallup Refinery. An authorized representative of the generator must sign and date the item #18c on the manifest to acknowledge receipt of the fully rejected load identified by the initial destination facility. This is a violation of 20.4.1.300 NMAC, incorporating 40 CFR 262.34(m)(1).**

Line Item #18c on Manifest #000143419VES was signed and dated by Beck Larsen and is included as Attachment 3. Gallup will assure all future returned manifests are signed in a timely manner. To Gallup's knowledge it is a rare occurrence to have waste rejected.

6. **Gallup Refinery failed to obtain a permit for the treatment of hazardous waste. Hazardous waste shipments on manifests 000143419 VES and 0007523041 JJK were rejected by the designated Treatment, Storage, Disposal Facility due to low British Thermal Units (BTUs) and returned to Gallup Refinery. These wastes were placed back into the dewatering Frac tanks at the end of the refinery process where they underwent treatment through chemical alteration. This is a violation of 20.4.1.900 NMAC, incorporating 40 CFR 270.1(c).**

Western respectfully disagrees with this item. The materials in question have typically been handled in a manner that excluded them from the definition of solid waste under the provisions of 40 CFR §261.4(a)(12), oil-bearing hazardous secondary materials ("OBHSM"). As such, these materials are exempt from regulation as hazardous waste.

On two separate occasions, once in 2009 and again in 2011, Western transported these materials to an approved waste-disposal facility for evaluation. If accepted by these facilities, the OBHSM would not

qualify for the exclusion of 261.4(a)(12), as the material would not have been inserted into the petroleum refining process, a requirement of the exclusion. Western was interested in exploring alternative disposition in order to possibly reduce transportation costs. There was no change in the material that precluded it from qualifying for the solid waste exclusion as OBHSM.

In order for these shipments to be made, the materials had to be manifested as hazardous waste. This was done, and the shipments were sent for evaluation. The potential disposal facilities, which were evaluating the materials for fuel-blending operations, determined that the material's BTU value was too low for fuel blending, and therefore returned the shipments to Western. The returned shipments were returned to the frac tanks from which they were collected. At that point, the material was still eligible for the OBHSM exclusion, since the material was generated at a petroleum refinery and could be incorporated into the petroleum refining process.

In 2009, after the return of the shipment to the frac tanks, water was removed from the OBSHM. This water removal did not change the eligibility for exclusion as a solid waste as OBSHM, but in this case the material was not incorporated into the petroleum refining process. Instead, the material in the frac tanks was sent under new hazardous waste manifests for disposal and was accepted for disposal. Due to the water removal the OBSHM had sufficient BTU value such that it was now acceptable to the TSD that rejected the original load, as well as other TSD's engaged in fuel blending. The list showing the manifest for the rejected load and the manifests for the subsequent loads is attached as Attachment 4. The list has previously been submitted. The original manifest 000143419VES for 41620lb of material was shipped on 4-21-09. This material was rejected for low BTU value and returned. Subsequent shipments through 6-28-2009 (less than 90 days after the original shipment) are listed, showing that the volume of material shipped in this period was sufficient to more than account for the volume of the rejected load. Moreover, these shipments represent a complete turnover of the volume of the frac tanks in a less than 90 day period.

In 2011, the material from manifest 007523041JJK was returned to the frac tanks and handled in a manner consistent with the exclusion for OBSHM, as it was shipped offsite and directly incorporated into the petroleum refining process. The list showing the manifest for the rejected load and the bills of lading for subsequent loads are attached as Attachment 4. The list was previously submitted. This demonstrates that the material was handled consistent with the RCRA exemption, as material from the frac tanks was sent offsite directly to be incorporated into the petroleum refining process.

Neither of these two scenarios, 2009 or 2011, requires a treatment permit. If the material qualifies for the RCRA exemption, that exemption applies if the material is handled in a manner that complies with the exemption. This is what occurred in 2011. This analysis also applies to the 2009 shipments, at least until the time it is accepted as a hazardous waste. Therefore this material is not a solid waste and no permit is required.

Even if these shipments are treated as hazardous waste as was done in 2009, there would be no need for a separate permit for treatment. Under 40 CFR §262.34, generators may treat waste without a permit if the waste is accumulated on site for 90 days or less. (See the attached Attachment 5, EPA RCRA guidance document, EPA 530-R-03-002a.) As the shipment records in 2009 indicate, the volume of material transported for final disposal within 90 days of the original date of shipment for the rejected load, was more than sufficient to account for the volume of the returned material and to turn over the volume of the tanks. This demonstrates that the material was accumulated for less than 90 days and therefore no permit for treatment was required.

Western also questions whether the removal of water from the material constitutes treatment through chemical alteration. Even if this is considered treatment, no permit is required and therefore no further analysis has been conducted on this issue. Western reserves the right to revisit this issue as necessary, however.

If you have any questions please contact Ed Riege at (505) 722-0217.

Sincerely,
Western Refining Company

Mark B. Turri

Mark B. Turri
Refinery Manager

Attachments

cc: Ed Riege

ATTACHMENT 1

HALL ENVIRONMENTAL ANALYSIS LABORATORY

COVER LETTER

Friday, November 04, 2011

Thurman B. Larsen
Western Refining Southwest, Gallup
Rt. 3 Box 7
Gallup, NM 87301

TEL: (505) 722-3833
FAX (505) 722-0210

RE: NHT- Gasoline Filters

Order No.: 1110490

Dear Thurman B. Larsen:

Hall Environmental Analysis Laboratory, Inc. received 1 sample(s) on 10/10/2011 for the analyses presented in the following report.

This report is a revised report and it replaces the original report issued October 14, 2011

These were analyzed according to EPA procedures or equivalent. To access our accredited tests please go to www.hallenvironmental.com or the state specific web sites. See the sample checklist and/or the Chain of Custody for information regarding the sample receipt temperature and preservation. Data qualifiers or a narrative will be provided if the sample analysis or analytical quality control parameters require a flag. All samples are reported as received unless otherwise indicated.

Please don't hesitate to contact HEAL for any additional information or clarifications.

Sincerely,

Andy Freeman, Laboratory Manager

NM Lab # NM9425 NM0901
AZ license # AZ0682

Hall Environmental Analysis Laboratory, Inc.

Date: *04-Nov-11*
Analytical Report

CLIENT:	Western Refining Southwest, Gallup	**Client Sample ID:**	NHT Gas Filters
Lab Order:	1110490	**Collection Date:**	10/6/2011 11:30:00 AM
Project:	NHT- Gasoline Filters	**Date Received:**	10/10/2011
Lab ID:	1110490-01	**Matrix:**	SOIL

Analyses	Result	PQL	Qual	Units	DF	Date Analyzed
EPA METHOD 7471: MERCURY						Analyst: **BRM**
Mercury	0.98	0.33		mg/Kg	10	10/19/2011 1:02:39 PM
MERCURY, TCLP						Analyst: **JLF**
Mercury	ND	0.020		mg/L	1	10/31/2011 1:54:37 PM
EPA METHOD 6010B: SOIL METALS						Analyst: **ELS**
Arsenic	120	12		mg/Kg	5	10/21/2011 7:02:03 AM
Barium	1100	5.0		mg/Kg	50	10/21/2011 7:24:14 AM
Cadmium	5.3	0.50		mg/Kg	5	10/21/2011 7:02:03 AM
Chromium	38	1.5		mg/Kg	5	10/21/2011 7:02:03 AM
Lead	20	1.2		mg/Kg	5	10/21/2011 7:02:03 AM
Selenium	ND	12		mg/Kg	5	10/21/2011 7:02:03 AM
Silver	ND	1.2		mg/Kg	5	10/21/2011 7:02:03 AM
EPA METHOD 6010B: TCLP METALS						Analyst: **RAGS**
Arsenic	ND	5.0		mg/L	1	10/31/2011 8:31:17 AM
Barium	ND	100		mg/L	5	10/31/2011 8:38:34 AM
Cadmium	ND	1.0		mg/L	1	10/30/2011 12:24:36 PM
Chromium	ND	5.0		mg/L	1	10/31/2011 8:31:17 AM
Lead	ND	5.0		mg/L	1	10/31/2011 8:31:17 AM
Selenium	ND	1.0		mg/L	1	10/31/2011 8:31:17 AM
Silver	ND	5.0		mg/L	1	10/31/2011 8:31:17 AM
EPA METHOD 8270C: SEMIVOLATILES						Analyst: **JDC**
Acenaphthene	290	49		mg/Kg	10	10/12/2011 9:16:23 PM
Acenaphthylene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Aniline	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Anthracene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Azobenzene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Benz(a)anthracene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Benzo(a)pyrene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Benzo(b)fluoranthene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Benzo(g,h,i)perylene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Benzo(k)fluoranthene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Benzoic acid	ND	120		mg/Kg	10	10/12/2011 9:16:23 PM
Benzyl alcohol	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Bis(2-chloroethoxy)methane	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Bis(2-chloroethyl)ether	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Bis(2-chloroisopropyl)ether	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Bis(2-ethylhexyl)phthalate	ND	120		mg/Kg	10	10/12/2011 9:16:23 PM

Qualifiers:

*	Value exceeds Maximum Contaminant Level	B	Analyte detected in the associated Method Blank
E	Estimated value	H	Holding times for preparation or analysis exceeded
J	Analyte detected below quantitation limits	MCL	Maximum Contaminant Level
NC	Non-Chlorinated	ND	Not Detected at the Reporting Limit
PQL	Practical Quantitation Limit	S	Spike recovery outside accepted recovery limits

Hall Environmental Analysis Laboratory, Inc.

Date: *04-Nov-11*
Analytical Report

CLIENT:	Western Refining Southwest, Gallup	**Client Sample ID:**	NHT Gas Filters
Lab Order:	1110490	**Collection Date:**	10/6/2011 11:30:00 AM
Project:	NHT- Gasoline Filters	**Date Received:**	10/10/2011
Lab ID:	1110490-01	**Matrix:**	SOIL

Analyses	Result	PQL	Qual	Units	DF	Date Analyzed
EPA METHOD 8270C: SEMIVOLATILES						Analyst: JDC
4-Bromophenyl phenyl ether	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Butyl benzyl phthalate	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Carbazole	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
4-Chloro-3-methylphenol	ND	120		mg/Kg	10	10/12/2011 9:16:23 PM
4-Chloroaniline	ND	120		mg/Kg	10	10/12/2011 9:16:23 PM
2-Chloronaphthalene	ND	61		mg/Kg	10	10/12/2011 9:16:23 PM
2-Chlorophenol	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
4-Chlorophenyl phenyl ether	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Chrysene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Di-n-butyl phthalate	ND	120		mg/Kg	10	10/12/2011 9:16:23 PM
Di-n-octyl phthalate	ND	61		mg/Kg	10	10/12/2011 9:16:23 PM
Dibenz(a,h)anthracene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Dibenzofuran	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
1,2-Dichlorobenzene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
1,3-Dichlorobenzene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
1,4-Dichlorobenzene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
3,3'-Dichlorobenzidine	ND	61		mg/Kg	10	10/12/2011 9:16:23 PM
Diethyl phthalate	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Dimethyl phthalate	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
2,4-Dichlorophenol	ND	98		mg/Kg	10	10/12/2011 9:16:23 PM
2,4-Dimethylphenol	ND	74		mg/Kg	10	10/12/2011 9:16:23 PM
4,6-Dinitro-2-methylphenol	ND	120		mg/Kg	10	10/12/2011 9:16:23 PM
2,4-Dinitrophenol	ND	98		mg/Kg	10	10/12/2011 9:16:23 PM
2,4-Dinitrotoluene	ND	120		mg/Kg	10	10/12/2011 9:16:23 PM
2,6-Dinitrotoluene	ND	120		mg/Kg	10	10/12/2011 9:16:23 PM
Fluoranthene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Fluorene	330	49		mg/Kg	10	10/12/2011 9:16:23 PM
Hexachlorobenzene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Hexachlorobutadiene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Hexachlorocyclopentadiene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Hexachloroethane	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Indeno(1,2,3-cd)pyrene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Isophorone	ND	120		mg/Kg	10	10/12/2011 9:16:23 PM
2-Methylnaphthalene	4600	490		mg/Kg	100	10/12/2011 8:47:23 PM
1-Methylnaphthalene	3400	250		mg/Kg	50	10/12/2011 1:28:12 PM
2-Methylphenol	ND	120		mg/Kg	10	10/12/2011 9:16:23 PM
3+4-Methylphenol	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
N-Nitrosodi-n-propylamine	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
N-Nitrosodiphenylamine	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Naphthalene	490	49		mg/Kg	10	10/12/2011 9:16:23 PM

Qualifiers:

*	Value exceeds Maximum Contaminant Level	B	Analyte detected in the associated Method Blank
E	Estimated value	H	Holding times for preparation or analysis exceeded
J	Analyte detected below quantitation limits	MCL	Maximum Contaminant Level
NC	Non-Chlorinated	ND	Not Detected at the Reporting Limit
PQL	Practical Quantitation Limit	S	Spike recovery outside accepted recovery limits

Hall Environmental Analysis Laboratory, Inc.

Date: *04-Nov-11*
Analytical Report

CLIENT:	Western Refining Southwest, Gallup	**Client Sample ID:**	NHT Gas Filters
Lab Order:	1110490	**Collection Date:**	10/6/2011 11:30:00 AM
Project:	NHT- Gasoline Filters	**Date Received:**	10/10/2011
Lab ID:	1110490-01	**Matrix:**	SOIL

Analyses	Result	PQL	Qual	Units	DF	Date Analyzed
EPA METHOD 8270C: SEMIVOLATILES						Analyst: JDC
2-Nitroaniline	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
3-Nitroaniline	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
4-Nitroaniline	ND	98		mg/Kg	10	10/12/2011 9:16:23 PM
Nitrobenzene	ND	120		mg/Kg	10	10/12/2011 9:16:23 PM
2-Nitrophenol	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
4-Nitrophenol	ND	61		mg/Kg	10	10/12/2011 9:16:23 PM
Pentachlorophenol	ND	98		mg/Kg	10	10/12/2011 9:16:23 PM
Phenanthrene	1600	250		mg/Kg	50	10/12/2011 1:28:12 PM
Phenol	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Pyrene	140	49		mg/Kg	10	10/12/2011 9:16:23 PM
Pyridine	ND	120		mg/Kg	10	10/12/2011 9:16:23 PM
1,2,4-Trichlorobenzene	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
2,4,5-Trichlorophenol	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
2,4,6-Trichlorophenol	ND	49		mg/Kg	10	10/12/2011 9:16:23 PM
Surr: 2,4,6-Tribromophenol	0	24.9-115	S	%REC	10	10/12/2011 9:16:23 PM
Surr: 2-Fluorobiphenyl	0	26.2-108	S	%REC	10	10/12/2011 9:16:23 PM
Surr: 2-Fluorophenol	0	17.7-98	S	%REC	10	10/12/2011 9:16:23 PM
Surr: 4-Terphenyl-d14	0	33.8-108	S	%REC	10	10/12/2011 9:16:23 PM
Surr: Nitrobenzene-d5	0	23-109	S	%REC	10	10/12/2011 9:16:23 PM
Surr: Phenol-d5	0	22.1-103	S	%REC	10	10/12/2011 9:16:23 PM
EPA METHOD 8260B: VOLATILES						Analyst: BDH
Benzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Toluene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Ethylbenzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Methyl tert-butyl ether (MTBE)	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,2,4-Trimethylbenzene	63	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,3,5-Trimethylbenzene	13	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,2-Dichloroethane (EDC)	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,2-Dibromoethane (EDB)	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Naphthalene	280	24		mg/Kg	200	10/12/2011 12:15:21 PM
1-Methylnaphthalene	830	47		mg/Kg	200	10/12/2011 12:15:21 PM
2-Methylnaphthalene	1600	190		mg/Kg	800	10/13/2011 11:47:48 AM
Acetone	ND	180		mg/Kg	200	10/12/2011 12:15:21 PM
Bromobenzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Bromodichloromethane	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Bromoform	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Bromomethane	ND	36		mg/Kg	200	10/12/2011 12:15:21 PM
2-Butanone	ND	120		mg/Kg	200	10/12/2011 12:15:21 PM
Carbon disulfide	ND	120		mg/Kg	200	10/12/2011 12:15:21 PM

Qualifiers:

*	Value exceeds Maximum Contaminant Level	B	Analyte detected in the associated Method Blank
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J	Analyte detected below quantitation limits	MCL	Maximum Contaminant Level
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PQL	Practical Quantitation Limit	S	Spike recovery outside accepted recovery limits

Hall Environmental Analysis Laboratory, Inc.

Date: *04-Nov-11*
Analytical Report

CLIENT:	Western Refining Southwest, Gallup	**Client Sample ID:**	NHT Gas Filters
Lab Order:	1110490	**Collection Date:**	10/6/2011 11:30:00 AM
Project:	NHT- Gasoline Filters	**Date Received:**	10/10/2011
Lab ID:	1110490-01	**Matrix:**	SOIL

Analyses	Result	PQL	Qual	Units	DF	Date Analyzed
EPA METHOD 8260B: VOLATILES						Analyst: BDH
Carbon tetrachloride	ND	24		mg/Kg	200	10/12/2011 12:15:21 PM
Chlorobenzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Chloroethane	ND	24		mg/Kg	200	10/12/2011 12:15:21 PM
Chloroform	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Chloromethane	ND	36		mg/Kg	200	10/12/2011 12:15:21 PM
2-Chlorotoluene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
4-Chlorotoluene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
cis-1,2-DCE	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
cis-1,3-Dichloropropene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,2-Dibromo-3-chloropropane	ND	24		mg/Kg	200	10/12/2011 12:15:21 PM
Dibromochloromethane	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Dibromomethane	ND	24		mg/Kg	200	10/12/2011 12:15:21 PM
1,2-Dichlorobenzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,3-Dichlorobenzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,4-Dichlorobenzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Dichlorodifluoromethane	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,1-Dichloroethane	ND	24		mg/Kg	200	10/12/2011 12:15:21 PM
1,1-Dichloroethene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,2-Dichloropropane	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,3-Dichloropropane	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
2,2-Dichloropropane	ND	24		mg/Kg	200	10/12/2011 12:15:21 PM
1,1-Dichloropropene	ND	24		mg/Kg	200	10/12/2011 12:15:21 PM
Hexachlorobutadiene	ND	24		mg/Kg	200	10/12/2011 12:15:21 PM
2-Hexanone	ND	120		mg/Kg	200	10/12/2011 12:15:21 PM
Isopropylbenzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
4-Isopropyltoluene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
4-Methyl-2-pentanone	ND	120		mg/Kg	200	10/12/2011 12:15:21 PM
Methylene chloride	ND	36		mg/Kg	200	10/12/2011 12:15:21 PM
n-Butylbenzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
n-Propylbenzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
sec-Butylbenzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Styrene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
tert-Butylbenzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,1,1,2-Tetrachloroethane	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,1,2,2-Tetrachloroethane	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Tetrachloroethene (PCE)	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
trans-1,2-DCE	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
trans-1,3-Dichloropropene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,2,3-Trichlorobenzene	ND	24		mg/Kg	200	10/12/2011 12:15:21 PM
1,2,4-Trichlorobenzene	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM

Qualifiers:

*	Value exceeds Maximum Contaminant Level	B	Analyte detected in the associated Method Blank
E	Estimated value	H	Holding times for preparation or analysis exceeded
J	Analyte detected below quantitation limits	MCL	Maximum Contaminant Level
NC	Non-Chlorinated	ND	Not Detected at the Reporting Limit
PQL	Practical Quantitation Limit	S	Spike recovery outside accepted recovery limits

Hall Environmental Analysis Laboratory, Inc.

Date: *04-Nov-11*
Analytical Report

CLIENT:	Western Refining Southwest, Gallup	**Client Sample ID:**	NHT Gas Filters
Lab Order:	1110490	**Collection Date:**	10/6/2011 11:30:00 AM
Project:	NHT- Gasoline Filters	**Date Received:**	10/10/2011
Lab ID:	1110490-01	**Matrix:**	SOIL

Analyses	Result	PQL	Qual	Units	DF	Date Analyzed
EPA METHOD 8260B: VOLATILES						Analyst: BDH
1,1,1-Trichloroethane	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,1,2-Trichloroethane	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Trichloroethene (TCE)	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Trichlorofluoromethane	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
1,2,3-Trichloropropane	ND	24		mg/Kg	200	10/12/2011 12:15:21 PM
Vinyl chloride	ND	12		mg/Kg	200	10/12/2011 12:15:21 PM
Xylenes, Total	ND	24		mg/Kg	200	10/12/2011 12:15:21 PM
Surr: 1,2-Dichloroethane-d4	93.1	70-130		%REC	200	10/12/2011 12:15:21 PM
Surr: 4-Bromofluorobenzene	86.0	70-130		%REC	200	10/12/2011 12:15:21 PM
Surr: Dibromofluoromethane	88.6	63.1-128		%REC	200	10/12/2011 12:15:21 PM
Surr: Toluene-d8	95.9	70-130		%REC	200	10/12/2011 12:15:21 PM
VOLATILES BY 8260B/1311						Analyst: MMS
Benzene	ND	0.50	H	mg/L	1	10/29/2011 9:11:27 AM
2-Butanone	ND	10	H	mg/L	1	10/29/2011 9:11:27 AM
Carbon Tetrachloride	ND	0.50	H	mg/L	1	10/29/2011 9:11:27 AM
Chlorobenzene	ND	100	H	mg/L	1	10/29/2011 9:11:27 AM
Chloroform	ND	6.0	H	mg/L	1	10/29/2011 9:11:27 AM
1,4-Dichlorobenzene	ND	7.5	H	mg/L	1	10/29/2011 9:11:27 AM
1,2-Dichloroethane (EDC)	ND	0.50	H	mg/L	1	10/29/2011 9:11:27 AM
1,1-Dichloroethene	ND	0.70	H	mg/L	1	10/29/2011 9:11:27 AM
Hexachlorobutadiene	ND	0.50	H	mg/L	1	10/29/2011 9:11:27 AM
Tetrachloroethene (PCE)	ND	0.70	H	mg/L	1	10/29/2011 9:11:27 AM
Trichloroethene (TCE)	ND	0.50	H	mg/L	1	10/29/2011 9:11:27 AM
Vinyl chloride	ND	0.20	H	mg/L	1	10/29/2011 9:11:27 AM
Surr: 1,2-Dichloroethane-d4	79.8	69.9-130	H	%REC	1	10/29/2011 9:11:27 AM
Surr: 4-Bromofluorobenzene	102	71.2-123	H	%REC	1	10/29/2011 9:11:27 AM
Surr: Dibromofluoromethane	81.4	73.9-134	H	%REC	1	10/29/2011 9:11:27 AM
Surr: Toluene-d8	83.1	81.9-122	H	%REC	1	10/29/2011 9:11:27 AM
EPA METHOD 418.1: TPH						Analyst: JB
Petroleum Hydrocarbons, TR	200000	4200		mg/Kg	20	10/12/2011

Qualifiers:

*	Value exceeds Maximum Contaminant Level	B	Analyte detected in the associated Method Blank
E	Estimated value	H	Holding times for preparation or analysis exceeded
J	Analyte detected below quantitation limits	MCL	Maximum Contaminant Level
NC	Non-Chlorinated	ND	Not Detected at the Reporting Limit
PQL	Practical Quantitation Limit	S	Spike recovery outside accepted recovery limits

Anatek Labs, Inc.

1282 Alturas Drive • Moscow, ID 83843 • (208) 883-2839 • Fax (208) 882-9246 • email moscow@anateklabs.com
504 E Sprague Ste. D • Spokane WA 99202 • (509) 838-3999 • Fax (509) 838-4433 • email spokane@anateklabs.com

Client:	HALL ENVIRONMENTAL ANALYSIS LAB	**Batch #:**	111012022
Address:	4901 HAWKINS NE SUITE D ALBUQUERQUE, NM 87109	**Project Name:**	1110490
Attn:	ANDY FREEMAN		

Analytical Results Report

Sample Number	111012022-001	**Sampling Date**	10/6/2011	**Date/Time Received**	10/12/2011 10:45 AM
Client Sample ID	1110490-01B / NHT GAS FILTERS	**Sampling Time**	11:30 AM		
Matrix	Solid				
Comments					

Parameter	Result	Units	PQL	Analysis Date	Analyst	Method	Qualifier
Cyanide (reactive)	ND	mg/Kg	1	10/13/2011	CRW	SW846 CH7	
Ignitability	Negative			10/12/2011	JWC	EPA 1030	
pH	7.55	ph Units		10/13/2011	KFG	EPA 9045	
Reactive sulfide	293	mg/kg	10	10/13/2011	JTT	SW846 CH7	
%moisture	11.2	Percent		10/13/2011	KFG	%moisture	

Authorized Signature

John Coddington, Lab Manager

MCL EPA's Maximum Contaminant Level
ND Not Detected
PQL Practical Quantitation Limit

This report shall not be reproduced except in full, without the written approval of the laboratory.
The results reported relate only to the samples indicated.
Soil/solid results are reported on a dry-weight basis unless otherwise noted.

Certifications held by Anatek Labs ID: EPA:ID00013; AZ:0701; CO:ID00013; FL(NELAP):E87893; ID:ID00013; IN:C-ID-01; KY:90142; MT:CERT0028; NM: ID00013; OR:ID200001-002; WA:C586
Certifications held by Anatek Labs WA: EPA:WA00169; CA:Cert2832; ID:WA00169; WA:C586; MT:Cert0065

Thursday, October 13, 2011

QA/QC SUMMARY REPORT

Client: Western Refining Southwest, Gallup
Project: NHT- Gasoline Filters

Work Order: 1110490

Analyte	Result	Units	PQL	SPK Va	SPK ref	%Rec	LowLimit	HighLimit	%RPD	RPDLimit	Qual
Method: EPA Method 418.1: TPH											
Sample ID: MB-28846		*MBLK*				Batch ID:	**28846**	Analysis Date:			10/12/2011
Petroleum Hydrocarbons, TR	ND	mg/Kg	20								
Sample ID: LCS-28846		*LCS*				Batch ID:	**28846**	Analysis Date:			10/12/2011
Petroleum Hydrocarbons, TR	97.26	mg/Kg	20	100	0	97.3	87.8	115			
Sample ID: LCSD-28846		*LCSD*				Batch ID:	**28846**	Analysis Date:			10/12/2011
Petroleum Hydrocarbons, TR	99.86	mg/Kg	20	100	0	99.9	87.8	115	2.64	8.04	

Qualifiers:

E	Estimated value	H	Holding times for preparation or analysis exceeded
J	Analyte detected below quantitation limits	NC	Non-Chlorinated
ND	Not Detected at the Reporting Limit	R	RPD outside accepted recovery limits

QA/QC SUMMARY REPORT

Client: Western Refining Southwest, Gallup
Project: NHT- Gasoline Filters
Work Order: 1110490

Analyte	Result	Units	PQL	SPK Va	SPK ref	%Rec	LowLimit	HighLimit	%RPD	RPDLimit	Qual
Method: EPA Method 8260B: VOLATILES											
Sample ID: mb-28815		*MBLK*					**Batch ID: 28815**		**Analysis Date: 10/12/2011 4:30:16 PM**		
Benzene	ND	mg/Kg	0.050								
Toluene	ND	mg/Kg	0.050								
Ethylbenzene	ND	mg/Kg	0.050								
Methyl tert-butyl ether (MTBE)	ND	mg/Kg	0.050								
1,2,4-Trimethylbenzene	ND	mg/Kg	0.050								
1,3,5-Trimethylbenzene	ND	mg/Kg	0.050								
1,2-Dichloroethane (EDC)	ND	mg/Kg	0.050								
1,2-Dibromoethane (EDB)	ND	mg/Kg	0.050								
Naphthalene	ND	mg/Kg	0.10								
1-Methylnaphthalene	ND	mg/Kg	0.20								
2-Methylnaphthalene	ND	mg/Kg	0.20								
Acetone	ND	mg/Kg	0.75								
Bromobenzene	ND	mg/Kg	0.050								
Bromodichloromethane	ND	mg/Kg	0.050								
Bromoform	ND	mg/Kg	0.050								
Bromomethane	ND	mg/Kg	0.15								
2-Butanone	ND	mg/Kg	0.50								
Carbon disulfide	ND	mg/Kg	0.50								
Carbon tetrachloride	ND	mg/Kg	0.10								
Chlorobenzene	ND	mg/Kg	0.050								
Chloroethane	ND	mg/Kg	0.10								
Chloroform	ND	mg/Kg	0.050								
Chloromethane	ND	mg/Kg	0.15								
2-Chlorotoluene	ND	mg/Kg	0.050								
4-Chlorotoluene	ND	mg/Kg	0.050								
cis-1,2-DCE	ND	mg/Kg	0.050								
cis-1,3-Dichloropropene	ND	mg/Kg	0.050								
1,2-Dibromo-3-chloropropane	ND	mg/Kg	0.10								
Dibromochloromethane	ND	mg/Kg	0.050								
Dibromomethane	ND	mg/Kg	0.10								
1,2-Dichlorobenzene	ND	mg/Kg	0.050								
1,3-Dichlorobenzene	ND	mg/Kg	0.050								
1,4-Dichlorobenzene	ND	mg/Kg	0.050								
Dichlorodifluoromethane	ND	mg/Kg	0.050								
1,1-Dichloroethane	ND	mg/Kg	0.10								
1,1-Dichloroethene	ND	mg/Kg	0.050								
1,2-Dichloropropane	ND	mg/Kg	0.050								
1,3-Dichloropropane	ND	mg/Kg	0.050								
2,2-Dichloropropane	ND	mg/Kg	0.10								
1,1-Dichloropropene	ND	mg/Kg	0.10								
Hexachlorobutadiene	ND	mg/Kg	0.10								
2-Hexanone	ND	mg/Kg	0.50								
Isopropylbenzene	ND	mg/Kg	0.050								
4-Isopropyltoluene	ND	mg/Kg	0.050								

Qualifiers:

E	Estimated value	H	Holding times for preparation or analysis exceeded
J	Analyte detected below quantitation limits	NC	Non-Chlorinated
ND	Not Detected at the Reporting Limit	R	RPD outside accepted recovery limits

QA/QC SUMMARY REPORT

Client: Western Refining Southwest, Gallup
Project: NHT- Gasoline Filters **Work Order:** 1110490

Analyte	Result	Units	PQL	SPK Va	SPK ref	%Rec	LowLimit	HighLimit	%RPD	RPDLimit	Qual
Method: EPA Method 8260B: VOLATILES											
Sample ID: mb-28815		*MBLK*				Batch ID:	**28815**	Analysis Date:	10/12/2011 4:30:16 PM		
4-Methyl-2-pentanone	ND	mg/Kg	0.50								
Methylene chloride	ND	mg/Kg	0.15								
n-Butylbenzene	ND	mg/Kg	0.050								
n-Propylbenzene	ND	mg/Kg	0.050								
sec-Butylbenzene	ND	mg/Kg	0.050								
Styrene	ND	mg/Kg	0.050								
tert-Butylbenzene	ND	mg/Kg	0.050								
1,1,1,2-Tetrachloroethane	ND	mg/Kg	0.050								
1,1,2,2-Tetrachloroethane	ND	mg/Kg	0.050								
Tetrachloroethene (PCE)	ND	mg/Kg	0.050								
trans-1,2-DCE	ND	mg/Kg	0.050								
trans-1,3-Dichloropropene	ND	mg/Kg	0.050								
1,2,3-Trichlorobenzene	ND	mg/Kg	0.10								
1,2,4-Trichlorobenzene	ND	mg/Kg	0.050								
1,1,1-Trichloroethane	ND	mg/Kg	0.050								
1,1,2-Trichloroethane	ND	mg/Kg	0.050								
Trichloroethene (TCE)	ND	mg/Kg	0.050								
Trichlorofluoromethane	ND	mg/Kg	0.050								
1,2,3-Trichloropropane	ND	mg/Kg	0.10								
Vinyl chloride	ND	mg/Kg	0.050								
Xylenes, Total	ND	mg/Kg	0.10								
Sample ID: lcs-28815		*LCS*				Batch ID:	**28815**	Analysis Date:	10/12/2011 12:43:52 PM		
Benzene	0.9294	mg/Kg	0.050	1	0.0165	91.3	70.7	123			
Toluene	1.000	mg/Kg	0.050	1	0	100	80	120			
Chlorobenzene	1.011	mg/Kg	0.050	1	0	101	70	130			
1,1-Dichloroethene	0.7893	mg/Kg	0.050	1	0	78.9	63.1	148			
Trichloroethene (TCE)	0.8022	mg/Kg	0.050	1	0	80.2	63.2	114			

Qualifiers:

E	Estimated value	H	Holding times for preparation or analysis exceeded
J	Analyte detected below quantitation limits	NC	Non-Chlorinated
ND	Not Detected at the Reporting Limit	R	RPD outside accepted recovery limits

QA/QC SUMMARY REPORT

Client: Western Refining Southwest, Gallup
Project: NHT- Gasoline Filters **Work Order:** 1110490

Analyte	Result	Units	PQL	SPK Va	SPK ref	%Rec	LowLimit	HighLimit	%RPD	RPDLimit	Qual
Method: Volatiles by 8260B/1311											
Sample ID: mb-29120		*MBLK*				Batch ID:	**29120**	Analysis Date:	10/29/2011 8:15:55 AM		
Benzene	ND	mg/L	0.50								
2-Butanone	ND	mg/L	10								
Carbon Tetrachloride	ND	mg/L	0.50								
Chlorobenzene	ND	mg/L	100								
Chloroform	ND	mg/L	6.0								
1,4-Dichlorobenzene	ND	mg/L	7.5								
1,2-Dichloroethane (EDC)	ND	mg/L	0.50								
1,1-Dichloroethene	ND	mg/L	0.70								
Hexachlorobutadiene	ND	mg/L	0.50								
Tetrachloroethene (PCE)	ND	mg/L	0.70								
Trichloroethene (TCE)	ND	mg/L	0.50								
Vinyl chloride	ND	mg/L	0.20								
Sample ID: lcs-29120		*LCS*				Batch ID:	**29120**	Analysis Date:	10/29/2011 8:43:42 AM		
Benzene	0.3784	mg/L	0.010	0.4	0	94.6	51.1	171			
Chlorobenzene	0.3733	mg/L	0.010	0.4	0	93.3	36.1	191			
1,1-Dichloroethene	0.3397	mg/L	0.010	0.4	0	84.9	49.1	162			
Trichloroethene (TCE)	0.3810	mg/L	0.010	0.4	0	95.3	41.2	166			

Qualifiers:

E	Estimated value	H	Holding times for preparation or analysis exceeded
J	Analyte detected below quantitation limits	NC	Non-Chlorinated
ND	Not Detected at the Reporting Limit	R	RPD outside accepted recovery limits

QA/QC SUMMARY REPORT

Client: Western Refining Southwest, Gallup
Project: NHT- Gasoline Filters **Work Order:** 1110490

Analyte	Result	Units	PQL	SPK Va	SPK ref	%Rec	LowLimit	HighLimit	%RPD	RPDLimit	Qual
Method: EPA Method 8270C: Semivolatiles											
Sample ID: mb-28842		*MBLK*				Batch ID:	**28842**	Analysis Date:	10/12/2011 1:58:20 PM		
Acenaphthene	ND	mg/Kg	0.20								
Acenaphthylene	ND	mg/Kg	0.20								
Aniline	ND	mg/Kg	0.20								
Anthracene	ND	mg/Kg	0.20								
Azobenzene	ND	mg/Kg	0.20								
Benz(a)anthracene	ND	mg/Kg	0.20								
Benzo(a)pyrene	ND	mg/Kg	0.20								
Benzo(b)fluoranthene	ND	mg/Kg	0.20								
Benzo(g,h,i)perylene	ND	mg/Kg	0.20								
Benzo(k)fluoranthene	ND	mg/Kg	0.20								
Benzoic acid	ND	mg/Kg	0.50								
Benzyl alcohol	ND	mg/Kg	0.20								
Bis(2-chloroethoxy)methane	ND	mg/Kg	0.20								
Bis(2-chloroethyl)ether	ND	mg/Kg	0.20								
Bis(2-chloroisopropyl)ether	ND	mg/Kg	0.20								
Bis(2-ethylhexyl)phthalate	ND	mg/Kg	0.50								
4-Bromophenyl phenyl ether	ND	mg/Kg	0.20								
Butyl benzyl phthalate	ND	mg/Kg	0.20								
Carbazole	ND	mg/Kg	0.20								
4-Chloro-3-methylphenol	ND	mg/Kg	0.50								
4-Chloroaniline	ND	mg/Kg	0.50								
2-Chloronaphthalene	ND	mg/Kg	0.25								
2-Chlorophenol	ND	mg/Kg	0.20								
4-Chlorophenyl phenyl ether	ND	mg/Kg	0.20								
Chrysene	ND	mg/Kg	0.20								
Di-n-butyl phthalate	ND	mg/Kg	0.50								
Di-n-octyl phthalate	ND	mg/Kg	0.25								
Dibenz(a,h)anthracene	ND	mg/Kg	0.20								
Dibenzofuran	ND	mg/Kg	0.20								
1,2-Dichlorobenzene	ND	mg/Kg	0.20								
1,3-Dichlorobenzene	ND	mg/Kg	0.20								
1,4-Dichlorobenzene	ND	mg/Kg	0.20								
3,3'-Dichlorobenzidine	ND	mg/Kg	0.25								
Diethyl phthalate	ND	mg/Kg	0.20								
Dimethyl phthalate	ND	mg/Kg	0.20								
2,4-Dichlorophenol	ND	mg/Kg	0.40								
2,4-Dimethylphenol	ND	mg/Kg	0.30								
4,6-Dinitro-2-methylphenol	ND	mg/Kg	0.50								
2,4-Dinitrophenol	ND	mg/Kg	0.40								
2,4-Dinitrotoluene	ND	mg/Kg	0.50								
2,6-Dinitrotoluene	ND	mg/Kg	0.50								
Fluoranthene	ND	mg/Kg	0.20								
Fluorene	ND	mg/Kg	0.20								
Hexachlorobenzene	ND	mg/Kg	0.20								

Qualifiers:

E	Estimated value	H	Holding times for preparation or analysis exceeded
J	Analyte detected below quantitation limits	NC	Non-Chlorinated
ND	Not Detected at the Reporting Limit	R	RPD outside accepted recovery limits

QA/QC SUMMARY REPORT

Client: Western Refining Southwest, Gallup
Project: NHT- Gasoline Filters
Work Order: 1110490

Analyte	Result	Units	PQL	SPK Va	SPK ref	%Rec	LowLimit	HighLimit	%RPD	RPDLimit	Qual
Method: EPA Method 8270C: Semivolatiles											
Sample ID: mb-28842		*MBLK*				Batch ID:	**28842**	Analysis Date:	10/12/2011 1:58:20 PM		
Hexachlorobutadiene	ND	mg/Kg	0.20								
Hexachlorocyclopentadiene	ND	mg/Kg	0.20								
Hexachloroethane	ND	mg/Kg	0.20								
Indeno(1,2,3-cd)pyrene	ND	mg/Kg	0.20								
Isophorone	ND	mg/Kg	0.50								
2-Methylnaphthalene	ND	mg/Kg	0.20								
1-Methylnaphthalene	ND	mg/Kg	0.20								
2-Methylphenol	ND	mg/Kg	0.50								
3+4-Methylphenol	ND	mg/Kg	0.20								
N-Nitrosodi-n-propylamine	ND	mg/Kg	0.20								
N-Nitrosodiphenylamine	ND	mg/Kg	0.20								
Naphthalene	ND	mg/Kg	0.20								
2-Nitroaniline	ND	mg/Kg	0.20								
3-Nitroaniline	ND	mg/Kg	0.20								
4-Nitroaniline	ND	mg/Kg	0.40								
Nitrobenzene	ND	mg/Kg	0.50								
2-Nitrophenol	ND	mg/Kg	0.20								
4-Nitrophenol	ND	mg/Kg	0.25								
Pentachlorophenol	ND	mg/Kg	0.40								
Phenanthrene	ND	mg/Kg	0.20								
Phenol	ND	mg/Kg	0.20								
Pyrene	ND	mg/Kg	0.20								
Pyridine	ND	mg/Kg	0.50								
1,2,4-Trichlorobenzene	ND	mg/Kg	0.20								
2,4,5-Trichlorophenol	ND	mg/Kg	0.20								
2,4,6-Trichlorophenol	ND	mg/Kg	0.20								
Sample ID: lcs-28842		*LCS*				Batch ID:	**28842**	Analysis Date:	10/12/2011 2:27:58 PM		
Acenaphthene	1.112	mg/Kg	0.20	1.67	0	66.6	31.3	107			
4-Chloro-3-methylphenol	1.927	mg/Kg	0.50	3.33	0	57.9	33.1	110			
2-Chlorophenol	1.751	mg/Kg	0.20	3.33	0	52.6	31.6	99.2			
1,4-Dichlorobenzene	0.9653	mg/Kg	0.20	1.67	0	57.8	32.1	97.1			
2,4-Dinitrotoluene	1.067	mg/Kg	0.50	1.67	0	63.9	26	96.6			
N-Nitrosodi-n-propylamine	0.9890	mg/Kg	0.20	1.67	0	59.2	35.8	92			
4-Nitrophenol	2.302	mg/Kg	0.25	3.33	0	69.1	18.3	117			
Pentachlorophenol	1.794	mg/Kg	0.40	3.33	0	53.9	16.5	111			
Phenol	1.889	mg/Kg	0.20	3.33	0	56.7	31.6	98.9			
Pyrene	1.050	mg/Kg	0.20	1.67	0	62.9	26.5	116			
1,2,4-Trichlorobenzene	0.8613	mg/Kg	0.20	1.67	0	51.6	35	98.9			
Sample ID: lcsd-28842		*LCSD*				Batch ID:	**28842**	Analysis Date:	10/12/2011 2:57:28 PM		
Acenaphthene	1.115	mg/Kg	0.20	1.67	0	66.8	31.3	107	0.269	20	
4-Chloro-3-methylphenol	1.909	mg/Kg	0.50	3.33	0	57.3	33.1	110	0.956	20	
2-Chlorophenol	1.818	mg/Kg	0.20	3.33	0	54.6	31.6	99.2	3.75	20	
1,4-Dichlorobenzene	0.9267	mg/Kg	0.20	1.67	0	55.5	32.1	97.1	4.09	20	
2,4-Dinitrotoluene	1.200	mg/Kg	0.50	1.67	0	71.8	26	96.6	11.7	20	

Qualifiers:

E	Estimated value	H	Holding times for preparation or analysis exceeded
J	Analyte detected below quantitation limits	NC	Non-Chlorinated
ND	Not Detected at the Reporting Limit	R	RPD outside accepted recovery limits

QA/QC SUMMARY REPORT

Client: Western Refining Southwest, Gallup
Project: NHT- Gasoline Filters **Work Order:** 1110490

Analyte	Result	Units	PQL	SPK Va	SPK ref	%Rec	LowLimit	HighLimit	%RPD	RPDLimit	Qual
Method: EPA Method 8270C: Semivolatiles											
Sample ID: lcsd-28842		*LCSD*				Batch ID:	**28842**	Analysis Date:		10/12/2011 2:57:28 PM	
N-Nitrosodi-n-propylamine	0.9430	mg/Kg	0.20	1.67	0	56.5	35.8	92	4.76	20	
4-Nitrophenol	2.388	mg/Kg	0.25	3.33	0	71.7	18.3	117	3.65	20	
Pentachlorophenol	1.994	mg/Kg	0.40	3.33	0	59.9	16.5	111	10.6	20	
Phenol	1.895	mg/Kg	0.20	3.33	0	56.9	31.6	98.9	0.317	20	
Pyrene	1.179	mg/Kg	0.20	1.67	0	70.6	26.5	116	11.6	20	
1,2,4-Trichlorobenzene	0.9170	mg/Kg	0.20	1.67	0	54.9	35	98.9	6.26	20	
Method: EPA Method 7471: Mercury											
Sample ID: MB-28970		*MBLK*				Batch ID:	**28970**	Analysis Date:		10/19/2011 12:59:10 PM	
Mercury	ND	mg/Kg	0.033								
Sample ID: LCS-28970		*LCS*				Batch ID:	**28970**	Analysis Date:		10/19/2011 1:00:54 PM	
Mercury	0.1659	mg/Kg	0.033	0.167	0	99.6	80	120			
Method: MERCURY, TCLP											
Sample ID: MB-29140		*MBLK*				Batch ID:	**29140**	Analysis Date:		10/31/2011 1:51:04 PM	
Mercury	ND	mg/L	0.020								
Sample ID: LCS-29140		*LCS*				Batch ID:	**29140**	Analysis Date:		10/31/2011 1:52:50 PM	
Mercury	ND	mg/L	0.020	0.005	0	99.6	80	120			
Method: EPA Method 6010B: Soil Metals											
Sample ID: MB-28988		*MBLK*				Batch ID:	**28988**	Analysis Date:		10/21/2011 6:38:17 AM	
Arsenic	ND	mg/Kg	2.5								
Barium	ND	mg/Kg	0.10								
Cadmium	ND	mg/Kg	0.10								
Chromium	ND	mg/Kg	0.30								
Lead	ND	mg/Kg	0.25								
Selenium	ND	mg/Kg	2.5								
Sample ID: MB-28988		*MBLK*				Batch ID:	**28988**	Analysis Date:		10/25/2011 7:17:25 AM	
Silver	ND	mg/Kg	0.25								
Sample ID: LCS-28988		*LCS*				Batch ID:	**28988**	Analysis Date:		10/21/2011 6:40:12 AM	
Arsenic	24.74	mg/Kg	2.5	25	0	99.0	80	120			
Barium	24.53	mg/Kg	0.10	25	0	98.1	80	120			
Cadmium	24.57	mg/Kg	0.10	25	0	98.3	80	120			
Chromium	24.77	mg/Kg	0.30	25	0	99.1	80	120			
Lead	24.10	mg/Kg	0.25	25	0	96.4	80	120			
Selenium	24.17	mg/Kg	2.5	25	0	96.7	80	120			
Sample ID: LCS-28988		*LCS*				Batch ID:	**28988**	Analysis Date:		10/25/2011 7:19:23 AM	
Silver	5.046	mg/Kg	0.25	5	0	101	80	120			

Qualifiers:

E	Estimated value	H	Holding times for preparation or analysis exceeded
J	Analyte detected below quantitation limits	NC	Non-Chlorinated
ND	Not Detected at the Reporting Limit	R	RPD outside accepted recovery limits

QA/QC SUMMARY REPORT

Client: Western Refining Southwest, Gallup
Project: NHT- Gasoline Filters **Work Order:** 1110490

Analyte	Result	Units	PQL	SPK Va	SPK ref	%Rec	LowLimit	HighLimit	%RPD	RPDLimit	Qual
Method: EPA Method 6010B: TCLP Metals											
Sample ID: 1110490-01AMSD		*MSD*				Batch ID:	**29130**	Analysis Date:		10/30/2011 12:30:06 PM	
Cadmium	ND	mg/L	1.0	0.5	0.0473	105	75	125	0	20	
Sample ID: 1110490-01AMSD		*MSD*				Batch ID:	**29130**	Analysis Date:		10/31/2011 8:36:40 AM	
Arsenic	ND	mg/L	5.0	0.5	0.0644	112	75	125	0	20	
Chromium	ND	mg/L	5.0	0.5	0.0026	96.6	75	125	0	20	
Lead	ND	mg/L	5.0	0.5	0.0024	95.9	75	125	0	20	
Selenium	ND	mg/L	1.0	0.5	0	106	75	125	0	20	
Silver	ND	mg/L	5.0	0.1	0	98.5	75	125	0	20	
Sample ID: 1110490-01AMSD		*MSD*				Batch ID:	**29130**	Analysis Date:		10/31/2011 8:42:20 AM	
Barium	ND	mg/L	500	0.5	1.62	86.6	75	125	0	20	
Sample ID: MB-29130		*MBLK*				Batch ID:	**29130**	Analysis Date:		10/30/2011 12:20:34 PM	
Cadmium	ND	mg/L	1.0								
Silver	ND	mg/L	5.0								
Sample ID: MB-29130		*MBLK*				Batch ID:	**29130**	Analysis Date:		10/31/2011 8:27:18 AM	
Arsenic	ND	mg/L	5.0								
Barium	ND	mg/L	100								
Chromium	ND	mg/L	5.0								
Lead	ND	mg/L	5.0								
Selenium	ND	mg/L	1.0								
Sample ID: LCS-29130		*LCS*				Batch ID:	**29130**	Analysis Date:		10/30/2011 12:22:32 PM	
Cadmium	ND	mg/L	1.0	0.5	0	106	80	120			
Silver	ND	mg/L	5.0	0.1	0	104	80	120			
Sample ID: LCS-29130		*LCS*				Batch ID:	**29130**	Analysis Date:		10/31/2011 8:29:12 AM	
Arsenic	ND	mg/L	5.0	0.5	0	111	80	120			
Barium	ND	mg/L	100	0.5	0	97.5	80	120			
Chromium	ND	mg/L	5.0	0.5	0	97.3	80	120			
Lead	ND	mg/L	5.0	0.5	0	97.9	80	120			
Selenium	ND	mg/L	1.0	0.5	0	111	80	120			
Sample ID: 1110490-01AMS		*MS*				Batch ID:	**29130**	Analysis Date:		10/30/2011 12:28:11 PM	
Cadmium	ND	mg/L	1.0	0.5	0.0473	103	75	125			
Sample ID: 1110490-01AMS		*MS*				Batch ID:	**29130**	Analysis Date:		10/31/2011 8:33:04 AM	
Arsenic	ND	mg/L	5.0	0.5	0.0644	110	75	125			
Chromium	ND	mg/L	5.0	0.5	0.0026	94.6	75	125			
Lead	ND	mg/L	5.0	0.5	0.0024	94.6	75	125			
Selenium	ND	mg/L	1.0	0.5	0	105	75	125			
Silver	ND	mg/L	5.0	0.1	0	97.3	75	125			
Sample ID: 1110490-01AMS		*MS*				Batch ID:	**29130**	Analysis Date:		10/31/2011 8:40:27 AM	
Barium	ND	mg/L	500	0.5	1.62	82.8	75	125			

Qualifiers:

E	Estimated value	H	Holding times for preparation or analysis exceeded
J	Analyte detected below quantitation limits	NC	Non-Chlorinated
ND	Not Detected at the Reporting Limit	R	RPD outside accepted recovery limits

Chain-of-Custody Record

Client: WESTERN - REFINING
GALLUP REFINERY
Mailing Address: RT 3 BOX 7
GALLUP NM 87301
Phone #: 505 722 3227
email or Fax#: 505 722 3833
QA/QC Package:
☐ Standard ☐ Level 4 (Full Validation)
☐ Other
☐ EDD (Type)

Turn-Around Time:
☐ Standard ☒ Rush 3DAY (XZ)
Project Name: NHT-GASOLINE FILTERS
Project #: NHT-GASOLINE FILTERS
Project Manager: THURMAN LARSEN
Sampler: ALVIN DORSEY
On Ice: ☒ Yes ☐ No
Sample Temperature: 2.7

HALL ENVIRONMENTAL ANALYSIS LABORATORY
www.hallenvironmental.com
4901 Hawkins NE - Albuquerque, NM 87109
Tel. 505-345-3975 Fax 505-345-4107

Analysis Request

Date	Time	Matrix	Sample Request ID	Container Type and #	Preservative Type	HEAL No. #110490	BTEX + MTBE + TMB's (8021)	BTEX + MTBE + TPH (Gas only)	TPH Method 8015B (Gas/Diesel)	TPH (Method 418.1)	EDB (Method 504.1)	8310 (PNA or PAH)	RCRA 8 Metals	Anions (F,Cl,NO_3,NO_2,PO_4,SO_4)	8081 Pesticides / 8082 PCB's	8260B (VOA)	8270 (Semi-VOA)	RCI				Air Bubbles (Y or N)
10-06-11	11:30	SOIL	NHT GAS FILTERS	802-3	—	-1				X						X	X	X				

Date	Time	Relinquished by:	Received by:	Date	Time
10-10-11	1330	[signature]	[signature]	10/10/11	1330
Date:	Time:	Relinquished by:	Received by:	Date	Time

Remarks: Added TCLP 8260 past hold time. [signature]

If necessary, samples submitted to Hall Environmental may be subcontracted to other accredited laboratories. This serves as notice of this possibility. Any sub-contracted data will be clearly notated on the analytical report.

ATTACHMENT 2

WEIGHED ON A FAIRBANKS SCALE

DATE 5/16/11

Manifest # 000 935825

CUSTOMER NAME WESTERN

7:29AM LOOP ID 276

ADDRESS RT3 Bx 7

COMMODITY

CARRIER CT-INC.

REMARKS 53352

INBOUND 28480 lb

52940 lb GROSS

28480 lb TARE

24460 lb NET

10:28AM 5-16-11 LOOP ID 276

LBS. GROSS

LBS. TARE – DRIVER ON ✓ OFF

LBS. NET @ PER LB. PRICE

SHIPPER

WEIGHER

FAIRBANKS SCALE CAT. 96787

WEIGHED ON A FAIRBANKS SCALE

Manifest # 00150013 UK

DATE 5/16/11

CUSTOMER NAME WESTERN

7:28AM LOOP ID 275

ADDRESS RT3 BX7

COMMODITY

CARRIER CT. INC

REMARKS 51894

INBOUND 28300 lb

50020 lb GROSS

28300 lb TARE

21720 lb NET

10:27AM 5-16-11 LOOP ID 275

LBS. GROSS

LBS. TARE – DRIVER ON ✓ OFF

LBS. NET @ PER LB. PRICE

SHIPPER

WEIGHER

FAIRBANKS SCALE CAT. 96787

WEIGHED ON A FAIRBANKS SCALE

DATE 5-13-11

Manyest# 0013060 12 JJK

CUSTOMER NAME Western

ADDRESS RR3 Box 7

COMMODITY Flour Mills

CARRIER CT

7:24AM LOOP ID 260

INBOUND 29660 lb

75240 lb GROSS

29660 lb TARE

45580 lb NET

10:13AM 5-13-11 LOOP ID 260

REMARKS Truck ~~#~~ ID 841

LBS. GROSS

LBS. TARE – DRIVER ON ✓ OFF

LBS. NET @ _____ PER LB. PRICE

SHIPPER

WEIGHER LEO

FAIRBANKS SCALE CAT. 96787

WEIGHED ON A FAIRBANKS SCALE

Marinpoint 0073 0011 JTK

DATE 5-13-11

CUSTOMER NAME Western

ADDRESS RT3 Box 7

COMMODITY Float Bins

CARRIER CT

REMARKS Truck 763

7:24AM LOOP ID 261

INBOUND 00 lb

69120 lb GROSS

00 lb TARE 32000 TARE

69120 lb NET 37120 NET

10:14AM 5-13-11 LOOP ID 261

LBS. GROSS

LBS. TARE – DRIVER ON ✓ OFF

LBS. NET @ _____ PER LB. PRICE _____

SHIPPER

WEIGHER LEO

FAIRBANKS SCALE CAT. 96787

HED ON A FAIRBANKS SCALE

Manifest # 007992741 JJK

DATE 7-26-11

CUSTOMER NAME

ADDRESS

COMMODITY

CARRIER CTI

REMARKS

8:22AM LOOP ID 604

INBOUND 31460 lb

40060 lb GROSS

31460 lb TARE

8600 lb NET

9:34AM 7-26-11 LOOP ID 604

LBS. GROSS

LBS. TARE – DRIVER ON ✓ OFF

LBS. NET @ PER LB. PRICE

SHIPPER

WEIGHER

FAIRBANKS SCALE CAT. 96787

WEIGHED ON A FAIRBANKS SCALE

DATE 4-7-10

7:14AM LOOP ID 674

CUSTOMER'S NAME Western Alvin Dorsey

ADDRESS RT 3 Box 7

COMMODITY Flow Bins

CARRIER INBOUND 31300 lb CTI

REMARKS TRK 822

55420 lb GROSS

31300 lb TARE

24120 lb NET

9:56AM 4-07-10 LOOP ID 674

LBS. GROSS

LBS. TARE – DRIVER ON ✓ OFF

LBS. NET @ PER LB. PRICE

SHIPPER

WEIGHER LEO Brigg

FAIRBANKS SCALE CAT. 96787

Manifest 00605813 TTK

WEIGHED ON A FAIRBANKS SCALE

DATE 4-7-10

7:15AM LOOP ID 677

CUSTOMER'S NAME Western

ADDRESS RT3 Box 7

COMMODITY Flow Bins

CARRIER CTI

INBOUND 30680 lb

56140 lb GROSS

30680 lb TARE

25460 lb NET

9:58AM 4-07-10 LOOP ID 677

REMARKS Alvin Darsey

TRK 762

LBS. GROSS

LBS. TARE – DRIVER ON ✓ OFF

LBS. NET @ PER LB. PRICE

SHIPPER

WEIGHER LEO Gmez

FAIRBANKS SCALE CAT. 96787

MAN # 00609581 35 TTK

WEIGHED ON A FAIRBANKS SCALE

DATE 3-31-2010

8:05AM LOOP ID 644

CUSTOMER'S NAME WESTON

ADDRESS PLICO, PA

COMMODITY Catalyst, Bins - FULL

CARRIER INBOUND 30240 lb

820

68620 lb GROSS

30240 lb TARE

38380 lb NET

12:22PM 3-31-10 LOOP ID 644

REMARKS

LBS. GROSS

LBS. TARE – DRIVER ON X OFF

LBS. NET @ PER LB. PRICE

SHIPPER

WEIGHER

FAIRBANKS SCALE CAT. 96787

Manifest 00608133 JJK

WEIGHED ON A FAIRBANKS SCALE

DATE _____

8:05AM LOOP ID 645

CUSTOMER'S NAME WESTERN

ADDRESS ROUTE 3, BOX 7

COMMODITY CATALYST CONTAINER, FILL

CARRIER 822

INBOUND 31860 lb

68220 lb GROSS

31860 lb TARE

36360 lb NET

11:52AM 3-31-10 LOOP ID 645

REMARKS

LBS. GROSS

LBS. TARE – DRIVER ON ✓ OFF _____

LBS. NET @ _____ PER LB. PRICE _____

SHIPPER _____

WEIGHER Linda Mathews

FAIRBANKS SCALE CAT. 96787

Mm # 00058132 JJK

ATTACHMENT 3

- Returned to Generator -

Just Trans.

✓ 136333

Please print or type. (Form designed for use on elite (12-pitch) typewriter.)

Form Approved. OMB No. 2050-0039

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator ID Number: NMD000033211
2. Page 1 of: 1
3. Emergency Response Phone: (877) 818-0087
4. Manifest Tracking Number: 000143419 VES

5. Generator's Name and Mailing Address: WESTERN REFINERY, PO BOX 7 ROUTE 3, GALLUP, NM 87301

Generator's Site Address (if different than mailing address): WESTERN REFINERY, I40 / EXIT 39, JAMES TOWN, NM 87347

Generator's Phone: 505 722-0258

6. Transporter 1 Company Name: TRIAD TRANSPORT, INC.
U.S. EPA ID Number: OKD981588791

7. Transporter 2 Company Name:
U.S. EPA ID Number:

8. Designated Facility Name and Site Address: SYSTECH ENVIRONMENTAL CORP., SOUTH CEMENT ROAD, FREDONIA, KS 66736
U.S. EPA ID Number: KSD980633259

Facility's Phone: 620 378-4451

9a. HM	9b. U.S. DOT Description (including Proper Shipping Name, Hazard Class, ID Number, and Packing Group (if any))	10. Containers No.	10. Containers Type	11. Total Quantity	12. Unit Wt./Vol.	13. Waste Codes		
X	1 UN3082, WASTE ENVIRONMENTALLY HAZARDOUS SUBSTANCES, LIQUID, n.o.s., (HYDROCARBONS), 9, III, RQ (K170)	001	TT	41620	P	F037 / F038	K048 / K049	K050 / K051
	2.							
	3.							
	4.							

Rejected Load

14. Special Handling Instructions and Additional Information: 1) ERG:171 W:78760 A:SYK-CG146628 -|- ER Service Contracted by VESTS
VEOLIA DISPOSAL PO#:

15. **GENERATOR'S/OFFEROR'S CERTIFICATION:** I hereby declare that the contents of this consignment are fully and accurately described above by the proper shipping name, and are classified, packaged, marked and labeled/placarded, and are in all respects in proper condition for transport according to applicable international and national governmental regulations. If export shipment and I am the Primary Exporter, I certify that the contents of this consignment conform to the terms of the attached EPA Acknowledgment of Consent.
I certify that the waste minimization statement identified in 40 CFR 262.27(a) (if I am a large quantity generator) or (b) (if I am a small quantity generator) is true.

Generator's/Offeror's Printed/Typed Name: ALVIN DORSEY
Signature: Alvin D
Month 04 Day 21 Year 09

16. International Shipments ☐ Import to U.S. ☐ Export from U.S. Port of entry/exit:
Transporter signature (for exports only): Date leaving U.S.:

17. Transporter Acknowledgment of Receipt of Materials

Transporter 1 Printed/Typed Name: RILEY MCELROY
Signature: Riley McElroy
Month 04 Day 21 Year 09

Transporter 2 Printed/Typed Name:
Signature:
Month Day Year

18. Discrepancy: Returning load to Generator because of low BTU

18a. Discrepancy Indication Space ☐ Quantity ☐ Type ☐ Residue ☐ Partial Rejection ☑ Full Rejection

Manifest Reference Number:

18b. Alternate Facility (or Generator): Western Refinery, PO Box 7 Route 3, Gallup, NM 87301
U.S. EPA ID Number: NMD000033211

Facility's Phone:

18c. Signature of Alternate Facility (or Generator): Per NMED
Month 10 Day 3 Year 11

19. Hazardous Waste Report Management Method Codes (i.e., codes for hazardous waste treatment, disposal, and recycling systems)
1. 2. 3. 4.

20. Designated Facility Owner or Operator: Certification of receipt of hazardous materials covered by the manifest except as noted in Item 18a

Printed/Typed Name: Signature: Month Day Year

GENERATOR — INT'L — TRANSPORTER — DESIGNATED FACILITY

EPA Form 8700-22 (Rev. 3-05) Previous editions are obsolete.

DESIGNATED FACILITY TO DESTINATION STATE (IF REQUIRED)

ATTACHMENT 4

Doug, Here is the information you requested in your fax of 11/22/11. Sorry for the delay, the holidays got me behind.

The waste in question was oil bearing secondary material (OBSM) taken from Gallup's two frac tanks and was being sent to Systech as a hazardous waste for a test run as a disposal option. Systech rejected the load due to low BTU.

"The NMED is requesting a description of where the wastes were placed backed into the system".
COMMENTS: There are two frac tanks that are located on-site at the bundle pad which are used to place (OBSM). The refinery uses the on-site vacuum truck to remove oil and sludge from around the facility including various process sewers, and sumps which also includes the API sludge and unloads it into one of the two frac tanks for later shipment off-site under the OBSM refinery exemption.

1. "The NMED is requesting supporting documentation or procedures when hazardous waste shipments are rejected and returned back to Gallup Refinery".
COMMENTS: The refinery uses the on-site vacuum truck to remove oil and sludge from around the facility including various process sewers, and sumps which also includes the API sludge and unloads it into one of the two frac tanks for shipment off-site under the OBSM refinery recycling exemption. Based on this exemption these shipments can be transported to an approved facility using a Bill of Lading under the following description: "RQ, Environmentally Hazardous Substance, liquid, NOS (9, UN3082, III).

Other Hazardous Waste is sent to an approved TSD facility based on an established profile that properly characterizes the waste stream based on analytical data, process knowledge, or both. Once the facility approves the waste stream, it will be allowed to be transported to this TSD Facility for disposal. When OSBM is shipped as Hazardous Waste, It will be manifested using a Hazardous Waste Manifest with the following waste codes: K050, K051, F037, and F038). It will be shipped under the following DOT Description: "RQ, Hazardous Waste Liquid, NOS, (9, NA 3082, III)".

REJECTED LOADS:
Rejected Hazardous Waste loads, either drum or bulk, will be received by the Generator (Gallup Refinery) in a similar manner. Environmental Department personnel shall be notified upon arrival. Drum loads will be offloaded at the ninety-day Hazardous Waste Accumulation Area. Drums will be counted to verify receipt of the material. Prior to departure of transporter, all paperwork will be signed including the manifest. (Section 18c). The load would then be profiled with a different vendor approved to receive the waste. The waste would be shipped within the 90 days of original generation.

On rare occasions OSBM may be transported off-site as Hazardous Waste to an approved Hazardous Waste TSD Facility. In the past, two of these loads have been rejected. The

Hazardous Waste (OSBM) is off loaded in frac tanks at the bundle pad where it is comingled with other OSBM. A note should be attached or included on the manifest indicating that the material was placed in the frac tank. (Section 18c) It is shipped at a later date back to a designated Hazardous waste TSD Facility or to a OSBM facility. Prior to departure of transporter, all paperwork will be signed including the manifest.

Manifest # 000143419 VES (shipped 41620 lbs, on 04/21/09). It was rejected and returned to generator due to Low BTU). It was placed into a frac tank were water was removed. It was then shipped as a hazardous waste back to Systech within two weeks of receipt of the rejected shipment as shown in the manifests below.

Manifest	Facility	Weight (lbs)	Date of Shipment	Comments
000143419 VES	Systech (Ks to WNR)	41620	4/21/2009	Low BTU
000143421 VES	Systech (ks)	42160	4/21/2009	
000143422 VES	Systech (Ks)	42280	4/27/2009	
000143423 VES	Systech (Ks to Tx)	41940	5/1/2009	
000144199 VES	Systech (Ks)	42280	5/4/2009	
000144194 VES	Systech (Ks)	38240	5/8/2009	
000144251 VES	Veolia (Tx)	39540	6/7/2009	
000144324 VES	Veolia (Tx)	40260	6/11/2009	
000144328 VES	Veolia (Tx)	40660	6/17/2009	
000144330 VES	Veolia (Tx)	39320	6/17/2009	
000144333 VES	Veolia (Tx)	42120	6/25/2009	
000144334 VES	Veolia (Tx)	41300	6/25/2009	

Manifest # 007523041 JJK (shipped 40880 lbs, on 05/19/11). It was rejected and returned to generator due to low BTU on 5/25/11 and placed into frac tanks. Water was removed and material was shipped to Norco in various loads during the last week of May.

Manifest	Facility	Weight (lbs)	Date of Shipment	Comments
BOL#11403	PSC (Norco, LA)	39660	5/17/2011	
007523041 JJK	Systech (Ks to WNR)	40880	5/19/2011	Low BTU
004094037 JJK	US Ecology (TX)	37120	5/23/2011	
BOL #11404	PSC (Norco, LA)	37180	5/23/2011	
BOL #11405	PSC (Norco, LA)	37980	5/27/2011	
BOL#11406	PSC (Norco, LA)	32000	5/30/2011	
BOL#11407	PSC (Norco, LA)	31470	5/31/2011	
BOL#11408	PSC (Norco, LA)	31300	6/6/2011	

BOL#11409	PSC (Norco, LA)	35300	6/6/2011
BOL#11410	PSC (Norco, LA)	18180	6/6/2011
007523042 JJK	Systech (Ks)	27000	7/8/2011

ATTACHMENT 5

EPA530-R-03-002a

RCRA, SUPERFUND & EPCRA CALL CENTER MONTHLY REPORT
January 2003

1. Frequently Asked Questions on Generator Treatment

1. Are small quantity generators (SQGs) and large quantity generators (LQGs) allowed to treat hazardous waste on site without obtaining a permit?

SQGs and LQGs may treat hazardous waste on site without a permit provided they are in compliance with the applicable provisions in 40 CFR Section 262.34, and provided that the treatment is not thermal treatment (51 FR 10146, 10168; March 24, 1986). For example, in order to treat hazardous waste without a permit, an LQG must be accumulating hazardous waste on site for less than 90 days in accordance with Section 262.34, and the waste must be placed in generator accumulation units that are in compliance with Part 265, Subparts I, J, W, and/or DD. Generators should check with their implementing agencies before treating waste in accordance with Section 262.34. Some authorized states are more stringent than the federal program and require a permit for generator treatment activities.

2. Is a conditionally exempt small quantity generator (CESQG) allowed to treat hazardous waste on site without obtaining a permit?

CESQGs may treat or dispose of hazardous waste on site without a permit if the facility meets one of the conditions listed in Sections 261.5(g)(3)(iii) through (vii). If a CESQG does not meet one of these conditions, the facility must have a permit under Part 270, or operate in interim status under Parts 270 and 265 before treating or disposing of waste on site (Sections 261.5(g)(3)(i) and (ii)).

3. May a generator conduct thermal treatment without obtaining a permit?

A generator may not conduct thermal treatment without a permit. Thermal treatment is regulated under Part 265, Subpart P; Part 264/265, Subpart O; Part 264, Subpart X; or Part 266, Subpart H. The generator "permit exemption" for treatment only extends to treatment activities that share the same standards as storage (i.e., the treatment must occur in tanks, containers, or containment buildings). The standards for thermal treatment are different from Section 262.34 storage requirements; therefore, thermal treatment may not be performed in generator accumulation units without a permit.

4. May a SQG treat hazardous waste in containment buildings or on drip pads?

A SQG cannot treat in containment buildings or on drip pads and continue to operate under the reduced requirements for SQGs set forth in Section 262.34(d). Containment buildings and drip pads are LQG accumulation units (Sections 262.34(a)(iii) and (iv)). A

SQG may treat hazardous waste in containment buildings or on drip pads if the generator complies with the more stringent LQG requirements, such as personnel training and contingency plans as required in Section 262.34(a)(4). In addition, a SQG would have to close those accumulation units in accordance with Sections 265.111(a) and (b), and Section 265.114, as well as comply with a 90-day accumulation period rather than a 180-day accumulation period.

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