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ENTERED



James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 10, 2020

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

**RE: APPROVAL WITH MODIFICATIONS
RESPONSE TO DISAPPROVAL
REVISED ANNUAL GROUNDWATER MONITORING REPORT GALLUP REFINERY - 2016
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-17-008**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) has reviewed the *Response to Disapproval Revised Annual Groundwater Monitoring Report Gallup Refinery – 2016* (Response), dated November 13, 2020, submitted on behalf of Marathon Petroleum Company dba Western Refining Southwest Inc., Gallup Refinery (the Permittee). NMED hereby issues this Approval with Modifications with the following comments.

Comment 1

The Permittee's response to NMED's Disapproval Comment 20 states, "[a]n examination of historical water analyses for samples collected at the STP-1 to EP-2 outfall before 2016 indicates that benzene was discharged in the past and possibly that could explain the low detections observed in 2016." Wastewater containing benzene above the screening level was discharged from the STP-1 to EP-2 outfall in 2019 and the benzene concentration in the sample collected from Pond EP-2 exceeded the applicable standard. Acknowledge that the discharge is

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not merely an historical incident but was on-going when the refinery was in operation. Comment 27 in NMED's *Disapproval Annual Groundwater Monitoring Report Gallup Refinery – 2019*, dated November 23, 2020, states, “[w]astewater containing benzene above the screening level should not have been discharged to pond EP-2. Provide information on whether the carbon canister was replaced after the November 2019 sampling event. If so, discuss whether the replacement carbon canister has effectively lowered benzene levels at the outfall in the revised Report. If not, provide justification for not doing so. In addition, provide a plan for the discontinuation of discharging wastewater that exceeds screening levels into pond EP-2 and for the proper disposal of the wastewater.”

Comment 2

The Permittee's response to NMED's Disapproval Comment 29 states, “[t]he reference to “groundwater” in the discussion in Section 7.2 (page 51) has been removed so that the text only notes there may be inflow through an opening in the liner without identification of an actual source.” If water is present in an LDU, the source would likely be wastewater leaking from the NAPIS. Comment 6 in NMED's November 23, 2020 *Disapproval* states, “[s]ince water was detected in the East and West LDUs, it seems that both the east and west bays were leaking through the secondary containment wall. Although some parts of the NAPIS were repaired in 2018, the NAPIS must be repaired or replaced. The Permittee previously informed NMED of a plan to upgrade the wastewater treatment system, including the NAPIS. However, it is not clear whether the plan will still be implemented or whether the NAPIS will be utilized under current idling status. Clarify whether the NAPIS will still be upgraded or utilized in the future. Unless the NAPIS is upgraded as planned, repair the leaks from the NAPIS or propose to install recovery wells adjacent to the NAPIS where wastewater is leaking (e.g., downgradient of the East and West LDUs) to capture the fluids leaking from the NAPIS.”

Comments 1 and 2 above must be addressed in the response to the November 23, 2020 Disapproval and the response must be submitted no later than **March 31, 2021**. No response is required to this letter.

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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If you have questions regarding this Approval with Modifications, please contact Michiya Suzuki of my staff at 505-476-6046.

Sincerely,



Dave Cobrain
Program Manager
Hazardous Waste Bureau

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

File: Reading and WRG 2020
HWB-WRG-17-008