

**VanHorn, Kristen, NMENV**

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**From:** Chavez, Carl J, EMNRD  
**Sent:** Thursday, February 02, 2017 10:57 AM  
**To:** 'Ed.Riege@wnr.com'  
**Cc:** Griswold, Jim, EMNRD; Smith, Cory, EMNRD; VanHorn, Kristen, NMENV  
**Subject:** Gallup Refinery (AP-111) "September and October 2016 Chloride Exceedance Excavation Report" dated January 25, 2017

Mr. Riege:

Re: OCD Central Landfarm

The New Mexico Oil Conservation Division (OCD) and New Mexico Environment Department (NMED) (Agencies) have completed review of the above subject report (report).

On page 3, "Proposed Path Forward", paragraph 1: The OCD Central Landfarm was built within Evaporation Pond 10 which is part of SWMU 2 (Evaporation Ponds) under Western's RCRA Permit. The updated schedule in the RCRA Permit lists corrective action at SWMU 2 as deferred since the SWMU is still in use. However, since Evaporation Pond 10 is not in use as an evaporation pond, Western can access soils for chloride remediation to address OCD's concerns. Additionally, the landfarm is permitted by OCD under Part 36 (i.e., 19.15.36 NMAC), so the continued operation of the landfarm also falls under OCD Regulations. OCD agrees with Western's proposed hot spot corrective actions in the report. Documentation (i.e., photos of excavation, C-138 manifest, etc. is required within 30-days of completion of corrective actions to verify the remediation was completed.

If Western plans to close the OCD Central Landfarm, NMED recommends in addition to OCD Regulations that NMED RCRA requirements also be addressed at the same time to avoid re-investigation of the area during SWMU 2 corrective action. OCD cannot guarantee that alternate remedial limits would be required based on the proposed source of contamination; however, OCD would consider recommended closure limits with the scientific basis if proposed in a landfarm closure plan by Western to the agencies.

Please contact me if you have questions, to request a telephone conference call, or wish to discuss this matter further. Thank you.

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**"Why not prevent pollution, minimize waste to reduce operating costs, reuse or recycle, and move forward with the rest of the Nation?" (To see how, go to: <http://www.emnrd.state.nm.us/OCD> and see "Publications")**