



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

State of New Mexico  **ENTERED**
ENVIRONMENT DEPARTMENT

Hazardous Waste Bureau

2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6313
Phone (505) 476-6000 Fax (505) 476-6030
www.env.nm.gov



BUTCH TONGATE
Cabinet Secretary
J. C. BORREGO
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 31, 2017

Mr. William Bailey
Environmental Supervisor
Western Refining, Southwest Inc., Gallup Refinery
92 Giant Crossing Road
Gallup, New Mexico 87301

**RE: RESPONSE TO APPROVAL WITH MODIFICATIONS
REVISED LETTER REPORT EVAPORATION POND 7 DIKE BREACH AND
SUMMARY REPORT EVAPORATION POND REPAIRS
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-15-006**

Dear Mr. Bailey:

The New Mexico Environment Department (NMED) is in receipt of the Western Refining Southwest, Inc. Gallup Refinery (the Permittee) letter *Response to Approval with Modifications Revised Summary Report Evaporation Pond Repairs* (Response Letter) dated September 28, 2017 in response to NMED's Approval with Modifications letter dated August 22, 2017.

The Permittee states that, "[t]he scope of work required to address the above listed items will require a significant amount of time to complete. Andeavor intends to continue berm improvement work while at the same time satisfying NMED requirements. Therefore, in order to ensure that this ongoing work does not become unproductive and/or convoluted by multiple back and forth correspondence between Andeavor and NMED, Andeavor respectfully requests a sit-down meeting with NMED to discuss the comments and the best means to continue forward." NMED encourages the Permittee to continue to improve and stabilize the berms. However, NMED needs more specific information regarding the issues the Permittee has with the requirements described in the Approval with Modifications letter and the work that the Permittee

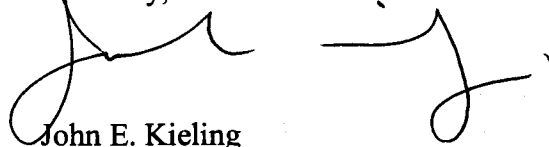
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proposed in their letter dated February 15, 2017. Many of the requirements were based on the Permittee's statements that berm improvements were ongoing and that additional data would be collected as part of the ongoing improvements. Please provide NMED with specific issues regarding the comments and requirements so that NMED can provide a more informed response during future discussions, if needed.

The Permittee also states that, "[t]he deadlines identified in the NMED letter (updated tables by September 29, 2017 and a new report by December 20, 2017) are not possible due to the magnitude and length of time to complete the required work. Accordingly, Andeavor respectfully requests an extension to the deadlines." The Permittee did not propose an amount of time for the extension. However, because more information must be provided to NMED regarding the Permittee's misunderstanding and need to be able to complete the proposed work to collect additional data, NMED grants an extension of time of one year. The required updated tables and report must be submitted to NMED no later than **December 30, 2018**.

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

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: K. Van Horn, NMED HWB
A. Hains, WRG
C. Chavez, EMNRD OCD
S. Holcomb, NMED SWQB
L. King, EPA

File: Reading File and WRG 2017 File
WRG-15-006