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NEW MEXICO  
ENVIRONMENT DEPARTMENT **ENTERED**

**Hazardous Waste Bureau**

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**James C. Kenney**  
Cabinet Secretary

**Jennifer J. Pruett**  
Deputy Secretary

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

May 16, 2019

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

**RE: APPROVAL  
RESPONSE TO COMMENTS NMED APPROVAL WITH MODIFICATIONS  
LETTER DATED MARCH 17, 2017 [CHLORIDE EXCEEDANCE  
EXCAVATION REPORT]  
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY  
EPA ID # NMD000333211  
HWB-WRG-17-003**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) has reviewed the *Response to Comments NMED Approval with Modifications Letter dated March 17, 2017 [Chloride Exceedance Excavation Report]* (Response), dated April 11, 2019, submitted on behalf of Marathon Petroleum Company dba Western Refining Southwest Inc., Gallup Refinery (the Permittee). NMED hereby issues this Approval. The Permittee must address the following comments provided by both NMED and the New Mexico Energy Minerals and Natural Resources Department Oil Conservation Division (OCD).

**Comment 1**

NMED's Approval with Modifications Comment 1 states, "[t]he OCD regulates the Central OCD Landfarm under 19.15.36 NMAC (also known as Part 36) and required the Permittee to address chloride exceedances discovered in the landfarm." With the exception of sample identified as CentralOCD-03-6/16/2016, the chloride concentrations did not exceed the screening level of 500 mg/kg in the rest of samples collected from the landfarm. Although the chloride

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concentrations in the excavation confirmation samples collected from depths of approximately six feet below ground surface exceed the screening level in multiple locations, these soil samples were likely collected within the footprint of former Evaporation Pond (EP)-10 or native soils below the pond, rather than shallow soils within the OCD Landfarm. Therefore, the landfarm is likely not the source of chloride in groundwater. Since the landfarm is not closed, current and future use of the landfarm must be clarified in a response letter to OCD.

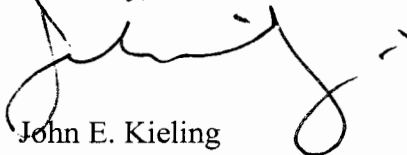
**Comment 2**

The response to NMED's Approval with Modifications Comment 2 states, "[w]hile Marathon Petroleum Company (MPC) is unaware of any design drawings for Pond 10, the surface expression of the pond currently appears to be approximately 325 feet by 200 feet." Since the OCD Landfarm overlies former pond EP-10 and pond EP-10 may be the source of the chloride contamination in groundwater, the depth of pond EP-10 must be identified and the soils below the landfarm must be investigated. Submit a work plan to install soil borings to collect soil samples of the underlying native soils, pond sediments, and the upper zone waste treated within the landfarm. If the interface between the native soils, pond sediments, and landfarm waste can be distinguished, collect the samples within six inches of each interface.

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.

If you have questions regarding this letter, please contact Michiya Suzuki of my staff at 505-476-6059.

Sincerely,



John E. Kieling  
Chief  
Hazardous Waste Bureau

cc: K. Van Horn, NMED HWB  
D. Cobrain, NMED HWB  
M. Suzuki, NMED HWB  
C. Chavez, OCD  
L. King, EPA Region 6 (6LCRRC)  
B. Moore, WRG

File: Reading File and WRG 2019 File  
HWB-WRG-17-003