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Governor

JOHN A. SANCHEZ
Lt. Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

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ENTERED



BUTCH TONGATE
Cabinet Secretary - Designate

J. C. BORREGO
Deputy Secretary

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

January 5, 2017

Mr. Ed Riege
Remediation Manager
Western Refining Southwest Inc., Gallup Refinery
92 Giant Crossing Road
Gallup, New Mexico 87301

**RE: APPROVAL
RESPONSE TO DISAPPROVAL OF RESPONSE ACTION REPORT
TANK T-583 ULTRA-LOW SULFUR DIESEL JANUARY 2, 2016 RELEASE
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
WRG-16-004**

Dear Mr. Riege:

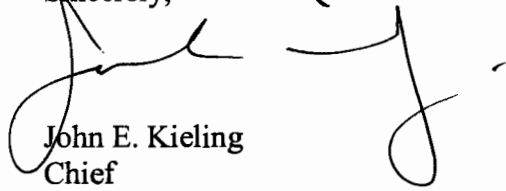
The New Mexico Environment Department (NMED) is in receipt of Western Refining Southwest, Inc. Gallup Refinery's (Permittee) response to NMED's November 15, 2016 Disapproval letter regarding the Permittee's *Response Action Report Tank T-583 Ultra-Low Sulfur Diesel January 2, 2016 Release* (Report), dated August 2016. The Permittee's response to the Disapproval is adequate.

The Energy Minerals and Natural Resource Department Oil Conservation Division (OCD) reiterates that it considers dilution attenuation factor (DAF)1/DAF20 (criteria determined based on site-specific nature of release) Soil Criteria to be protective of groundwater; however, OCD's applicable or relevant and appropriate requirements (ARARs) also includes sulfate, chloride, gasoline range organics (GRO)/ diesel range organics (DRO)/ motor oil range organics (MRO) or GRO/DRO-extended and other general chemistry criteria to satisfy protection of groundwater when these constituents are believed to be present in the release. The Permittee must include these constituents for sampling and analysis for future releases, where appropriate.

Mr. Riege
Gallup Refinery
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If you have questions regarding this letter, please contact Kristen Van Horn at 505-476-6046.

Sincerely,



John E. Kieling
Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
K. Van Horn, NMED HWB
C. Chavez, EMNRD OCD
A. Hains, WRG
L. King, EPA

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