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**NEW MEXICO
ENVIRONMENT DEPARTMENT**

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James C. Kenney
Cabinet Secretary

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Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 10, 2020

Mr. Scott M. Denton
Environmental Manager
HollyFrontier Navajo Refining LLC
P.O. Box 159
Artesia, New Mexico 88211-0159

**RE: APPROVAL
EVALUATION OF SOIL FOR POTENTIAL REUSE –
RENEWABLE DIESEL UNIT (RDU) PROCESS AREA
HOLLYFRONTIER NAVAJO REFINING LLC, ARTESIA REFINERY
EPA ID NO. NMD048918817
HWB-NRC-MISC**

Dear Mr. Denton:

The New Mexico Environment Department (NMED) has reviewed HollyFrontier Navajo Refining LLC, Artesia Refinery's (the Permittee) letter, *Evaluation of Soil for Potential Reuse – Renewable Diesel Unit Process Area*, dated November 3, 2020 and hereby issues this Approval.

The Permittee excavated soils as part of construction activities for a renewable diesel unit (RDU) process area that is located south of Solid Waste Management Unit 25 (SWMU 25, North Process Area) and surrounds Former Area of Concern 28 (AOC 28, Crude-Off Loading Rack). Excavation of the soil from the area surrounding Former AOC 28 generated 4,700 cubic yards of soil. The Permittee collected five field composite soil samples, 47 discrete soil samples and five field duplicate soil samples from the RDU soil pile. These discrete and field duplicate soil samples were analyzed for total petroleum hydrocarbon (TPH) as gasoline range organics (GRO), benzene, toluene, ethylbenzene, total xylenes, methyl tert-butyl ether (MTBE) and naphthalene. The five field composite samples were analyzed for TPH as diesel range organics (DRO) and motor oil

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range organics (ORO) and arsenic, lead, mercury, and selenium.

NMED has reviewed the laboratory analytical results for the composite, discrete and field duplicate samples and determined that the Permittee has demonstrated that the excavated soils are nonhazardous and do not contain concentrations of contaminants greater than the applicable soil screening levels (i.e., residential, industrial/occupational and construction worker). Therefore, NMED approves the Permittee's request to reuse the excavated soils as backfill or for the construction of secondary containment berms within the Refinery.

For future soil reuse reports, NMED requests that the Permittee include measurements for the final excavation limits (i.e., length, width and depth) as well as photographs of the final excavation site. NMED will also require information regarding the excavation boundaries and photos of the excavation site with the results of the Former AOC 28 soil samples in the separate letter report mentioned in this *Evaluation of Soil for Potential Reuse – Renewable Diesel Unit Process Area* letter. Furthermore, the Permittee must ensure all analytical data are reported and discussed in the summary tables. For example, the field duplicate soil sample results were not reported in Tables 1 or 2. In addition, the Permittee must include analysis for synthetic precipitation leaching procedure (SPLP) if any of the soil samples exceed any of the soil screening levels. This SPLP analysis will be required to facilitate NMED's review to determine if the excavated soil can be reused for backfill or other construction activities at the Facility.

If you have any questions regarding this letter, please contact Leona Tsinnajinnie of my staff at (505) 476-6057.

Sincerely,



Kevin M. Pierard, Chief
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
L. Tsinnajinnie, NMED HWB
M. Suzuki, NMED HWB
C. Chavez, EMNRD OCD
R. Combs, HFNR LLC, Artesia Refinery
L. King, USEPA 6MM-RC

File: Reading File and NRC 2020, HWB-NRC-MISC

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Energy, Minerals and Natural Resources
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COMMENTS

Action 19527

COMMENTS

Operator:			OGRID:	Action Number:	Action Type:
NAVAJO REFINING COMPANY LLC	100 Crescent Court, Suite 1600	Dallas,	255554	19527	DISCHARGE
TX752016927					PERMIT

Created By	Comment	Comment Date
cchavez	HWB 2020 NRC MISCEL 12-17-2020	03/02/2021

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CONDITIONS OF APPROVAL

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OCD Reviewer	Condition
cchavez	None