



Michelle Lujan Grisham
Governor

Howie C. Morales
Lt. Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT



ENTERED



James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

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

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 19, 2019

John Moore
Environmental Superintendent
Western Refining Southwest Inc., Gallup Refinery
92 Giant Crossing Road
Gallup, New Mexico 87301

**RE: APPROVAL
WORK PLAN FOR HYDROCARBON LIQUID REMOVAL PUMPS AT FLARE
KNOCK-OUT TANK
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID# NMD000333211
HWB-WRG-19-013**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) has reviewed the *Work Plan for Hydrocarbon Liquid Removal Pumps at Flare Knock-Out Tank* (Work Plan), dated May 20, 2019, submitted on behalf of Marathon Petroleum Company LPC dba Western Refining Southwest Inc., Gallup Refinery (Permittee) and hereby issues this Approval with the following comments.

Comment 1

Under the heading "Removal of Oily Soils" the Permittee states, "[t]he in-situ materials will be excavated to a depth at which stable soils are encountered such that the pump and supporting slab will not shift over time and cause cracking of the concrete slab." The Permittee describes the planned excavation for the concrete slab as "shallow." Since "shallow" is not defined, the Permittee should reference the information presented in *Investigation Report Solid Waste Management Unit (SWMU) No. 1 Aeration Basin and SWMU No. 14 Old API Separator* (Report), dated February 2013 (Updated June 2014 and August 2015). Several soil borings were

Mr. Moore
June 19, 2019
Page 2

drilled outside of the footprint of the Old API Separator (OAPIS) and several shallow (total depth of two feet below ground surface) hand auger borings were advanced within the footprint of the former OAPIS during the investigation.

Comment 2

Under the heading “Confirmation Samples for Documentation” the Permittee states, “[a]lthough the activities described herein are not being conducted as remediation, Marathon will collect bottom and sidewall samples from the excavated area to document conditions at the time of this work.” NMED considers the soil removal and confirmation sample collection to be interim measures for SWMU 14 since the activities will include removal of some of the contaminated soils. Ensure that the locations, depths, and sampling methods are recorded during the confirmation sample collection.

Comment

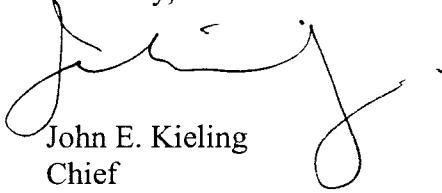
Under the heading “Reporting” the Permittee states, “Marathon is providing this work plan to the NMED in order to document the construction activities that are being proposed in the SWMU-14 area. While these activities are for process improvement, this is not a remediation activity. The location for the proposed knock-out happens to be within the boundaries of a SWMU, and Marathon wishes to acknowledge to the NMED that this activity is being planned.” NMED acknowledges that the Permittee does not consider this to be a remediation activity. Since some soil excavation and confirmation sampling will be conducted and a new active unit will be placed on top of an existing SWMU, the Permittee must address any remaining soil contamination when the hydrocarbon pump is no longer in use and area is accessible. NMED appreciates that the Permittee communicated about the planned construction activities and in the future, when other areas in the facility undergo construction activities NMED appreciates the Permittee’s continued collection of soil and/or groundwater data when the opportunity arises.

The Permittee must submit an Interim Measures Report summarizing the activities that includes field observations and the analytical testing results for NMED review no later than **January 31, 2020**.

Mr. Moore
June 19, 2019
Page 3

If you have any questions regarding this letter, please contact Kristen Van Horn at (505) 476-6046.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Kieling". The signature is fluid and cursive, with a large loop at the end.

John E. Kieling
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
K. Van Horn, NMED HWB
C. Chavez, EMNRD OCD
B. Moore, Marathon
L. King, EPA

File: WRG 2019 and Reading
HWB-WRG-19-013