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**NEW MEXICO  
ENVIRONMENT DEPARTMENT**

**Hazardous Waste Bureau**

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**ENTERED**



**James C. Kenney**  
Cabinet Secretary

**Jennifer J. Pruett**  
Deputy Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

April 26, 2021

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

**RE: APPROVAL WITH MODIFICATIONS  
SANITARY LAGOON INVESTIGATION PHASE II WORK PLAN  
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY  
EPA ID # NMD000333211  
HWB-WRG-21-005**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) has reviewed the *Sanitary Lagoon Investigation Phase II Work Plan* (Work Plan), dated March 31, 2021, 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**

In Section 4.1, *Investigation*, page 8, the Permittee states, “[a] total of 6 soil borings will be located at the base of the sanitary lagoon berms in locations shown in Figure 3. The borings will be located north of SL-3, east of SL-2, and south of SL-8. Soil samples will be collected at a depth of 2.0-2.5 feet below ground surface (bgs) and tested for TPH-DRO.” According to the *Investigation Report Sanitary Lagoon*, dated February 2020, the TPH-DRO concentrations in the soil samples collected from boring locations SL-2, SL-3, and SL-8 did not exceed the applicable

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screening levels at a depth interval of 2.0 - 2.5 feet below ground surface (bgs) where soil sampling is proposed. The exceedance of the TPH-DRO concentrations was detected between the ground surface (0.0) and 0.5 foot bgs. Propose to collect the soil samples at depths of 0.0 - 0.5 and 2.0 – 2.5 feet bgs at the proposed sample locations for TPH-DRO analysis. Revise the Work Plan and provide replacement pages as necessary.

**Comment 2**

In Section 4.4, *Collection and Management of Investigation Derived Waste*, page 10, the Permittee states, “[t]he soils produced from the pipeline location trenches will be temporarily placed beside the trenches. The majority of this material will be removed from above the pipeline and is not believed to be contaminated. If the soil shows potential impacts, then this soil will be managed separately and will be characterized as described below. Otherwise, non-impacted soil will be returned to the trench after the pipeline is located.” The soil placed beside the trenches may potentially contaminate the surface soil. In the revised Work Plan, propose to place plastic sheeting on the ground surface where excavated soils will be placed, if it appears to be contaminated.

In addition, if the soils beneath the pipeline are found to be contaminated at unacceptable levels, additional soil removal will be required to eliminate the risks associated with the contamination. The trenches must be left open until the analytical results confirm that such risks are eliminated. Propose to remove additional soils and collect confirmation samples from the larger trenches, if necessary, until such risks are eliminated. Include the provision in the revised Work Plan.

Furthermore, whether or not the presence of contaminants is suspected, the excavated soils along the pipeline must be appropriately characterized. Discuss how the excavated soils will be characterized in the response letter.

The Permittee must address the comments above and submit a response letter, replacement pages, and an electronic version of the revised Work Plan no later than **July 30, 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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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  
T. McDill, OCD  
L. King, EPA Region 6 (6LCRRC)

File: Reading File and WRG 2021 File