

Venegas, Victoria, EMNRD

From: Bratcher, Mike, EMNRD
Sent: Friday, February 1, 2019 12:50 PM
To: Boyle, Matthew; Lupe Carrillo; Harlan, Charles
Cc: Venegas, Victoria, EMNRD; Hamlet, Robert, EMNRD; Griswold, Jim, EMNRD
Subject: RE: Closure request for 2RP-5159 Huber Central Tank Battery Facility - KARST ISSUE

Matthew,

OCD currently considers High (and possibly Medium) Karst areas as “an unstable area” for rule compliance purposes. It is used in this manner in other OCD rules as well (Part 17, Part 34, and possibly others). Below is the relevant portion of the spill rule (Part 29): 19.15.29.12 C.(4)

(4) If a release occurs within the following areas, the responsible party must treat the release as if it occurred less than 50 feet to ground water in Table I of 19.15.29.12 NMAC:

- (a) within (i) 300 feet of any continuously flowing watercourse or any other significant watercourse, or (ii) 200 feet of any lakebed, sinkhole or playa lake (measured from the ordinary high-water mark); 19.15.29 NMAC 5*
- (b) within 300 feet from an occupied permanent residence, school, hospital, institution or church;*
- (c) within (i) 500 feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, or (ii) 1000 feet of any fresh water well or spring;*
- (d) within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to Section 3-27-3 NMSA 1978 as amended, unless the municipality specifically approves;*
- (e) within 300 feet of a wetland;*
- (f) within the area overlying a subsurface mine;*
- (g) within an unstable area; or*
- (h) within a 100-year floodplain*

OCD follows BLM Carlsbad Field Office data to determine if a site is in a significant Karst area. The data they have is based on decades of investigation and in the past, has been available to the public. I have made some calls to find out if that data is still available or not, but haven't been able to get in touch with the right folks yet. I believe the data we use should be made available to everyone, and am working towards that end, so will let you know what I find out.

Thank you,

Mike Bratcher
NMOCD District 2
811 South First Street
Artesia, NM 88210
575-748-1283 Ext 108

From: Venegas, Victoria, EMNRD
Sent: Friday, February 1, 2019 11:17 AM
To: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>
Cc: Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>
Subject: FW: Closure request for 2RP-5159 Huber Central Tank Battery Facility

From: Boyle, Matthew <Matthew.Boyle@wsp.com>
Sent: Friday, February 1, 2019 11:05 AM
To: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>
Cc: 'Lupe Carrillo' <Lupe@percussionpetroleum.com>; Harlan, Charles <Charles.Harlan@wsp.com>
Subject: [EXT] RE: Closure request for 2RP-5159 Huber Central Tank Battery Facility

Victoria,

Thank you for your response. Can you please provide me a copy of the map you are using for Karst or a link to where it can be downloaded. I have requested this from BLM and OCD before with no luck, so I have been using the map the USGS utilizes. 19.15.29 makes no mention of Karst topography as being a factor for site characterization or closure so I am not sure why OCD continues to cite it as a reason for the more stringent closure criteria?

Thank you,

Matthew Boyle
Sr. Environmental Scientist



Phone: +1 214 561-7424
Mobile: +1 817 713 0262
Email: matthew.boyle@wsp.com
Please note I have a new email address.

WSP USA
2777 N. Stemmons Freeway, Suite 1600
Dallas, Texas 75207

wsp.com

Leggette, Brashears & Graham is now WSP.

From: Venegas, Victoria, EMNRD [<mailto:Victoria.Venegas@state.nm.us>]
Sent: Thursday, January 31, 2019 10:32 AM
To: Boyle, Matthew <Matthew.Boyle@wsp.com>
Cc: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; Lupe@percussionpetroleum.com; Harlan, Charles <Charles.Harlan@wsp.com>; stucker@blm.gov
Subject: Closure request for 2RP-5159 Huber Central Tank Battery Facility

Mr. Boyle,

OCD has received the closure request for 2RP-5159 Huber Central Tank Battery Facility, thank you. At this time this closure is not approved for the following reason:

Based on the BLM Carlsbad Field Office Karst map, the Huber Central Tank Battery facility is located in a BLM designated High Karst Area and according to this information, the applicable NMOCD closure criteria is:

Chlorides <600 mg/kg, TPH <100mg/kg, BTEX <50mg/kg, Benzene <10mg/kg.

Further delineation and remediation are required.

Please let me know if you have any questions or need further assistance.

Regards.

Victoria Venegas

EMNRD
OCD-District II
811 S First St. Artesia
NM 88210

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 groundwater, 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, or local laws and/or regulations.

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