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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

May 12, 2016

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

**RE: APPROVAL WITH MODIFICATIONS
REVISED OW-14 SOURCE AREA INVESTIGATION WORK PLAN
OW SERIES WELLS AND CONTAMINANT PLUME MIGRATION
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-15-005**

Dear Mr. Riege:

The New Mexico Environment Department (NMED) has reviewed Western Refining Southwest Inc., Gallup Refinery's (Permittee) revised *OW-14 Source Area Investigation Work Plan OW Series Wells and Contaminant Plume Migration* (Work Plan), dated April 2016 and hereby issues this Approval with Modifications. The Permittee must address the following comments.

Comment 1

In the Response to Comments, Comment 1, the Permittee states, "[t]he Work Plan was inadvertently submitted unbound, as it was confused with another submittal being prepared that consisted of only replacement pages. Western will submit bound documents when full documents are being submitted." There appears to be confusion regarding unbound documents. Over the last year, the Permittee submitted multiple unbound documents and NMED has commented on the submittal of unbound documents several times. Although there are no formal requirements to bind submittals, submittal of bound documents facilitates reviews and placement

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in the Hazardous Waste Bureau Administrative Record. Submit all future documents that contain more than 20 pages as bound documents.

Comment 2

The Tables, Figures, and Appendix A (Boring Logs) were not included in the electronic copy of the Work Plan. Ensure that the electronic version of submittals includes all of the information included in the hard copy and vice versa (electronic submittals only of contract laboratory reports is acceptable).

Comment 3

In Section 2 (Background), page 2-1, the Permittee states, “[m]onitoring well OW-14 is located immediately north of the main refinery tank farm, which was built in the late 1950s. The *Inventory of Solid Waste Management Units* prepared in June 1985 identified six product storage tanks that contained leaded gasoline (Geoscience Consultants, Ltd., 1985). These six, as well as, additional tanks were subsequently identified as SWMU No. 6 due to the historic practice of disposing of leaded tank bottoms within the tank berms. The practice of cleaning the tanks and burying the leaded tank bottoms was reported to have occurred every five years and was terminated after November 19, 1980.” Unfortunately, NMED’s copy has been archived and cannot be retrieved, please provide the 1985 document for the Administrative Record. The Permittee’s description of the tank farm is inaccurate, the tank farm as a whole is considered SWMU 6 and was listed as such in the RCRA permit issued in 2000. All of the tanks at the refinery as well as conveyance piping and routine transfer operations are a potential source for releases of hazardous constituents to the environment, with some exceptions.

Comment 4

In Section 2 (Background), page 2-2, the Permittee states, “[a] possible leak from a seam in an unidentified storage tank located adjacent to Tank 569 was reported to have been repaired in 1995 (Giant, 1997). It is likely that this leaking tank resulted in the observed presence of SPH instead of the burial of leaded tank bottoms.” The Permittee must discuss the frequency of tank inspections and provide the records of any repairs that were made and identify the historical use of the tanks if uses have changed from current use in the investigation report. See also Comment 5.

Comment 5

In Section 2 (Background), page 2-2, the Permittee states, “[t]he estimated annual volumes of SPH recovered at RW-1 from 2005 through 2013 are shown in Table 1. Based on the continuously declining recovery volumes at RW-1 and no measureable SPH at RW-2, there does not appear to be an active release of petroleum hydrocarbons in this area.” Based on the Facility-Wide Groundwater Reports for 2013 and 2014 (responses from NMED and OCD pending) this statement is not accurate. The level of product measured in RW-1 was steadily decreasing until the first quarter of sampling in 2013 where the measured level of product thickness *increased*.

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This trend is also demonstrated in Table 1 (RW-1 Recovery Volumes) wherein the overall recovery trend is decreasing, but there is a reported increase in recovery from 2012 to 2013. There appears to be an active release in the area. The increase in benzene concentrations detected in well OW-14 may be related to the previously investigated release or may be related to the current release. Discuss the possible reasons for the increase in product measured and recovered in RW-1 in the investigation report.

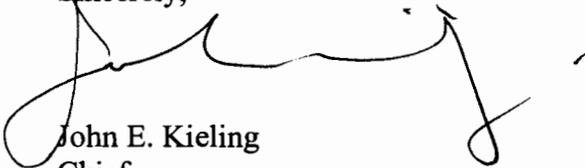
Comment 6

Per Permit Section II.C.6 (Signatory and certification requirement) and in accordance with 20.4.900 NMAC incorporating 40 CFR Section 270.11 and 270.30 (k) the Permittee must certify that the information in this Work Plan is true, accurate, and complete. Please refer to Comments 3 and 5 regarding inaccuracies in the Work Plan. Failure to provide information that is true, accurate, and complete may result in an enforcement action. Please ensure that the information presented in submittals is accurate and complete.

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,



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-15-005