

NM2 - _____10_____

**GENERAL
CORRESPONDENCE
YEAR(S):**

_____2022_____

Jones, Brad A., EMNRD

From: Stuart Hyde <shyde@ensolum.com>
Sent: Friday, July 22, 2022 4:32 PM
To: Jones, Brad A., EMNRD
Cc: Luka, Kateri A.; Devin Hencmann
Subject: [EXTERNAL] Bisti Landfarm - Response to NMOCD Letter Dated May 5 2022
Attachments: Bisti Landfarm - Response to 2021 NMOCD Letter.pdf

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Brad,

Please find attached a document outlining Western and Ensolum's responses to your letter dated May 5, 2022 regarding the 2021 Annual Compliance Report for the Bisti Landfarm. Please reach out with any questions or comments. Thanks and have a great weekend.



Stuart Hyde, LG

Senior Geologist

970-903-1607

Ensolum, LLC

in f 



July 1, 2022

Mr. Brad Jones
New Mexico Oil Conservation Division
New Mexico Energy, Minerals, and Natural Resources Department
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

Re: Response to NMOCD Letter Dated May 5, 2022

Bisti Landfarm
San Juan County, New Mexico
NMOCD Rule 711 Permit Number: NM-02-0010
Western Refining Southwest LLC, Marathon Petroleum Company LP

Mr. Jones:

Ensolum, LLC (Ensolum), on behalf of Western Refining Southwest, LLC (Western), are providing responses to specific comments the New Mexico Oil Conservation Division (NMOCD) made regarding remedial actions taken at the Bisti Landfarm in 2021. Specifically, this response letter is to address the May 5, 2022 letter from the NMOCD regarding the *2021 Annual Compliance Monitoring Report* prepared by WSP USA Inc. (WSP) which summarized the compliance sampling performed at the landfarm in 2021.

- **NMOCD Comment, Page 2:** *Also, please ensure that vadose zone constituents are analyzed at a detection/reporting limit that is at or below the facility background limit or PQL OCD approved on June 15, 2020. Analyzing chloride with a reporting/detection limit of 60 mg/kg, as identified on Table 2 and the lab results in Enclosure A, when the OCD approved background is <50 mg/kg or total xylene reporting/detection limits from 0.093 to 0.1 mg/kg, when the OCD approved background is <0.05 mg/kg, is not a proper assessment for a release of chlorides or total xylene in the vadose zone.*
 - **Response:** Ensolum has noted this discrepancy and will correct the reporting/detection limits approved by the NMOCD on June 15, 2020 for future sampling.
- **NMOCD Comment, Page 2:** *Based upon the existing permit conditions of NM2-10, the June 30, 2011 letter regarding the transitional provision of 19.15.36.20.A NMAC, and the August 2015 OCD approval of use of the sum of gasoline range organics (GRO), diesel range organics (DRO), and motor oil range organics (MRO) determined by EPA method 8015 for the vadose zone monitoring in lieu of EPA method 418.1 for TPH, the first quarterly vadose zone sampling event should have resulted in one vadose zone sample obtained at two (2) to three (3) feet below the native ground surface of each landfarm cell and analyzed for TPH by EPA method 418.1 or EPA method 8015 for the sum of GRO, DRO, and MRO (only one TPH test method is required), BTEX, major cations/anions (which includes chlorides) and heavy metals.*

Western Refining Southwest LLC
Bisti Landfarm
July 1, 2022



Response: Ensolum has noted this discrepancy and will use United States Environmental Protection Agency (EPA) Method 8015 for all future analyses for the sum of gasoline range organics (GRO), diesel range organics (DRO), and motor oil range organics (MRO) for the vadose zone monitoring in lieu of EPA method 418.1 for total petroleum hydrocarbons (TPH) at the Site.

- **NMOCD Comment, Page 2:** *Compliance to the requirements of 19.15.36.15.E(5) NMAC is not demonstrated in the 2021 Annual Compliance Monitoring Report. OCD did not receive the notice of the releases of Chlorides detected in the East Line and API 4 samples during the February 9, 2021 sampling event, at 87 mg/kg and 140 mg/kg respectively. OCD also did not receive the notice of the releases of Chlorides detected in the Bisti, Pettigrew, API 1, and API 2 samples during the July 12 2021 sampling event, at 65 mg/kg, 86 mg/kg, 650mg/kg, and 640 mg/kg respectively. Western did not initiate or complete the additional sampling and/or submit a release response action plan to OCD to address the newly detected releases, as required of 19.15.36.15.E(5) NMAC.*
 - **Response:** The “releases” mentioned above were described in the 2021 Annual Compliance Monitoring Report. The locations of samples where practical quantitation limit (PQL)/background concentrations were exceeded were identified to be within the areas delineated during the delineation work described in the *Site Characterization Report and Variance Request* (LT Environmental, October 2020). No further release response sampling was thought to be required at that time, as these areas have already been delineated.
- **NMOCD Comment, Page 3:** *Since only a small portion of each landfarm cell was delineated pursuant to 19.15.29 NMAC, OCD recommends not sampling the vadose zone in the delineated areas illustrated on Figures 3 and 4, in the 2020 Annual Compliance Monitoring Report, where Chlorides and TPH has been delineated and demonstrated to exceed 600 mg/kg and 100 mg/kg, respectively. When performing the routine quarterly vadose zone monitoring in the remaining areas of each landfarm cell in the future, Western/WSP should compare the results the facility background and PQLs OCD approved on June 15, 2020. If a release is detected, then the release response requirements of 19.15.36.15.E(5) NMAC should be initiated and implemented.*
 - **Ensolum Response:** Ensolum understands that future compliance sampling locations should be outside of the areas delineated as part of the 2020 delineation work performed by LT Environmental. Additionally, exceedances of facility background and/or PQL concentrations will prompt the release response requirements of 19.15.36.15(E)(5) of the New Mexico Administration Code (NMAC).

Western Refining Southwest LLC
Bisti Landfarm
July 1, 2022



Ensolum appreciates the opportunity to provide these responses and clarifications to NMOCD. If you have any questions or comments regarding this site and feel a meeting to discuss further would be valuable, please reach out and let us know a time that would work. Please do not hesitate to contact the undersigned.

Sincerely,
Ensolum, LLC

A handwritten signature in black ink, appearing to read "SH", with a stylized flourish at the end.

Stuart Hyde, LG
Senior Geologist
(970) 903-1607
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A handwritten signature in black ink, appearing to read "DM", with a stylized flourish at the end.

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CONDITIONS

Action 131618

CONDITIONS

Operator: WESTERN REFINING COMPANY L.P. 123 W. Mills Ave. El Paso, TX 79901	OGRID: 264727
	Action Number: 131618
	Action Type: [C-137] Non-Fee SWMF Submittal (SWMF NON-FEE SUBMITTAL)

CONDITIONS

Created By	Condition	Condition Date
bjones	None	8/4/2022