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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 25, 2016

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

**RE: APPROVAL WITH MODIFICATIONS
RESPONSE ACTION REPORT
LPG BLOWDOWN TANK
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
WRG-16-002**

Dear Mr. Riege:

The New Mexico Environment Department (NMED) is in receipt of Western Refining Southwest, Inc. Gallup Refinery's (Western) submittal *Response Action Report LPG Blowdown Tank* (Response) dated March 23, 2016 regarding a below grade tank discovered by the U.S. Environmental Protection Agency during an inspection in August 2014. The following comments are from both NMED and the New Mexico Energy Minerals and Natural Resources Department Oil Conservation Division (OCD).

Comment 1

The soil analytical results from soil samples collected at the box area demonstrate the presence of diesel range organics (DRO) above the residential soil screening level, which is not from the LPG Blowdown tank, but likely either from the use of the SWMU as a land farm or may represent contamination from an upgradient source. The agencies note that the soil that contained the elevated concentration of DRO was removed during the second excavation. Another soil analytical result for "Box Area Location #D" indicated the presence of gasoline range organics (GRO) at 1000 mg/kg GRO and benzene at 3.5 mg/kg. While there is no screening level for

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GRO and the benzene level is below the residential screening level benzene concentrations increased with depth from samples collected on 11/17/2014 as compared to samples collected on 9/16/2014. These results may be indicative of an additional source of soil contamination.

Comment 2

The Permittee collected toxicity characteristic leaching procedure (TCLP) samples as confirmation samples (discussed in Section 2 (Soil Sampling) with results presented in Tables 1 and 2). The Permittee is aware that this is inappropriate, as discussed in Section 2.2.3 (Box Area, Sampling Event Number Three), where the Permittee states, “[o]n April 17, 2015 soil samples were collected from the same bottom surface of the excavation from which samples were collected on November 17, 2014. These samples were submitted for totals analyses instead of TCLP analyses for comparison to screening levels.” The TCLP results cannot be compared to NMED’s soil screening levels. Analysis for total petroleum hydrocarbons (TPH) and benzene, toluene, ethylbenzene, and xylenes (BTEX) were analyzed using the appropriate methods; however, all of the other data is not useful for confirmation sampling. For all future release cleanups the Permittee must collect and analyze confirmation samples properly.

Comment 3

In Section 2.3 (Soil Screening Results) the Permittee states, “[f]ield screening was not conducted during the collection of soil samples.” As part of sample collection, field screening must be used to select samples for laboratory analysis and the Permittee must follow the requirements outlined in Permit Section IV.J.2 (Investigation, Sampling, and Analysis Methods) unless deviations are necessary due to field conditions.

Comment 4

In Section 2.5 (Groundwater Conditions) the Permittee states, “[a] groundwater investigation was not conducted.” The Permittee must discuss groundwater levels in the area of the cleanup which is necessary when comparing soil analytical results to dilution attenuation factor (DAFs) and discussing whether or not soil contamination may affect groundwater.

Comment 5

In Section 3 (Regulatory Criteria Comparisons), Section 3.1 (Tank Area) the Permittee states, “[t]he results of the confirmation sampling indicate none of the sample results exceed the residential direct contact SSLs. The following exceedances in comparison to the soil-to groundwater protection SSLs were observed...” The Permittee goes on to compare analytical results for BTEX to DAF1 and DAF20 screening values. Similar comparisons are conducted for the Box Area in Section 3.2. Comparison to DAF 1 and DAF 20 are conservative and will be protective of groundwater as required by the OCD; however, NMED also requires that soil analytical results be compared to industrial/commercial screening levels. It appears that the Permittee addressed the release adequately by removing the tank and junction box and removing soil affected by DRO above the residential soil screening level; however, additional data collection may be required.

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Comment 6

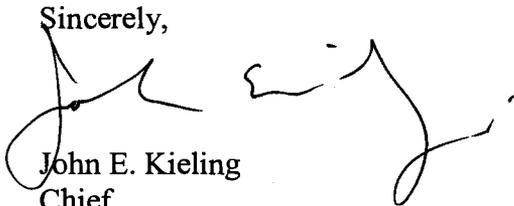
In Section 1.3 (Characterization and Disposal of Tank Contents) the Permittee states, “[a] sample of the liquid found in the tank was collected on August 19, 2014 and delivered to Hall Environmental Analysis Laboratory, Inc. (HEAL) in Albuquerque, New Mexico...On August 28, 2014 HEAL issued Analytical Report No. 1408B60. A copy of the report is provided in Appendix A. Table 1 provides a summary of the analytical results.” Table 1 (Soil Analytical Results LPG Blowdown Tank – Tank Area Locations #1 through #4) presents soil data, not data from the liquid found in the tank. The Permittee provided a list of constituents reported to contain concentrations above the detection limit in Section 1.3 which is sufficient.

Comment 7

The Permittee did not discuss backfilling the excavation after confirmation samples were collected. In the future, if excavation is required, the Permittee must report on the backfill used to fill in the excavation.

If you have questions regarding this letter, please contact Kristen Van Horn at 505-476-4046.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

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

File: Reading File 2016 and WRG-16-002