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Lt. Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

Hazardous Waste Bureau

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James C. Kenney
Cabinet Secretary

Jennifer J. Pruett
Deputy Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

December 10, 2020

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

**RE: APPROVAL
14-DAY RESPONSE REPORT
WESTERN REFINING FIREBIRD TANK RELEASE
WESTERN REFINING SOUTHWEST INC., GALLUP REFINERY
EPA ID # NMD000333211
HWB-WRG-MISC**

Dear Mr. Moore:

The New Mexico Environment Department (NMED) has reviewed the *14-Day Response Report Western Refining Firebird Tank Release* (Report), dated November 12, 2020, submitted on behalf of Marathon Petroleum Company dba Western Refining Southwest Inc., Gallup Refinery (the Permittee).

The stained soil was discovered during the removal of the aboveground storage tank (AST) and the soil samples were collected for the analyses of petroleum hydrocarbon diesel and motor oil range organics in September 29, 2020. The total petroleum hydrocarbon motor oil range organics (TPH-MRO) in the soil sample identified as Master Dispenser is recorded as 1,700 mg/kg in Appendix D, exceeding the residential soil screening level of unknown oil (1,000 mg/kg).

Mr. Moore
December 10, 2020
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The *Remediation Actions* Section of the Report, page 6 of 6, states, "MPC plans to perform an investigation below the tank's prior location to delineate the extent of contamination within 60 days of October 28, 2020." NMED concurs with the proposed investigation and the Permittee must provide a letter report that summarizes the results of the investigation within 30 days after completion of the proposed investigation. The letter report must be submitted no later than **February 12, 2021**. The Permittee must include total petroleum hydrocarbon gasoline range organics (TPH-GRO) in addition to TPH-DRO and MRO analyses and present the analytical results in the letter report.

The Permittee has fulfilled its obligation to submit the Report and provided all information required by NMAC 20.5.119.1903 B. Accordingly, NMED hereby issues this Approval.

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 505-476-6046.

Sincerely,



Dave Cobrain
Program Manager
Hazardous Waste Bureau

cc: M. Suzuki, NMED HWB
C. Chavez, OCD
L. King, EPA Region 6 (6LCRRC)

File: Reading File and WRG 2020 File

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State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

COMMENTS

Action 19455

COMMENTS

Operator:			OGRID:	Action Number:	Action Type:
WESTERN REFINING SOUTHWEST, IN	6700 Jefferson NE, Suite A-1	Albuquerque,	705791	19455	DISCHARGE
NM87109					PERMIT

Created By	Comment	Comment Date
cchavez	NMED Firebird Tank Release 12-10-2020.	03/02/2021

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CONDITIONS OF APPROVAL

Operator: WESTERN REFINING SOUTHWEST, IN NM87109	6700 Jefferson NE, Suite A-1 Albuquerque,	OGRID: 705791	Action Number: 19455	Action Type: DISCHARGE PERMIT
OCD Reviewer cchavez	Condition None			