



ENTERED



**Marathon
Petroleum Company**

APR 11 2019

April 11, 2019

Mr. John E. Kieling, Chief
New Mexico Environmental Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

**RE: Response to Comments
NMED Approval with Modifications Letter dated March 17, 2017
Marathon Petroleum Company LP, Gallup Refinery
(dba Western Refining Southwest, Inc.)
EPA ID# NMD000333211
HWB-WRG-17-003**

Dear Mr. Kieling:

Attached please find the Response to Comment 5 in the New Mexico Environmental Department (NMED) Disapproval Letter, dated February 20, 2019, regarding the Investigation Work Plan for the SMW-2 and GWM-1 Area. Comment 5 requested a response to the NMED Approval with Modifications Letter, dated March 17, 2017, regarding the September and October 2016 chloride exceedance excavation report for the Central Oil Conservation Division (OCD) Landfarm.

If you have any questions or comments regarding the information contained in the attached report, please do not hesitate to contact Mr. Brian Moore at 505-726-9745.

Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,

Robert S. Hanks
Refinery General Manager
Marathon Petroleum Company – Gallup Refinery

Cc: C. Chavez (OCD)

92 Giant Crossing Road
Jamestown, NM 87347

RESPONSE TO COMMENTS

Comments on the September and October 2016 Chloride Exceedance Excavation Report (March 17, 2017 Approval with Modifications Letter)

1. NMED Comment 1:

Generally, NMED has not reviewed the Permittee's chloride reports regarding the OCD Central Landfarm, because they do not fall within NMED's regulatory authority. However, as pointed out in the Report, the Central OCD Landfarm lies within the footprint of Evaporation Pond 10 (EP-10), which is part of Solid Waste Management Unit (SWMU) 2. The OCD regulates the Central OCD Landfarm under 19.15.36 NMAC (also known as Part 36) and required the Permittee to address chloride exceedances discovered in the landfarm. On page 3, paragraph 1, the Permittee states:

"The Response Action Plan and subsequent excavations were intended to satisfy Rule 36 requirements and Central OCD Landfarm-specific agreements reached between Western and OCD. In light of the information presented in this correspondence, Western does not believe that vadose zone chloride concentrations in excess of the 500 mg/kg action level/ABRSC are a result of landfarm operation. Accordingly, Western does not believe that vadose zone chloride contamination needs to be addressed or remediated in accordance with NMAC Rule 36 or previous Central OCD Landfarm-specific agreements. The elevated chloride concentrations are believed to be associated with former Evaporation Pond #10. Former Evaporation Pond #10 is part of Solid Waste Management Unit (SWMU) 2. Therefore, Western believes that it would be appropriate to address the chloride contaminated soils as part of SWMU 2 remedies."

The updated corrective action schedule in the RCRA Permit defers corrective action at SWMU 2 because the unit is an active unit. However, because EP-10 is not being used as an evaporation pond and the Permittee not only has access, but is currently conducting work within the footprint of the pond/landfarm, the Permittee can address OCD's concerns and continue to follow through with the Response Action Plan and Central Landfarm-specific agreements with the OCD.

MPC Response 1:

No comment.

2. NMED Comment 2:

On page 2, under the heading "Former Evaporation Pond #10", the Permittee discusses the rationale behind the belief that the chlorides in the landfarm are from use of EP-10 for boiler house and water softener regeneration effluent.

The Permittee states in paragraph 2 of that section,

"This idea is further supported by soil data collected from the landfarm's treatment zone over the past 4 years. Western has collected 6 treatment zone samples since 2013 to assist in determining if the landfarm may be eligible for closure or soil reuse. As shown in Table 2, the maximum reported chloride concentration for samples collected from the treatment zone (1 ft bgs) is 310 mg/kg. This is less than the 500 mg/kg action level/ABRSC and far less than some of the more elevated vadose zone samples which are in excess of 2,500 mg/kg (see Table 1); If soils in the landfarm were the source of the vadose zone chloride contamination, it would be expected that the treatment zone chloride concentrations would be greater than the vadose zone chloride concentrations, but the data indicate the opposite. This line of evidence suggests a non-landfarm source."

NMED disagrees with this line of evidence. EP-10 has been used at the OCD Central Landfarm since the mid-1990s. Chloride is highly soluble and moves through the vadose zone relatively quickly. It is possible that the high levels of chlorides beneath the treatment zone are from the landfarm and not from former EP-10 discharges. There are also high levels of chlorides in groundwater in this area and NMED and OCD required the Permittee to submit a work plan to investigate this issue. The work plan is currently under review. Provide the dimensions of EP-10 and documents from OCD related to use of the evaporation pond as a landfarm (email response is sufficient).

MPC Response 2:

While Marathon Petroleum Company (MPC) is unaware of any design drawings for Pond 10, the surface expression of the pond currently appears to be approximately 325 feet by 200 feet. The figure included as Attachment A illustrates the possible location of former Pond 10. Also, please find attached an email exchange with Carl Chavez regarding the possible location of Pond 10 over the OCD Landfarm.

3. NMED Comment 3:

OCD's Rule 36 requires that semiannual vadose zone samples be analyzed for total petroleum hydrocarbons (TPH); benzene, toluene, ethylbenzene, and xylenes (BTEX); and, chloride. Sampling results for TPH and BTEX were not included with the Report. If samples were collected for TPH and BTEX analyses, provide the results to OCD and NMED.

MPC Response 3:

Attachment B to this response provides the analytical results for samples collected in 2016.

4. **NMED Comment 4:**

If, at a future time, the Permittee chooses to close the OCD Central Landfarm, then the Permittee may also propose to conduct corrective action under the RCRA Permit and submit a work plan to NMED for review. The information gathered at that time may be used to support future corrective action activities at SWMU 2. A letter titled *Clarification of RCRA Corrective Action Process Evaporation Pond Closure Plan*, dated April 11, 2008 outlined the general requirements for the RCRA corrective action process and NMED can provide additional guidance when the time comes.

MPC Response 4:

No comment.