

## Hamlet, Robert, EMNRD

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**From:** Melodie Sanjari <melodie.sanjari@soudermiller.com>  
**Sent:** Monday, April 29, 2019 1:19 PM  
**To:** Hamlet, Robert, EMNRD  
**Cc:** John Hurt; Bratcher, Mike, EMNRD; Heather Patterson  
**Subject:** [EXT] RE: Remediation Plan Conditional Approval - Matador - Illegal Dump at the Anne Com 221H - (2RP-5107) 11-26-2018  
**Attachments:** Ammended Closure Report - Anne Com 221H.pdf; Excavation Figure w Closure Chloride Levels.pdf

Good Afternoon Robert,

Thank you for your response on this release! I am writing back to address your concerns; I think some of the closure sampling was maybe misconstrued in the originally submitted the report. I know our reports/tables can be overly wordy so I have also attached a map that shows the final excavation depths and chloride concentrations more clearly. Below I have addressed each of your conditions in bold but just to clarify, BH1 – BH4 (bottom holes) and SW1- SW4 (sidewalls) are the confirmation closure samples – that may not have been clear as I put them in the same table as the initial delineations. The entire release area was excavated to 3 feet.

“We cannot accept the background sample amount of 2000 mg/kg for the closure criteria. Water and Oil haul trucks run up and down those roads leaking fluids all over. There’s very little continuity when it comes to roads and contamination amounts. As far as the OCD is concerned, background samples should never be taken on a road.”

**The report states that we were requesting a closure chloride level of 2000 ppm. In our final closure samples we have no material remaining that is over 620 ppm Cl- (with a 30 mg/kg PQL), which meets the standard 600 closure criteria, rendering our request unnecessary. I have attached the report with the request of the 2000 ppm closure criteria removed for resubmission.**

1. “L1” be excavated down to 3 feet. The “L1” sample results are clean at 3 feet. **The entire release area was excavated to 3 feet and all BH (bottom hole) confirmation closure samples were gathered from 3 feet bgs.**
2. “L2” be excavated down to 3 feet. “BH4” is in very close proximity to “L2”. Borehole “BH4” is clean at 3 feet and vertically delineates the “L2” sample point. **The entire release area was excavated to 3 feet and all BH (bottom hole) confirmation closure samples were gathered from 3 feet bgs.**
3. All off road areas to contain a minimum of 4 feet non-waste containing uncontaminated, earthen material with chloride concentrations less than 600 mg/kg. **Bottom hole closure samples confirm that the top 3 feet of material was impacted. This material was then excavated and disposed of at an NMOCD approved facility and replaced with clean backfill to previous natural contours.**
4. Performing a grab sample plan of the remediation area, where each composite sample is not representative of more than 200 ft<sup>2</sup> **The four sidewall confirmation samples (SW1-SW4) and four bottom hole confirmation samples (BH1-BH4) meet this criteria and is outlined in Section 3 of the report and Figure 3B “Closure Sample & Excavation Map”**
5. Laboratory analyses of final sampling and a description of all remedial activities taken **All accounted for and detailed in the attached remediation closure report. Labs in Appendix D.**
6. Provide a scaled site and sampling diagram, photographs of the remediation site prior to backfill **All in the attached remediation closure report, Figures 3A & 3B and photo in Appendix E, respectively**
7. All other closure reporting need to follow requirements set forth in 19.15.29.12 NMAC
8. Restoration, reclamation and re-vegetation to 19.15.29.13 NMAC

Again, I apologize for any confusion from the previously submitted report, I hope this helps. As we discussed in our meeting a few weeks ago, we aim for 90 days closure on these so we try to fit our initial and closure sampling all in one report. Please let me know if you have any further questions or concerns on this project as we work towards closure.

Cheers,

**Melodie Sanjari**  
Staff Scientist



**Souder, Miller & Associates**

Engineering ♦ Environmental ♦ Surveying  
201 S Halagueno Street  
Carlsbad, NM 88220  
[www.soudermiller.com](http://www.soudermiller.com)  
(574) 370-9782 (cell)  
(505) 299-0942 Ext. 2204



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**From:** Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>

**Sent:** Friday, April 26, 2019 1:45 PM

**To:** Melodie Sanjari <melodie.sanjari@soudermiller.com>

**Cc:** John Hurt <JHurt@matadorresources.com>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>

**Subject:** Remediation Plan Conditional Approval - Matador - Illegal Dump at the Anne Com 221H - (2RP-5107) 11-26-2018

Melodie,

We cannot accept the background sample amount of 2000 mg/kg for the closure criteria. Water and Oil haul trucks run up and down those roads leaking fluids all over. There's very little continuity when it comes to roads and contamination amounts. As far as the OCD is concerned, background samples should never be taken on a road.

The remediation plan is conditionally approved under the following conditions:

1. "L1" be excavated down to 3 feet. The "L1" sample results are clean at 3 feet
2. "L2" be excavated down to 3 feet. "BH4" is in very close proximity to "L2". Borehole "BH4" is clean at 3 feet and vertically delineates the "L2" sample point.
3. All off road areas to contain a minimum of 4 feet non-waste containing uncontaminated, earthen material with chloride concentrations less than 600 mg/kg.
4. Performing a grab sample plan of the remediation area, where each composite sample is not representative of more than 200 ft<sup>2</sup>
5. Laboratory analyses of final sampling and a description of all remedial activities taken

6. Provide a scaled site and sampling diagram, photographs of the remediation site prior to backfill
7. All other closure reporting need to follow requirements set forth in 19.15.29.12 NMAC
8. Restoration, reclamation and re-vegetation to 19.15.29.13 NMAC

Thank you,

Robert J Hamlet  
State of New Mexico  
Energy, Minerals, and Natural Resources  
Oil Conservation Division  
811 S. First St., Artesia NM 88210  
(575) 840-5963  
[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@state.nm.us)

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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**From:** Melodie Sanjari <[melodie.sanjari@soudermiller.com](mailto:melodie.sanjari@soudermiller.com)>  
**Sent:** Monday, April 15, 2019 4:16 PM  
**To:** Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; Venegas, Victoria, EMNRD <[Victoria.Venegas@state.nm.us](mailto:Victoria.Venegas@state.nm.us)>; Hamlet, Robert, EMNRD <[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@state.nm.us)>  
**Cc:** John Hurt <[JHurt@matadorresources.com](mailto:JHurt@matadorresources.com)>  
**Subject:** [EXT] Remediation Closure Report for the Illegal Dump at the Anne Com 221H 2RP-5107

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**From:** Melodie Sanjari  
**Sent:** Friday, February 8, 2019 7:57 AM  
**To:** 'robert.hamlet@state.nm.us' <[robert.hamlet@state.nm.us](mailto:robert.hamlet@state.nm.us)>; 'Victoria.Venegas@state.nm.us' <[Victoria.Venegas@state.nm.us](mailto:Victoria.Venegas@state.nm.us)>  
**Cc:** 'John Hurt' <[JHurt@matadorresources.com](mailto:JHurt@matadorresources.com)>; Austin Weyant <[austin.veyant@soudermiller.com](mailto:austin.veyant@soudermiller.com)>  
**Subject:** Remediation Closure Report for the Illegal Dump at the Anne Com 221H 2RP-5107

Good Morning All,

This email serves as the resubmission of the attached remediation closure report for the illegal dump that took place at the Anne Com 221H (2RP-5107).

If you have any questions or concerns please let me know.

**Melodie Sanjari**  
*Staff Scientist*



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Engineering ♦ Environmental ♦ Surveying

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