



NEW MEXICO ENVIRONMENT DEPARTMENT ENTERED



Hazardous Waste Bureau

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CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 13, 2020

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

RE: APPROVAL WITH MODIFICATIONS
RESPONSE ACTION REPORT SOUR NAPHTHA RELEASE
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-20-002

Dear Mr. Moore:

The New Mexico Environment Department (NMED) has reviewed the Response to Disapproval Response Action Report Sour Naphtha Release (Response), dated September 15, 2020, submitted on behalf of Marathon Petroleum Company dba Western Refining Southwest Inc., Gallup Refinery (the Permittee). NMED hereby issues this Approval with Modifications.

The Permittee must address all comments in the Attachment below and submit a response letter and replacement pages no later than April 30, 2021. A letter report required by Comment 3 must be submitted no later than June 1, 2021.

This approval is based on the information presented in the document as it relates to the objectives of the work identified by NMED at the time of review. Approval of this document does not constitute agreement with all information or every statement presented in the document

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*[Handwritten signature]*

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

Sincerely,

*[Handwritten signature]*

Dave Cobrain  
Program Manager  
Hazardous Waste Bureau

cc: M. Suzuki, NMED HWB  
C. Chavez, OCD  
L. King, EPA Region 6 (6LCRRC)

File: Reading File and WRG 2020 File

Attachment

**Comment 1**

The Permittee's response to NMED's Comment 3 states, "[t]he environmentally-mindful THUNDERSTORM W813A 1x3 AR-AFFF Concentrate formulation contains short-chain, C-6 fluorochemicals manufactured using a telomer-based process. The telomer process produces no [perfluorooctanesulfonic acid] PFOS, and these C-6 materials do not breakdown to yield [perfluorooctanoic acid] PFOA." It is not clear whether the aqueous film foaming foam (AFFF) used to minimize vapor release yields any per- and polyfluoroalkyl substances (PFAS). Clarify whether or not the product yields any PFAS in a response letter. PFAS compounds are known to cause adverse human health effects and EPA considers PFAS to be an emerging contaminant. Requirements for the evaluation of PFAS are included in NMED's Risk Assessment Guidance for Site Investigation and Remediation (2019). Submit a work plan to investigate potential PFAS groundwater contamination downgradient of the release location that addresses the PFAS listed in NMED's Risk Assessment Guidance, if deemed necessary.

**Comment 2**

The Permittee's response to NMED's Comment 5 states, "MPC has added a statement indicating that they will collect samples from 11 surficial locations and from two soil borings, as described above, to fully delineate the horizontal and vertical extent of contamination and will propose to submit an Investigation Work Plan outlining this approach." The pertinent revisions were made in the Conclusion and Recommendations Section, Figures 6 and 7; however, the response does not state where the revisions were made. Indicate all section(s) where pertinent revisions were made to the documents in all future responses. In addition, Figure 7, *Proposed Surface Sampling Locations*, depicts only 9 proposed locations where surface samples are proposed to be collected rather than 11 proposed locations. Resolve the discrepancy and provide replacement pages.

**Comment 3**

The Permittee's response to NMED's Comment 6 states, "[t]herefore, additional sampling is required and following the additional sampling an investigation summary report and remediation plan for these surficial soils will be submitted to NMED." The results of the additional sampling must be summarized in a letter report and submitted to NMED no later than **June 1, 2021**. No revision required.

**Comment 4**

The Permittee's response to NMED's Comment 7 states, "[t]he backfill source was not documented in the release documentation. However, refinery maintenance personnel indicated that the backfill source likely originated from an off-site sand and gravel company." In order to confirm that the backfill was not contaminated, collect one backfill sample and analyze for VOCs, PAHs, TPH, and metals. Include the analytical results in the letter report required by Comment 3. No revision required.

**Comment 5**

The Permittee's response to NMED's Comment 8 states, "the statement has been revised to say [that a] description of each sample location (Figure 4) is provided below..." The typographical error was not corrected in the Report. The text still states, "[a] description of each sample location (Figure 5) is provided below..." Correct the error and provide replacement pages.

**Comment 6**

The Permittee's response to NMED's Comment 9 states, "the statement has been revised to say [that] Sample Location #2 – excavation floor [is located] northeast of the pipeline hole." The statement was not corrected in the Report. The text still states, "[s]ample Location #2 - excavation floor [is located] southeast of the pipeline hole." Correct the error and provide replacement pages.

**Comment 7**

The Permittee's response to NMED's Comment 10 states, "[s]ample location #4 contained the highest concentration for Toxicity Characteristic Leaching Procedure (TCLP) benzene, and Total VOCs (8260B soils) were analyzed in the sample for use in Benzene Waste Operations NESHAP (BWON) calculations." Explain the purpose of BWON calculations in the response letter. In addition, according to Table 1, *Soil Analytical Results – March 30, 2017*, page 1 of 2, the concentrations of several VOCs (e.g., 1,2-dibromo-3-chloropropane) in the soil sample collected from sample location #4 exceed applicable screening levels. Conduct VOC analysis for all additional confirmation samples that are proposed to be collected in order to delineate the extent of contamination. Provide the analytical results in the letter report required by Comment 3. No revision required.

**Comment 8**

The Permittee's response to NMED's Comment 12 states, "[t]he sampling procedure for waste characterization will be discussed in the investigation work plan." NMED's Comment 12 states, "the sampling procedure for waste characterization is not discussed in the Report. Include the discussion in the revised Report." The Permittee is directed to discuss the sampling procedure for waste characterization in the revised Report rather than the investigation work plan. Revise the Report accordingly and provide replacement pages.

**Comment 9**

The Permittee's response to NMED's Comment 13 states, "[t]hese statements have been removed in the revised Report." The statements were appropriately removed from the Regulatory Criteria Comparisons Section, page 10 of 11; however, Attachment B, *Redline*, does not show the deletions in the pertinent section. The redline strikeout (RLSO) version must show all changes made to the original documents. No revision required.

**Comment 10**

The Permittee's response to NMED's Comment 14 states, "if further excavation is warranted,

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the excavation area and excavated soils will be monitored for VOCs during excavation.” The confirmation samples must be analyzed for VOCs, PAHs, TPH, and metals at a minimum if excavation is warranted. Acknowledge the provision in the response letter.