

**From:** Patterson, Heather, EMNRD  
**To:** ["Michael Burton"](#); [Tucker, Shelly](#); [Christine Alderman](#)  
**Cc:** [Bratcher, Mike, EMNRD](#)  
**Subject:** RE: Cimarex Hornsby 35 Fed 3H work plan  
**Date:** Thursday, April 28, 2016 9:16:00 AM

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**RE: Cimarex Energy \* Hornsby 35 Fed 3H \* 30-015-42208 \* 2RP-3359**

Mike,

As a condition of approval for this release, the OCD requested additional excavation and a confirmation sample at SP6. Until these conditions have been met, the OCD cannot approve this closure request.

OCD approval does not relieve the operator of liability should their operations fail to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment. In addition, OCD approval does not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

If you have any questions or concerns, and for notification, please contact me.

Heather Patterson  
Environmental Specialist  
NMOCD District II  
Office (575)748-1283 ext.101  
Cell (575)703-0228

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**From:** Michael Burton [mailto:[mburton@diversifiedfsi.com](mailto:mburton@diversifiedfsi.com)]  
**Sent:** Monday, April 25, 2016 2:48 PM  
**To:** Tucker, Shelly; Christine Alderman  
**Cc:** Patterson, Heather, EMNRD; Bratcher, Mike, EMNRD  
**Subject:** RE: Cimarex Hornsby 35 Fed 3H work plan

Please see attached.

**Mike Burton**

**DFSI**

**Environmental Operations Director**

**Customer Relations**

575-390-5454 cell

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**From:** Tucker, Shelly [<mailto:stucker@blm.gov>]

**Sent:** Monday, April 25, 2016 12:26 PM

**To:** Michael Burton <[mburton@diversifiedfsi.com](mailto:mburton@diversifiedfsi.com)>; Christine Alderman <[calderman@cimarex.com](mailto:calderman@cimarex.com)>

**Cc:** Patterson, Heather, EMNRD <[Heather.Patterson@state.nm.us](mailto:Heather.Patterson@state.nm.us)>; Lance Crenshaw <[lcrenshaw@diversifiedfsi.com](mailto:lcrenshaw@diversifiedfsi.com)>; Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>

**Subject:** Re: Cimarex Hornsby 35 Fed 3H work plan

I need an update on this release.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

*Shelly J Tucker*

Environmental Protection Specialist  
Bureau of Land Management

620 E. Greene St  
Carlsbad, NM 88220

575.234.5905 - Direct  
575.361.0084 - Cellular

[stucker@blm.gov](mailto:stucker@blm.gov)

  
The **BLM acceptance/approval does not** relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that may pose a threat to groundwater, surface water, human health or the environment or if the location fails to reclaim properly. In such an event that the location does not revegetate, or future issues with contaminants are encountered, the operator will be asked to address the issues until the contaminant issues are fully mitigated and the location is successfully reclaimed. In addition, BLM approval does not relieve the operator of responsibility for compliance with any other federal, state or local laws/regulations.

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On Wed, Dec 16, 2015 at 8:56 AM, Tucker, Shelly <[stucker@blm.gov](mailto:stucker@blm.gov)> wrote:

BLM accepts/approves this work plan and concurs with NMOCD stipulations.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

*Shelly J Tucker*

Environmental Protection Specialist  
Bureau of Land Management

620 E. Greene St  
Carlsbad, NM 88220

575.234.5905 - Direct  
575.361.0084 - Cellular

[stucker@blm.gov](mailto:stucker@blm.gov)

[REDACTED]

The **BLM acceptance/approval does not** relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that may pose a threat to groundwater, surface water, human health or the environment or if the location fails to reclaim properly. In such an event that the location does not revegetate, or future issues with contaminants are encountered, the operator will be asked to address the issues until the contaminant issues are fully mitigated and the location is successfully reclaimed. In addition, BLM approval does not relieve the operator of responsibility for compliance with any other federal, state or local laws/regulations.

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On Wed, Dec 16, 2015 at 7:10 AM, Bratcher, Mike, EMNRD

<[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)> wrote:

RE: Cimarex \* Hornsby 35 Fed 3H \* 30-015-42208 \* E-35-27s-27e  
**2RP-3359** \* Date of release: 7/26/2015

Mr. Burton,

Your proposal for remediation of the above referenced release is approved with the following conditions of approval:

Available data indicates that ground water may be encountered at less than 100' bgs in this area, giving a site ranking of 10. Remedial goal for TPH will be 1000 mg/kg. In the area identified as SP-6, OCD will require a deeper excavation than proposed, with confirmation samples to insure the RRAL for this site is met.

OCD approval does not relieve the operator of liability should their operations fail to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment. In addition, OCD approval does not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

If you have any questions or concerns, and for notification, please contact me.

**Mike Bratcher**  
NMOCD District 2  
811 S. First Street  
Artesia, NM 88210  
O: 575-748-1283 X108  
C: 575-626-0857  
F: 575-748-9720

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**From:** Michael Burton [mailto:[mburton@diversifiedfsi.com](mailto:mburton@diversifiedfsi.com)]  
**Sent:** Tuesday, December 15, 2015 11:27 AM  
**To:** Tucker, Shelly; Bratcher, Mike, EMNRD; Patterson, Heather, EMNRD  
**Cc:** Christine Alderman; Lance Crenshaw  
**Subject:** Cimarex Hornsby 35 Fed 3H work plan

All,  
Please see attached work plan for the Cimarex Hornsby 35 Fed 3H. Thank you we will wait for your approval and or COA's.

**Mike Burton**  
**DFSI**  
**Environmental Operations Director**  
**Customer Relations**  
575-390-5454 cell

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