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State of New Mexico
ENVIRONMENT DEPARTMENT
Hazardous Waste Bureau

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BUTCH TONGATE
Cabinet Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 5, 2018

Jessica L. O'Brien
Environmental Supervisor
Western Refining, Southwest Inc., Gallup Refinery
92 Giant Crossing Road
Gallup, New Mexico 87301

**RE: DISAPPROVAL
HYDROCARBON SEEP INTERIM MEASURES 2018 2ND QUARTER STATUS
REPORT
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-18-006**

Dear Ms. O'Brien:

The New Mexico Environment Department (NMED) has reviewed the *Hydrocarbon Seep Interim Measures 2018 2nd Quarter Status Report* (Report), dated July 30, 2018, submitted on behalf of Western Refining Southwest Inc., Gallup Refinery (the Permittee). NMED hereby issues this Disapproval.

The Permittee has not yet provided response letters to address comments in the March 2, 2018 and May 25, 2018 *Approval with Modifications* letters. Therefore, the comments in the letters carry over and apply to all future status reports as well. The Permittee must address the following comments as well as all relevant previous comments in the March 2, 2018 and May 25, 2018 letters.

Comment 1

In the *Activities Conducted During Second Quarter 2018* Section, the Permittee states, “[r]ecover was discontinued at the retention ditch, which was previously excavated north of the standpipes (S1-S6), as product was no longer observed to be entering the retention ditch.” The

Report includes a table showing the recovery volumes from the retention ditch. According to the table, 20 gallons of oil were recovered from the retention ditch at the last pumping event of the 2018 1st quarter (March 22, 2018). The volume of recovered oil (20 gallons) was consistent with the recovery volumes previously recorded. During the entire 2018 2nd quarter, the recovery volumes for water/oil mixture and oil were recorded as zero, indicating that no pumping event took place. The sudden disappearance of oil in the 2018 2nd quarter must be documented by photographs of the retention ditch showing groundwater without a visible oil sheen. Include the photographs in the revised Report. In addition, discuss whether the Permittee intends to keep the recovery ditch open in the future in the revised Report.

Comment 2

In the *Activities Conducted During Second Quarter 2018* Section, the Permittee states, “[a]pproximately 9 gallons of [separate phase hydrocarbons] SPH and 28,491 gallons of groundwater were recovered during the second quarter, which represents a significant reduction of SPH from 153 gallons recovered during the last quarter (1st Qtr 2018),” and “[t]he reduction in the volumes of SPH recovered in the second quarter of 2018 as compared to the previous quarterly volumes is not attributed to any changes in the methods used to estimate the recovery volumes.” The reduction of recovered SPH volume may be caused by (1) apparent reduction of SPH within the soil matrix or (2) changes in the depth to groundwater (DTW). The SPH column will appear thinner when groundwater elevations increase while SPH column will appear thicker when groundwater elevations decrease. The recoverable SPH volume will easily fluctuate depending on the DTW; however, SPH volume present within soil matrix is often unchanged. In the revised Report, include a table that compares the measured DTW for monitoring wells located in the vicinity of the standpipes and retention ditch during 1st, 2nd and 3rd quarters of 2018.

Comment 3

In the *Activities Conducted During Second Quarter 2018* Section, the Permittee states, “[n]ew dye tracer test were conducted related to an assessment of the sanitary lagoon, which is located west of the hydrocarbon seep area, and this information is presented under [separate] cover, as it was not focused on the hydrocarbon seeps.” Provide a reference to the document that reports the results of new dye tracer test in a response letter. The hydrocarbon seep area may coincide with the location of the underground sewer pipe extending to the sanitary lagoon. The pipe may be a conduit for SPH. Propose to investigate whether the hydrocarbon seep area coincides with the location of the underground sewer pipe in the revised Report.

Comment 4

In the *Activities Planned for Third Quarter 2018* Section, the Permittee states, “Western will continue current recovery operations at the standpipe sumps and the retention ditch, if hydrocarbons are present, using a vacuum truck to pump SPH and groundwater from each of the sumps and the downstream retention ditch.” NMED has not received recent data regarding SPH levels in the MKTF wells. Discuss any correlation between the reduction in recovery volume and groundwater and SPH levels in the MKTF wells during 1st, 2nd and 3rd quarters of 2018 in the revised Report. If SPH levels remains unchanged in the MKTF wells while the recoverable SPH volume significantly changes in the standpipes and retention ditch, a work plan that

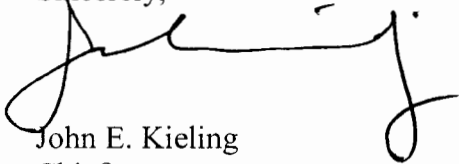
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addresses alternate method for recovering SPH is warranted. Propose to submit the work plan in the revised Report, as necessary.

The Permittee must address all comments in this Disapproval in the revised 2018 2nd Quarter Status Report. The Permittee must ensure to address comments from previous correspondence as well. The revised Report must be submitted with a disc that contains a redline-strikeout version of the Report showing where all changes have been made to the Report and a response letter cross-referencing NMED's numbered comments that identifies where changes were made to the Report. The revised Report, electronic redline-strikeout version of the Report and response letter must be submitted in accordance with Permit Section II.C.7 no later than **November 9, 2018**.

If you have questions regarding this Disapproval, please contact Michiya Suzuki of my staff at 505-476-6059.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: K. Van Horn NMED HWB
M. Suzuki NMED HWB
C. Chavez OCD
L. King EPA Region 6

File: Reading File and WRG 2018 File
HWB-WRG-18-006