



John Moore, P.E.
Environmental Supervisor

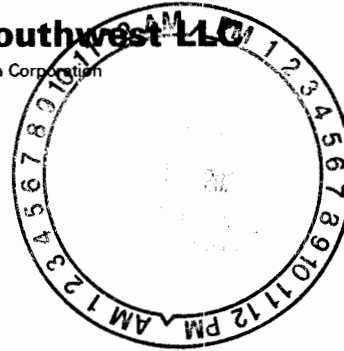


ENTER

Western Refining Southwest LLC

A subsidiary of Marathon Petroleum Corporation

I-40, Exit 39
Jamestown, NM 87347



April 15, 2021

Mr. Kevin Pierard, Chief
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Bldg. 1
Santa Fe, NM 87505

**RE: Estimated Schedule of Completion of Closure of AL-1 and AL-2 (Solid Waste Management Unit 1)
Complaint and Consent Agreement and Final Order (Docket No. RCRA-06-2009-0936)
Western Refining Southwest LLC – Marathon Gallup Refinery
EPA ID # NMD000333211**

Dear Mr. Pierard:

Based on discussions between representatives of the New Mexico Environment Department (NMED), Hazardous Waste Bureau and Western Refining Southwest LLC (f/ka/ Western Refining Southwest, Inc.), Western Refining Southwest LLC (Western Refining) understands that NMED concurs that Western Refining's completion of the approved selected remedy at the former aeration lagoons (AL-1 and AL-2) and evaporation pond (EP-1), known collectively as Solid Waste Management Unit (SWMU) 1 will satisfy the requirements of Section IV of the Compliance Order, specifically Paragraph 100.A, D and H under the Complaint and Consent Agreement and Final Order entered on August 26, 2009 in the matter referenced above (2009 CAFO), as well as satisfy the requirements of the First Modification to the 2009 CAFO entered on September 1, 2010, specifically Paragraph 100.A and H. In particular, Western Refining understands that NMED concurs with the selected remedy of remedial excavation of SWMU 1 as necessary to remove all contaminated soils to meet risk-based cleanup levels as set forth in Western Refining's SWMU 1 Revised Investigation Report, dated January 5, 2021 (January 5, 2021 Revised Investigation Report) and NMED's January 26, 2021 Approval with Modifications, SWMU 1 Revised Investigation Report (January 26, 2021 Approval with Modifications). Consistently, NMED has requested that Western Refining commit to providing a schedule of milestones to NMED for the excavation activities identified in the January 5, 2021 Revised Investigation Report and January 26, 2021 Approval with Modifications. This letter provides the requested schedule and commitment.

Summary of Work Plan

Western Refining will submit a separate work plan for future remediation excavation and closure of SWMU 1. The work plan will include the following major components:

- Closure Performance Standards



John Moore, P.E.
Environmental Supervisor

Western Refining Southwest LLC

A subsidiary of Marathon Petroleum Corporation

I-40, Exit 39
Jamestown, NM 87347

- Facility Information, Site Conditions, SWMU-1 historical summary including data
- Closure Procedures
- Waste Management Procedures
- Dewatering Procedures
- Closure Sampling and Analysis including Confirmation Sampling
- Closure Operations and Schedule

Planned Schedule for Implementing Remediation and Closure Activities

The table below provides our current, best estimate of the schedule for completing the remedial excavation and closure activities outlined above. It is important to recognize that the scheduled dates provided in the table below are based on Western Refining's current, best estimates; however, in view of the potential for disruptions that might impact the timeline for completing the planned remedial measures, Western Refining reserves the right to revise the schedule. In such event, Western Refining will provide an update to the schedule and an explanation for the change.

SCHEDULE FOR IMPLEMENTING REMEDIAL EXCAVATION MEASURES

Remediation Measure	Scheduled Completion Date	Comment
Submit Revised Investigation Report for SWUM 1 to NMED	Submitted to NMED on January 5, 2021	NMED Approved with Modifications on January 26, 2021
Install test pits and recovery sumps	Second Quarter of 2021	
Install French drains along east and south sides	Third Quarter of 2021	
Submit Final Closure Work Plan	Third Quarter of 2021	
Receive NMED Approval of Final Closure Work Plan	Anticipate Fourth Quarter of 2021	Western Refining understands it will work with NMED to address concerns or requested modifications
Commence field work (AL-1 and AL-2)	First Quarter of 2022	
Commence field work (EP-1)	First Quarter of 2023	
Submit Excavation Completion Report for SWMU 1	Second Quarter of 2023	
Receive NMED Approval of Excavation Completion Report for SWMU 1	Anticipate Third Quarter of 2023	Western Refining understands it will work with NMED to address concerns or requested modifications
Submit Class 3 permit modification & a Long-Term	Fourth Quarter of 2023	



John Moore, P.E.
Environmental Supervisor

Western Refining Southwest LLC

A subsidiary of Marathon Petroleum Corporation

I-40, Exit 39
Jamestown, NM 87347

Monitoring and Maintenance Plan (Condition IV.G of RCRA Permit)		
---	--	--

Western Refining appreciates NMED’s review of the information contained in this letter and requests that NMED provide a response concurring with this proposal.

If you have any questions or require further information regarding this matter in the meantime, please do not hesitate to contact John Moore of my staff at 505-722-0205.

Certification

I certify under penalty of law that this document was prepared by me or under my direct supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gather 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
Western Refining Southwest LLC – Marathon Gallup Refinery

- cc: Dave Cobrain, NMED HWB
- M. Suzuki, NMED HWB
- C. Chavez, NMOCD
- T. McDill, NMOCD
- J. Moore, MPC
- H. Jones, Trihydro Corporation