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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 18, 2012

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

**RE: THIRD DISAPPROVAL
REQUIREMENT TO RESURVEY GROUNDWATER MONITORING WELLS
AND RECOVERY WELLS
WESTERN REFINING COMPANY, SOUTHWEST, INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-11-003**

Dear Mr. Riege:

The New Mexico Environment Department (NMED) has reviewed Western Refining Company, Southwest Inc., Gallup Refinery's (Permittee) submittal titled, *Requirement to Resurvey Ground Water Monitoring Wells and Recovery Wells* (Report), dated April 19, 2012. NMED has reviewed the Report and hereby issues this third disapproval.

Comment 1

NMED's Comments 2 and 3 from the second Notice of Disapproval (2nd NOD) dated February 12, 2012 required the Permittee to describe the accuracy and error associated with the survey method and instruments used during the survey event; however, the Permittee did not discuss this information in the response. The Permittee must discuss the accuracy and error associated with the survey method and instruments used during the survey event in the response letter to this disapproval.

Comment 2

The Permittee continues to fail to provide a comprehensive and correct data table that summarizes the survey data. There are still several errors associated with the *2011 Corrected Well Elevation Summary Table (Revision 2 – April 19, 2012)* (2011 Table). The following lists the errors associated with the table, revise the table as accordingly.

- a. There are several instances where the previous stick-up length and the stick-up length measurements collected during the 2011 survey (current) are significantly different. For example, BW-1B the previous measurement was 2.38 feet (ft) and the 2011 survey measurement is 0.68 ft. Explain the reason for the significant differences between the previous and current stick-up length measurements.
- b. The current stick-up length measurements do not seem to be correct. It appears that the Permittee calculated the stick-up length by subtracting the “2011 Survey Well Casing Rim Elevation” from the “2011 Survey Ground Elevation Inside Steel Sleeve.” Revise the 2011 Table by correctly calculating the stick-up length by subtracting the “2011 Survey Well Casing Rim Elevation” from the “2011 Survey Ground Level Elevation.” In addition, remove the column “2011 Survey Ground Elevation Inside Steel Sleeve” from the table.
- c. There appears to be a rounding error from the conversion of the previous stick-up length measurements from inches (in.) to ft. For example, the previous stick-up length measurement for BW-1A is 52.50 in. and the Permittee converted the measurement to 4.37 ft. It is actually 4.38 ft. Review all converted stick-up measurement data to ensure the calculated data are accurately reported in the 2011 Table.
- d. Incorrect elevations are reported for the previous well casing bottom elevations for wells OW-50 and OW-52. Table 9.0 (Annual Well Data Summary Table) from the 2009 Annual Groundwater Monitoring Report reports well casing bottom elevations for wells OW-50 as 6,977.37 ft and OW-52 as 6,985.26 ft, respectively. The 2011 Table reports wells OW-50 as 6,847.63 ft and OW-52 as 6,828.53 ft, respectively. Review all elevation data from Table 9.0 and ensure all data are correctly reported in the 2011 Table.
- e. Incorrect elevations are reported for the previous total well depths for wells MW-2 and SMW-4. Table 9.0 reports the total well depths for wells MW-2 as 138.94 ft below ground surface (bgs) and SMW-4 as 122.14 ft bgs. The 2011 Table reports the depths of the wells MW-2 as 140.24 ft bgs and SMW-4 as 72.20 ft bgs. Review all

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total well depth data from Table 9.0 and ensure all data are accurately reported in the 2011 Table.

- f. There are significant differences between the previous and current well casing rim elevations. For example, OW-29 has a difference of 3.5 ft between the previous and current elevations. In addition, RW-6 has a 28.69 ft difference. Review the 2011 Table and explain why there are significant differences between the previous and current elevations and correct all errors.
- g. Revise the 2011 Table to define all calculations performed in the table in the Notes section of the table. For example, the 2011 Survey Stick-up length was determined by subtracting the "2011 Survey Well Casing Rim Elevation" from the "2011 Survey Ground Level Elevation."

Comment 3

There are significant errors associated with the reported location data in the 2009 Groundwater Monitoring Report. Therefore, the Permittee must verify that all horizontal data provided (Northing and Easting) are correct and represent the actual locations of the monitoring wells surveyed.

Comment 4

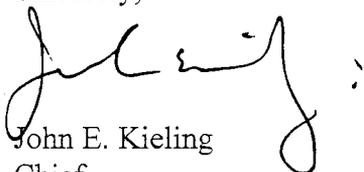
In accordance with 40 CFR 270.11(d)(1), the Permittee must submit a statement indicating that the information provided was properly gathered and evaluated by qualified personnel. This statement must accompany all future reports. Submit this statement with the required information in the response to this disapproval.

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The Permittee must submit a revised table and response letter with the required information addressing all the comments from this third disapproval no later than **July 20, 2012**.

If you have questions regarding this letter please contact Leona Tsinnajinnie of my staff at (505) 476-6057.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
K. Van Horn, NMED HWB
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File: Reading File and WRG 2012 File
HWB-WRG-11-003