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Certified Mail - Return Receipt Requested

August 22, 2022

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

**RE: APPROVAL WITH MODIFICATIONS
INVESTIGATION PHASE II REPORT SANITARY LAGOON
WESTERN REFINING SOUTHWEST LLC, GALLUP REFINERY
MCKINLEY COUNTY, GALLUP, NEW MEXICO
EPA ID # NMD000333211
HWB-WRG-22-003**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) has completed its review of the Marathon Petroleum Company dba Western Refining Southwest LLC, Gallup Refinery (Permittee) *Investigation Phase II Report Sanitary Lagoon* (Report), dated March 4, 2022 and received on March 14, 2022. NMED has reviewed the Report, and hereby issues this Approval with Modifications with the following comments.

Comment 1

Section 3.3 (Sample Handling), page 12 of 16, describes the procedure for vapor concentration measurement using a photo-ionization detector/flame ionization detector (PID/FID) and the laboratory analytical sample collection method. However, it is not clear from the description whether the soil samples that were used to measure vapor concentrations were also used as laboratory analytical samples or if the soil samples that were used to measure vapor concentrations were discarded and fresh soil samples were separately collected for laboratory analyses. Provide a clarification in the revised Report and provide replacement pages.

Comment 2

In Section 4.2 (Pipeline Corridor Sample Results), page 13 of 16, paragraph 6, the Permittee states, "[t]here were no notable detections of VOCs [volatile organic compounds], SVOCs [semi-volatile organic compounds], or inorganics (see Tables 2a, 2b, and 2c)." According to Table 2a (Sanitary Lagoon Pipeline Corridor Sample Results, VOCs), the 1,2-dibromoethane

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concentration in the soil sample collected from location SPL-10 is recorded as ND(1.4) mg/kg. The reporting limit for 1,2-dibromoethane exceeds the residential soil screening level of 0.7 mg/kg. Similarly, according to Table 2c (Sanitary Lagoon Pipeline Corridor Sample Results, Inorganics), the arsenic concentration in the soil sample collected from location SPL-11 is recorded as ND(13) mg/kg. The reporting limit for arsenic exceeds the residential soil screening level of 7.1 mg/kg. It is not known whether the actual constituent concentrations would exceed the applicable screening levels. The reporting limits must be lower than the applicable screening levels; otherwise, address the concentrations of all analytes where the reporting limits are higher than the corresponding screening levels as data quality exceptions and identify them as such in all related text, tables, and figures. Revise the appropriate sections in the Report and provide replacement pages.

Comment 3

In Section 5.0 (Conclusions and Recommendations), page 15 of 16, paragraph 3, the Permittee states, “[i]t is likely that the sand layer used to embed the sanitary lagoon pipeline acted as a conduit for hydrocarbon migration from documented historical releases (e.g., the 2019 gasoline leak to the north of the truck loading rack). However, that migration appears to be cut off at the location of the concrete plug (Figure 3) as the sand layer corridor is broken by the presence of a concrete sewer vault.” According to Figure 3 (Sanitary Lagoon Investigation Phase II Notable Analytical Results), even though sampling locations SPL-05 and SPL-06 are located downstream of the location of the concrete plug/concrete sewer vault, Table 2d (Sanitary Lagoon Pipeline Corridor Sample Results, general) indicates that the total petroleum hydrocarbon gasoline range organics (TPH-GRO) concentrations in the soil samples collected from location SPL-06 (150 J+ mg/kg and 470 J+ mg/kg) exceeded the residential soil screening level of 100 mg/kg. Similarly, the elevated concentrations of total coliform were observed in the soil samples collected from sampling locations SPL-05 and SPL-06. Furthermore, the total petroleum hydrocarbon diesel range organics (TPH-DRO) concentrations in the soil samples collected from multiple soil samples within the Sanitary Lagoon (SL-05, SL-2, SL-3, and SL-8) exceeded the applicable screening level. Based on the data, NMED does not agree with the Permittee’s conclusion. It is not appropriate to conclude that the potential contaminant conduit (i.e., sand layer corridor around the pipeline) was blocked by the presence of a concrete sewer vault. Revise the statement for accuracy or provide evidence to support the assertion in the Report and provide replacement pages.

Comment 4

In Section 5.0 (Conclusions and Recommendations), page 15 of 16, paragraph 4, the Permittee states, “[t]he modified [AOC 35] investigation workplan is due back to NMED by March 31, 2022. At this time no additional soil investigation work is proposed based on the former sanitary lagoon pipeline and pipeline corridor. Soil in this area will be investigated further through the AOC 35 investigation which seeks to correlate the LIF investigation results with analytical concentrations.” NMED acknowledges that the referenced work plan was received on April 11, 2022 and concurs that the investigation related to the pipeline corridor will be further

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evaluated through the AOC 35 investigation. No revision is required.

The Permittee must address all comments above and submit a response letter, replacement pages, and an electronic version of the revised Report on a CD/DVD no later than **October 28, 2022**.

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 505-690-6930.

Sincerely,

**Rick
Shean**

Rick Shean

Chief

Hazardous Waste Bureau

Digitally signed by
Rick Shean
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cc: D. Cobrain, NMED HWB
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