

Certified Mail 7008 2810 0000 4726 2397

November 24, 2010

Mr. John Kieling
Program Manager
New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

RE: Response to NMED's "Approval With Modifications
Revised Railroad Rack Lagoon Overflow Ditch and Fan-out Area, SWMU No. 8 Subsurface
Investigation Final Report
Western Refining Company Southwest Inc., Gallup Refinery
EPA ID # NMD000333211 HWB-WRG-10-002"

Dear Mr. Kieling:

Thank you for the Approval With Modifications. The purpose of this letter is to respond to the New Mexico Environment Department's (NMED), Approval With Modifications Revised Railroad Rack Lagoon Overflow Ditch and Fan-out Area, SWMU No. 8 Subsurface Investigation Final Report dated November 9, 2010. The *Revised Railroad Rack Lagoon Overflow Ditch and Fan-out Area, SWMU No. 8 Subsurface Investigation Final Report Western Refining Company Southwest Inc., Gallup Refinery EPA ID # NMD000333211 HWB-WRG-10-005* (Report) was submitted by Western Refining Gallup Refinery (Gallup) to NMED in late September, 2010.

NMED provided two comments in the Approval With Modifications and they are listed below with Western's response.

NMED Comment 1

In Section 4.4 (Investigation Derived Waste), the permittee states "[o]ther wastes associated with sampling, including personal protective equipment (PPE), rinse water from decontamination, and other sampling-associated disposables were disposed of appropriately at the refinery." The term "disposed of appropriately" is vague. The Permittee must send a response letter that specifically states the disposition of the waste (e.g., PPE was disposed of as municipal waste; rinse water was disposed of in the waste water treatment system upstream of the API Separator).

Response to Comment 1

PPE and other disposables were disposed of in on-site dumpsters that were disposed of at an off-site municipal waste landfill in near Thoreau. Rinse water from decontamination was emptied into the refinery's process sewer which is part of the refinery's waste water treatment system.

NMED Comment 2

In Section 7.0 (Conclusions), page 7-1, paragraph 4, the permittee states "[t]he excavations currently remain open as Gallup is awaiting NMED's approval of this report prior to backfilling the excavations with clean backfill material." The permittee does not state from where the clean backfill material will be obtained. The permittee must identify in a response letter the source of the clean backfill and provide analytical data that demonstrates that the fill is clean if the material is obtained from within the refinery.

Response to Comment 2

The clean backfill material will come from a virgin hillside east of Pond 9 as shown on the attached map (Figure 2) with a red X. To our knowledge there has never been any refinery related activities in this area. The bottom of the hillside which has been excavated for other fill activities was divided into 4 sections and a composite of three samples was taken from each section. The entire length of the excavation is approximately 170 feet in length. All four sample result constituents came back non detect (ND) for EPA Method 8270C semivolatiles, Method 8260B volatiles and Method 418.1 TPH. The Hall Analysis Lab Report dated November 22, 2010 is attached.

Upon NMED approval, Western Refining would like to backfill the B-8 excavation with the clean fill material from the site identified above. If you have any questions, or if we can be of further service to you, please do not hesitate to call me at (505) 722-0217.

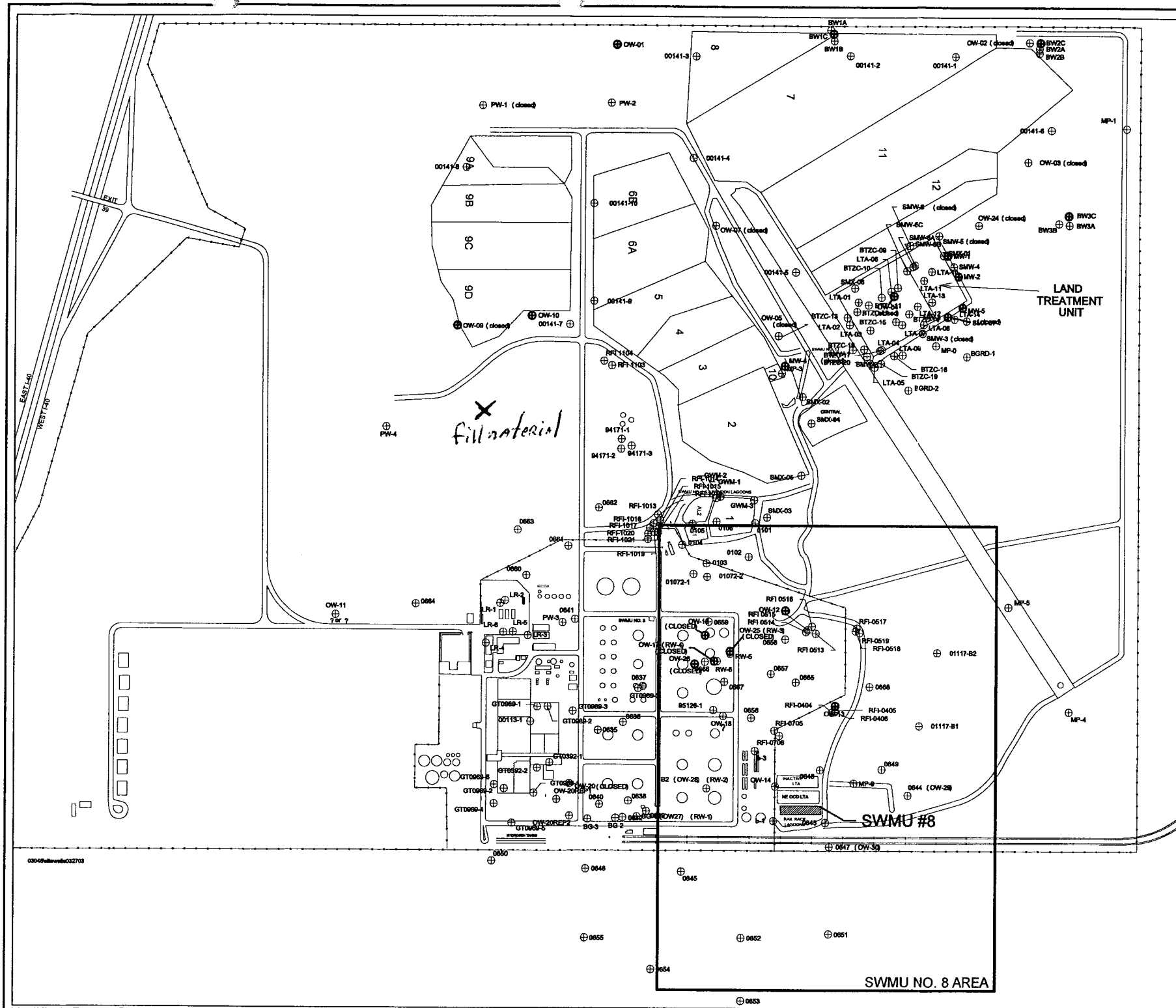
Sincerely,
Western Refining Company



Ed Riege
Environmental Manager

Attachments

cc: K. Van Horn NMED HWB
C. Chavez, OCD
L. Morgan, Western Refining
R. Mitchell, Trihydro



Modified From: Precision Engineering, Inc.

1 OVERALL PLAN VIEW
SCALE 1" = 800'



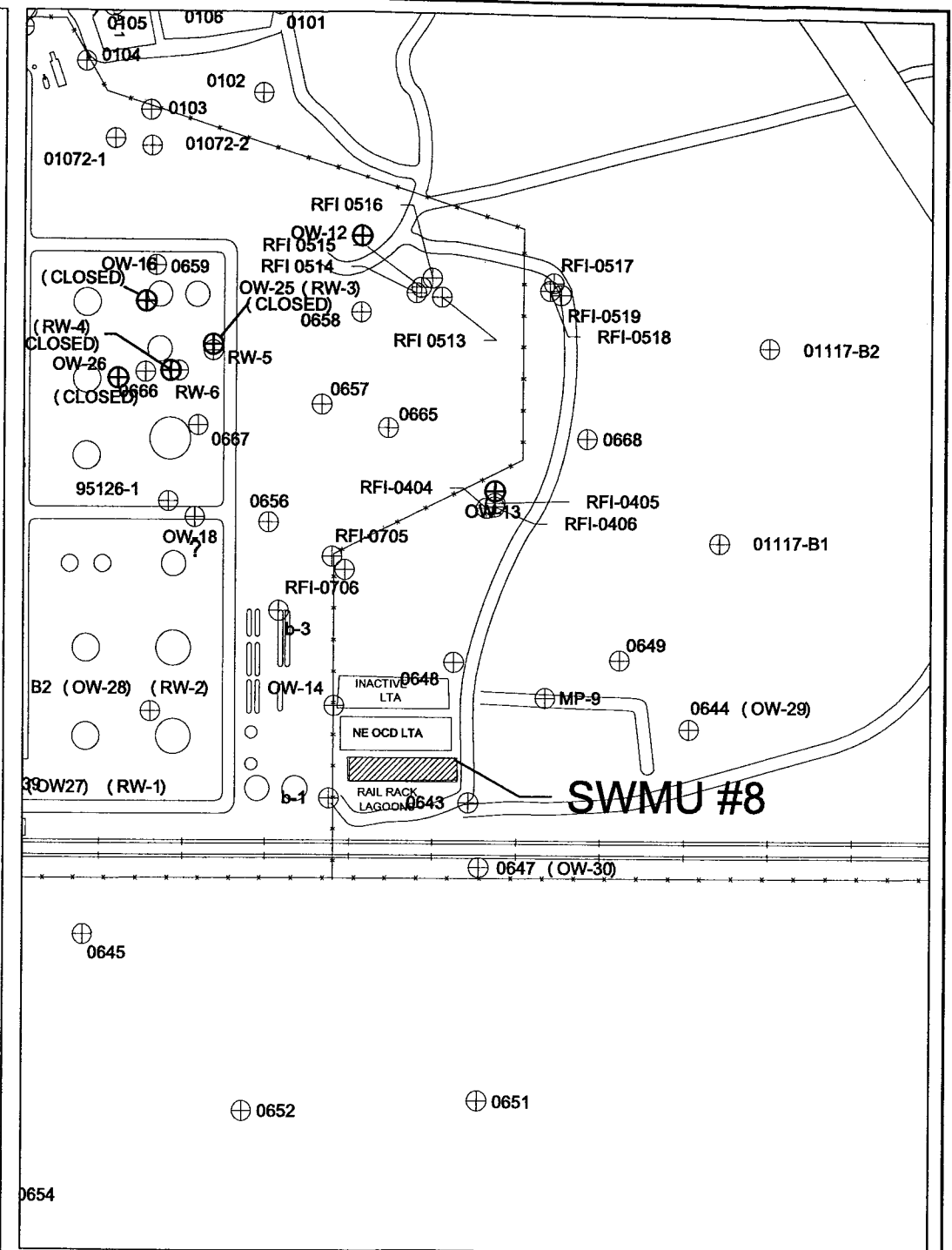
EXPLANATION

- COLOR CODE:
- SONDELA WELLS
- CHINLE/ALLUMIUM INTERFACE WELLS
- UPPER SAND WELLS
- RAW WATER PRODUCTION WELL
- ALL OTHER EXPLORATORY BORINGS

NOTE: CLOSED = ABANDONED
Well Locations Updated Through 12/18/08

NOTE:

BASE CADD FILE PROVIDED BY PRECISION ENGINEERING, DATED DECEMBER 18, 2006



Modified From: Precision Engineering, Inc.

2 SWMU NO. 8 AREA
SCALE 1" = 400'



FIGURE 2

SWMU NO. 8 AND SURROUNDING WELLS

**WESTERN REFINING
GALLUP REFINERY
GALLUP, NEW MEXICO**

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Drawn By: SV Checked By: RA Scale: AS SHOWN Date: 12/28/09 File: 072LOCSFROMOTHR