

GW - 028

**NORTH COLONY
LANDFARM**



March 27, 2015

Mr. John Kieling
New Mexico Environment Department, Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303

Mr. Carl Chavez
New Mexico Energy, Minerals and Natural Resources Department
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

**RE: Notification of Statistically Significant Increases in Soil Concentrations at the North Colony Landfarm, Navajo Refining Company, Artesia Refinery
RCRA Permit No. NMD048918817**

Dear Mr. Kieling and Mr. Chavez:

Navajo Refining Company, LLC (NRC) has completed the soil sampling of the North Colony Landfarm (NCL) required by Section 3.2.3.a. of the Post Closure Care Permit (Permit). Section 4.6.1.a.a of the Permit requires NRC to perform a statistical comparison of the petroleum-related and hazardous constituents reported in the soil sampling results. Section 4.6.1.a.a references 1995 sampling results in the requirement to perform the statistical comparison of soil sampling results. However, the 1995 soil samples were not collected within the NCL. Communication with New Mexico Environment Department (NMED) personnel clarified that the statistical comparison should be performed by comparing the 2014 soil sampling results to the 2007 soil sampling results and the 1994 soil sampling results (native soil samples only). A copy of the email communication clarifying the statistical comparison requirements is provided as an attachment to this letter.

The statistical comparison of the 2014 soil sampling results to 2007 and 1994 soil sampling results has been completed. Statistically significant increases were identified for the following parameters:

- Total petroleum hydrocarbons diesel range organics (DRO)
- Arsenic
- Barium
- Cadmium
- Lead
- Benzo(a)pyrene

Mr. Kieling and Mr. Chavez

March 27, 2015

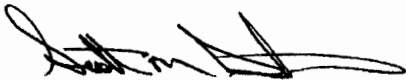
Page 2

This letter provides the written notification that statistically significant increases have been identified, as required by Section 4.6.1.b.b of the Permit. A more thorough discussion of the soil sampling results and the statistical evaluation will be included in the NCL Soil Sampling Report that will be submitted on or before April 10, 2015.

NRC's post-closure care permit provides two options in response to statistically significant increases in soil concentrations: conduct an alternate source demonstration or propose changes in the NCL soil sampling, analysis, or evaluation program. NMED has previously reviewed an alternate source demonstration for legacy diesel spill impacts to the NCL soils and groundwater. Given the previous review, NRC would like to instead explore with NMED potential changes in the soil monitoring program. However, we would also like to discuss whether an updated alternate source assessment (within the timeframes of the permit) would be of value in addressing the recent monitoring results.

If you have any questions or comments regarding this report, please feel free to contact me at 575-746-5487 or Robert Combs at 575-746-5382.

Sincerely,



Scott M. Denton
Environmental Manager
Navajo Refining Company, LLC

c: Robert Combs, NRC
Pamela R. Krueger, ARCADIS

Chavez, Carl J, EMNRD

From: Monzeglio, Hope, NMENV
Sent: Friday, June 18, 2010 12:25 PM
To: Moore, Darrell
Cc: Chavez, Carl J, EMNRD; Lackey, Johnny; Kieling, John, NMENV
Subject: Deed restriction
Attachments: 6-18-10 App 3rd ext deed restriction-NRC.pdf

Darrell

The hard copy will go out in the mail Monday.

Thanks
Hope

Hope Monzeglio
Environmental Specialist
New Mexico Environment Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, BLDG 1
Santa Fe NM 87505
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Websites:
New Mexico Environment Department
Hazardous Waste Bureau



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Governor

DIANE DENISH
Lieutenant Governor

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Hazardous Waste Bureau

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Santa Fe, New Mexico 87505-6303

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RON CURRY
Secretary

SARAH COTTRELL
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

June 18, 2010

Darrell Moore
Navajo Refining Company
P.O. Box 159
Artesia, New Mexico 88211-0159

**RE: THIRD EXTENSION APPROVAL
DEED RESTRICTION FOR THE NORTH COLONY LANDFARM
NAVAJO REFINING COMPANY, ARTESIA REFINERY
EPA ID # NMD048918817
HWB-NRC-MISC**

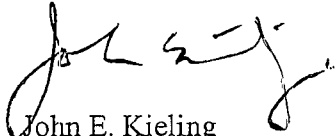
Dear Mr. Moore:

The New Mexico Environment Department (NMED) received Navajo Refining Company's Artesia Refinery (the Permittee) *Third Extension Request Deed Restriction For the North Colony Landfarm* (NCL) dated May 21, 2010. The Permittee is requesting a third extension to submit the deed restriction associated with the closure of the NCL. Because the NCL lies within land that is zoned as a City of Artesia subdivision, the Permittee must amend the subdivision zoning classification, which involves obtaining approval from the Artesia Planning and Zoning Committee and the City Council; the Permittee was unable to get on the agenda for the most recent City Council meeting. The Permittee has shown good cause for this request. NMED hereby approves this third extension for submittal of the deed restriction. The Permittee must notify NMED within 10 days of City Council Meeting in which the Permittee will be on the agenda and contact NMED within 5 days after the Deed Restriction is submitted.

Mr. Darrell Moore
Navajo Refining Company
June 18, 2010
Page 2 of 2

If you have any questions regarding this letter, please contact Hope Monzeglio of my staff at (505) 476-6045.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Kielling". The signature is stylized with a large initial "J" and a long, sweeping underline.

John E. Kielling
Program Manager
Permits Management Program
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
H. Monzeglio, NMED HWB
C. Chavez, OCD
J. Lackey, NRC
File: Reading File and NRC 2010
HWB-NRC-MISC



BILL RICHARDSON
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Lieutenant Governor

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RON CURRY
Secretary

SARAH COTTRELL
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 7, 2010

Darrell Moore
Navajo Refining Company
P.O. Box 159
Artesia, New Mexico 88211-0159

**RE: SECOND EXTENSION APPROVAL
DEED RESTRICTION FOR THE NORTH COLONY LANDFARM
NAVAJO REFINING COMPANY, ARTESIA REFINERY
EPA ID # NMD048918817
HWB-NRC-MISC**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) received Navajo Refining Company's Artesia Refinery (the Permittee) *Extension Request For Deed Restriction North Colony Landfarm* (NCL) dated May 4, 2010. This letter requests a second extension to submit the deed restriction associated with the closure of the NCL. The Permittee discovered the NCL lies within land that is zoned as a City of Artesia subdivision. The Permittee must therefore amend the subdivision zoning classification, which involves obtaining approval from the Artesia Planning and Zoning Committee and the City Council. The Permittee is not able to process this deed restriction without the approval from various parties within the city of Artesia; the Permittee has shown good cause for this request. NMED hereby approves this second extension for submittal of the deed restriction. The Permittee must submit the deed restriction no later than June 15, 2010.

Mr. Darrell Moore
Navajo Refining Company
May 7, 2010
Page 2 of 2

If you have any questions regarding this letter, please contact Hope Monzeglio of my staff at (505) 476-6045.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Kieling". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

John E. Kieling
Program Manager
Permits Management Program
Hazardous Waste Bureau

cc: D. Cobrain, NMED HWB
H. Monzeglio, NMED HWB
C. Chavez, OCD
J. Lackey, NRC
File: Reading File and NRC 2010
HWB-NRC-MISC