



Michelle Lujan Grisham
Governor

Howie C. Morales
Lt. Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**



EMERGED



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

James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 15, 2021

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

**RE: WESTERN REFINING FIREBIRD TANK RELEASE
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-MISC**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) reviewed the *14-Day Response Report Western Refining Firebird Tank Release*, submitted on behalf of Marathon Petroleum Company dba Western Refining Southwest Inc., Gallup Refinery (the Permittee), and issued an approval letter on December 10, 2020.

The approval letter states, "NMED concurs with the proposed investigation and the Permittee must provide a letter report that summarizes the results of the investigation within 30 days after completion of the proposed investigation. The letter report must be submitted no later than **February 12, 2021...**" The Permittee first submitted the same *14-Day Response Report* to the Petroleum Tank Storage Bureau (PSTB) rather than the Hazardous Waste Bureau (HWB). The PSTB subsequently directed the Permittee to submit a separate investigation work plan which was not required by HWB's approval.

In order to avoid duplication of investigation work, the Permittee is no longer required to

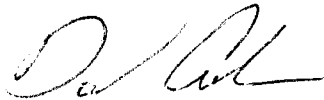
Mr. Moore
February 15, 2021
Page 2

submit the letter report by February 12, 2021, as required by the December 10, 2020 approval. However, the Permittee must submit a letter report with form C-141 to the HWB and Oil Conservation Division (OCD) that summarizes the results of the investigation and cleanup in accordance with the OCD requirements for release reporting that also meets the applicable reporting requirements included in Permit Section II.C.2.c.ii.

Note that the Facility operates under a RCRA subtitle C permit; therefore, the Permittee must first contact the HWB and OCD to discuss whether or not the involvement of other bureaus is necessary in the future.

If you have questions regarding this letter, 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 File and WRG 2021 File