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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

February 23, 2016

Mr. Ed Riege
Environmental Manager
Western Refining, Southwest Inc., Gallup Refinery
92 Giant Crossing Road
Gallup, New Mexico 87301

**RE: APPROVAL WITH MODIFICATIONS
INVESTIGATION WORK PLAN
OW-29 & OW-30 AND NORTH DRAINAGE DITCH AREAS
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-15-003**

Dear Mr. Riege:

The New Mexico Environment Department (NMED) has reviewed the *Investigation Work Plan OW-29 & OW-30 and North Drainage Ditch Areas* (Work Plan), dated August 2015, submitted on behalf of Western Refining Southwest Inc., Gallup Refinery (Permittee) and hereby issues this Approval with the following comments.

Comment 1

The Permittee, on page 2-1 of the Work Plan, states, “[t]here is no record of waste or other contaminants being handled in the proposed area of investigation, nor is there a record of site operations in this area.” However, it seems that the “North Drainage Ditch” may be related to or part of SWMU 9, the Drainage Ditch and Inactive Landfarm, based on the description of SWMU 9 and the description of the ditch. The Permittee’s No Further Action (NFA) petition described SWMU 9 as “[t]he ditch picks up stormwater on the northeast side of the refinery from locations outside containment (e.g., the bullet tanks that store gases under standard temperature and pressure). It extends in a northerly direction for approximately 600 feet before it crosses a dirt

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road that runs on refinery property to the north of the tank farm and then the ditch bifurcates with some flow continuing to the northeast and the rest in a westerly direction.” The description of the ditch in the Work Plan is “[t]he area designated as the North Drainage Ditch is actually part of a larger drainage feature that begins on the north side of the tank farm, extends north along the western boundary of Solid Waste Management Unit (SWMU) 9 – Drainage Ditch and Inactive Landfarm, and passes beneath a dirt road, where it bifurcates (Figure 2). One lesser segment extends to the northeast and the other turns to the west, where it extends westward for approximately 400 feet and then turns northwest through the area that is the focus of the investigation.” This apparent association does not change the requirement to discover the source of the seeps in the ditch. The ditch may have acted as a conduit for groundwater contamination or may be an area where groundwater contamination happens to periodically discharge to the surface. Investigation data may reveal the source of the contamination. The Permittee’s sampling focuses only on the ditch rather than other potential upgradient sources. Because of the topography and groundwater flow, additional soil borings must be proposed upgradient of the ditch so that potential soil and groundwater impacts from upgradient sources may be identified. However, NMED understands from a telephone conversation with the Permittee on January 21, 2016 that since a phased approach to the investigation is preferred, the Permittee will address this issue in future investigation work plans rather than in a revision to this work plan.

Comment

The Permittee states in Section 4.1 (Investigation) that “[e]ight locations have been selected along the length of the North Drainage Ditch that extend to the east and west of where surface water was previously observed (Figure 3). At each location, soil samples will be collected from the bottom of the drainage ditch from the surface (0 feet – 0.5 feet) and shallow subsurface (1.5 feet – 2.0 feet). In addition, at three locations additional surface (0 feet – 0.5 feet) and shallow subsurface (1.5 feet – 2.0 feet) soil samples will be collected by moving approximately 10 feet beyond the limits of the ditch on both sides.” Figure 3 depicts ten proposed soil sample locations along the ditch. Based the January 21, 2016 telephone call, the Permittee agreed to move one of the temporary monitoring wells located in the ditch to 10-20 feet south of the ditch. The Permittee must document this change in the investigation report.

Comment

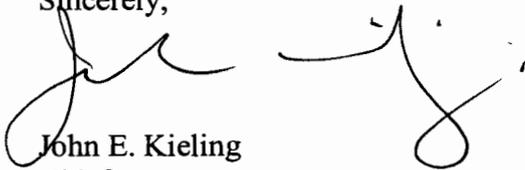
In Section 4.1 (Investigation), the Permittee proposes “[t]o define the down-gradient extent of impacted groundwater observed at monitoring wells OW-14, OW-29 and OW-30, three new permanent monitoring wells are proposed (Figure 6).” The proposed monitoring wells are depicted on Figure 6. Investigation into the contamination in monitoring well OW-14 was proposed in a separate work plan, dated September 2015. The Permittee may choose to conduct field work simultaneously, but NMED requires reporting on the investigations in separate documents.

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The Permittee must address all comments in this Approval with Modifications in the investigation report. In accordance with RCRA Permit Section IV.J, NMED must be notified a minimum of 15 days prior to the commencement of field activities.

If you have questions regarding this Approval with Modifications, please contact Kristen Van Horn of my staff at 505-476-6046.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Kieling". The signature is fluid and cursive, with a large initial "J" and a long horizontal stroke.

John E. Kieling
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
N. Dhawan, NMED HWB
K. Van Horn, NMED HWB
C. Chavez, EMNRD OCD
A. Hains, WRG
L. King, EPA

File: Reading File and WRG 2016 File
WRG-15-003