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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 8, 2013

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

**RE: API SEPARATOR LEAK DETECTION UNITS
MONITORING AND SAMPLING
WESTERN REFINING COMPANY SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-MISC**

Dear Mr. Riege:

The New Mexico Environment Department (NMED) is concerned that the new API Separator (NAPIS) is an ongoing source of contaminant releases to soil and groundwater at Western Refining Company Southwest Inc., Gallup Refinery (Permittee).

A requirement in of the Facility-Wide Groundwater Monitoring Plan is quarterly monitoring of the NAPIS secondary containment, designated leak detection unit(s) (LDUs). The LDUs are labeled the east, west and the oil sump LDUs, respectively. The Permittee must check for fluids and if fluids are present, then analyze samples for BTEX/DRO extended/GRO/WQCC metals. All three LDUs contained fluids since 2008 and also have been routinely sampled. Most detected constituents are quantified at concentrations above regulatory limits.

In 2007, when the NAPIS was installed, leaks were an ongoing problem and the bays were lined with a flexible impervious coating. A standpipe connecting the interstitial space between the concrete wall and the stainless steel liner outside of the NAPIS was installed for leak detection.

Ed Riege
Gallup Refinery
July 8, 2013
Page 2

The continuing presence of fluid in the LDUs is of concern, since this is an indication that the NAPIS is compromised.

The purpose of the LDUs is nominally for leak detection. The oil/water sump should not routinely contain fluids, since it serves as a drain or receptacle for de minimis releases on an intermittent basis and should not be used to store, treat, dispose or evaporate products or wastes. Therefore, if standing fluids are observed in the oil/water sump at the NAPIS unit, the fluids must be removed from the system.

The Permittee must propose an approach to determine the source of fluid in the LDUs, evaluate for releases to surrounding soils and groundwater, and propose a remedy to eliminate any possible leakage. In addition, the Permittee must submit a response to this letter to discuss whether or not there is an inspection schedule for the NAPIS to check the liner, provide as-built drawings of the NAPIS unit showing all LDUs, provide a description of the LDUs and the methods used to collect fluid samples, identify when water was first detected in the LDUs, and discuss whether the fluid present in the LDUs has ever been removed and any measures to determine the source of the leaks.

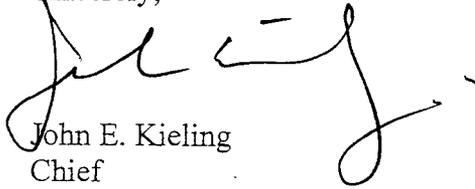
The NAPIS unit is currently listed as an AOC in the Draft RCRA Permit, because of the routine and systematic nature of releases from the NAPIS, NMED may determine that the unit is a SWMU when the final RCRA Permit is issued.

The Permittee must respond to this letter no later than **August 5, 2013**.

Ed Riege
Gallup Refinery
July 8, 2013
Page 3

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

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
K. Van Horn, NMED HWB
A. Haines, WRG
A. Allen, WRG
C. Chavez, OCD

File: Reading File and WRG 2013 File
HWB-WRG-MISC