

## Venegas, Victoria, EMNRD

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**From:** Hamlet, Robert, EMNRD  
**Sent:** Tuesday, July 30, 2019 10:07 AM  
**To:** Rebecca Pons  
**Cc:** Thomas Haigood; Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD  
**Subject:** RE: [EXT] Re: Closure - Humble Yates -Maverick Natural Resources - (2RP-5384)  
1-17-2019

Rebecca,

Anytime a report is submitted and done incorrectly, the report is considered denied and is a resubmittal at that point. It will need to go through the payment portal.

### A Short Overview

If the report was submitted before July 1<sup>st</sup> and is a resubmittal because we were unable to get to it within 60 days, No you won't be charged a fee for it.

If the report was submitted before July 1<sup>st</sup> and was denied, then you resubmit the report again after July 1<sup>st</sup>, Yes you will be need to pay a fee for it.

The \$150 fee applies to:

1. Initial C-141
2. Remediation Plan or Deferral
3. Closure Report

Each form requires a separate fee for that form that is being submitted. This is part of the Senate Bill 553 which establishes a fee schedule for the NMOCD.

If the form is incomplete or denied, the forms will be charged an additional \$150 fee at resubmission.

The FAQ announcement on our website has a lot more information on this.

Hope this helps,

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:** Rebecca Pons <office2@sesi-nm.com>  
**Sent:** Monday, July 29, 2019 3:09 PM  
**To:** Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>  
**Cc:** Thomas Haigood <Thomas.Haigood@mavresources.com>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>  
**Subject:** RE: [EXT] Re: Closure - Humble Yates -Maverick Natural Resources - (2RP-5384) 1-17-2019

Ms. Venegas,

I am aware of the NMOCD changes for submittals. The Closure was submitted on May 09, 2019, and responded to By Robert Hamlet on June 03, 2019, however Robert had conditions of deferral that he requested for the containment, which were a soil delineation of the constituencies left under the liner. I did not understand this to require a "revised" closure report. Are you requiring Maverick to submit the conditions on a revised closure report and submit electronically with the fee? Please advise me.

Best Regards,  
Rebecca

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**From:** Venegas, Victoria, EMNRD <[Victoria.Venegas@state.nm.us](mailto:Victoria.Venegas@state.nm.us)>  
**Sent:** Monday, July 29, 2019 2:24 PM  
**To:** Rebecca Pons <[office2@sesi-nm.com](mailto:office2@sesi-nm.com)>; Hamlet, Robert, EMNRD <[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@state.nm.us)>; Thomas Haigood <[Thomas.Haigood@mavresources.com](mailto:Thomas.Haigood@mavresources.com)>  
**Cc:** Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; Mann, Ryan <[rmann@slo.state.nm.us](mailto:rmann@slo.state.nm.us)>  
**Subject:** RE: [EXT] Re: Closure - Humble Yates -Maverick Natural Resources - (2RP-5384) 1-17-2019

**RE: [EXT] Re: Closure - Humble Yates -Maverick Natural Resources - (2RP-5384) 1-17-2019**

MS. Pons,

As of July 1<sup>st</sup>, Application for administrative approval of a release notification and corrective action will require the operator to go to <https://wwwapps.emnrd.state.nm.us/OCD/OCDPermitting/Default.aspx> and provide payment for review of forms and/or documents.

Attached is a news release for Senate Bill 553 which establishes a fees schedule for the NMOCD. As of July 1<sup>st</sup>, the fees go into effect and the payment is live on the OCD website. In order to ease some of the transition, NMOCD has put a [FAQ announcement](#) on our website.

- If the closure/deferral was submitted before July 1<sup>st</sup> and is a resubmittal because we were unable to get to it within 60 days, NO you won't be charged a fee for it.
- If the closure/deferral was submitted before July 1<sup>st</sup> and was denied, then you resubmit the closure again after July 1<sup>st</sup>, YES you will be need to pay a fee for it.

- The \$150 fee applies to:  
C-141 Initial  
C-141 Remediation Plan or Deferral  
C-141 Closure

**Each** form requires a separate fee for that form that is being submitted. This is part of the Senate Bill 553 which establishes a fee schedule for the NMOCD. If the form is incomplete or denied, the forms will be charged an additional \$150 fee at resubmission.

Thank you,

Victoria Venegas  
EMNRD  
OCD-District II  
811 S First St. Artesia  
NM 88210  
[Victoria.Venegas@state.nm.us](mailto:Victoria.Venegas@state.nm.us)

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**From:** Rebecca Pons <[office2@sesi-nm.com](mailto:office2@sesi-nm.com)>  
**Sent:** Tuesday, July 23, 2019 9:53 AM  
**To:** Hamlet, Robert, EMNRD <[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@state.nm.us)>; Thomas Haigood <[Thomas.Haigood@mavresources.com](mailto:Thomas.Haigood@mavresources.com)>  
**Cc:** 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)>  
**Subject:** RE: [EXT] Re: Closure - Humble Yates -Maverick Natural Resources - (2RP-5384) 1-17-2019

Good Morning Rob,

I have attached a map of the containment area, including the soil analyses data for the requested deferment on the Humble Yates Battery. We are requesting a deferment for the interior of the bermed area, due to the number of tanks and lines. The interior area of the berm measures approximately 1400 sq. ft., and contains two holding tanks as well as a treater. As can be seen from the Google earth imagery, this would be cost prohibitive and unsafe to attempt remediation efforts at this time. We are requesting a deferment to such a point in time that the battery is decommissioned. The New Mexico State Engineer records indicate GW levels to be >300' bgs., with no record of groundwater in the immediate vicinity. Please review and advise me of your concernment, or concurrence.  
Thank you

Best Regards,

*Rebecca Pons*

<[image002.png](#)>

Environmental Coordinator  
Safety and Environmental Solutions, Inc.  
Office: (575)397-0510  
Cell: (575)441-0980

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**From:** Hamlet, Robert, EMNRD <[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@state.nm.us)>  
**Sent:** Monday, June 3, 2019 1:50 PM  
**To:** Rebecca Pons <[office2@sesi-nm.com](mailto:office2@sesi-nm.com)>  
**Cc:** 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)>; Mann, Ryan <[rmann@slo.state.nm.us](mailto:rmann@slo.state.nm.us)>; [rkasuboski@slo.state.nm.us](mailto:rkasuboski@slo.state.nm.us); Bob Allen <[ballen@sesi-nm.com](mailto:ballen@sesi-nm.com)>; Thomas Haigood <[Thomas.Haigood@mavresources.com](mailto:Thomas.Haigood@mavresources.com)>  
**Subject:** RE: [EXT] Re: Closure - Humble Yates -Maverick Natural Resources - (2RP-5384) 1-17-2019

Rebecca,

The OCD is requesting that the soil underneath the breached liner in the containment area be sampled and delineated. If contaminants hit soil on the pad, containment area, or pasture, the spill area needs to be fully delineated and sampled before a deferral can be approved. Please specify which sample areas inside the containment you would like to apply for a deferral on.

Thanks,

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)

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**From:** Rebecca Pons <[office2@sesi-nm.com](mailto:office2@sesi-nm.com)>  
**Sent:** Thursday, May 30, 2019 8:38 AM  
**To:** Hamlet, Robert, EMNRD <[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@state.nm.us)>  
**Subject:** [EXT] Re: Closure - Humble Yates -Maverick Natural Resources - (2RP-5384) 1-17-2019

Good morning ,  
The trenched-excavated area immediately behind berm was excavated to 4ft this are was pad area. We advanced no deeper due to unmarked lines and safety issues.  
The pasture area was excited to 100 mg/ kg for Tph or refusal.  
The impacted material inside liner was hand excavated abc the liner repaired, as well as clean material replacement. The remainder ( under tanks) is the part that Breitburn is requesting deferment until the Battery is decommissioned.  
Thank you  
Rebecca

Sent from my iPhone

On May 29, 2019, at 11:17 AM, Hamlet, Robert, EMNRD <[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@state.nm.us)> wrote:

<image001.gif>

Rebecca,

It sounds like the interior of the berm was hand excavated. Was this just the impacted soil on top of the liner? If the liner in the containment area was breached, the area inside the containment area will need to be delineated and sampled underneath the liner. After looking at the Site Plan Map, all 5 of the points appear to be off pad and would require a minimum of 4 feet non-waste containing uncontaminated, earthen material (600 mg/kg Chloride, 100 mg/kg TPH, etc.). Samples weren't taken down to 4 feet on any of the sample points. Can we assume rock refusal was encountered where the sampling points ended? If this is the case we may need you to use a hydrovac to remove any remaining contaminated soil in place.

We may be able to defer the clean-up of contaminated soil in the berm on the pad, but the contamination in the pasture will need to be fully remediated.

Please make an attempt using a back-hoe/track-hoe to remove the contaminated soil.

If the bottom sample is "hot" when you hit rock refusal, a hydrovac will need to be used to clean up the remaining contaminated soil on top of the rock. Additionally, a hydrovac may need to be used to remove soil around marked flow lines.

Let me know if you have any questions.

Thanks,

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)

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**From:** Rebecca Pons <[office2@sesi-nm.com](mailto:office2@sesi-nm.com)>

**Sent:** Thursday, May 9, 2019 8:19 AM

**To:** 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:** Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; Mann, Ryan <[rmann@slo.state.nm.us](mailto:rmann@slo.state.nm.us)>; [rkasuboski@slo.state.nm.us](mailto:rkasuboski@slo.state.nm.us); Bob Allen <[ballen@sesi-nm.com](mailto:ballen@sesi-nm.com)>; Thomas Haigood <[Thomas.Haigood@mavresources.com](mailto:Thomas.Haigood@mavresources.com)>

**Subject:** RE: [EXT] Humble Yates -Maverick Natural Resources Work Plan

<image001.gif>

Good Morning,

All remedial activity for this site has been completed, and I have attached the closure documentation for your records. The "Closure" page of the C-141 is signed and in the body of the closure report. Please review and feel free to contact me with any questions. Thank you for all of your assistance.

Best Regards,

Rebecca Pons

<image002.png>

Environmental Coordinator  
Safety and Environmental Solutions, Inc.  
Office: (575)397-0510  
Cell: (575)441-0980

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**From:** Venegas, Victoria, EMNRD [mailto:[Victoria.Venegas@state.nm.us](mailto:Victoria.Venegas@state.nm.us)]  
**Sent:** Monday, May 06, 2019 10:39 AM  
**To:** Rebecca Pons <[office2@sesi-nm.com](mailto:office2@sesi-nm.com)>; Hamlet, Robert, EMNRD <[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@state.nm.us)>  
**Cc:** Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; Mann, Ryan <[rmann@slo.state.nm.us](mailto:rmann@slo.state.nm.us)>;  
[rkasuboski@slo.state.nm.us](mailto:rkasuboski@slo.state.nm.us); [ballen@sesi-nm.com](mailto:ballen@sesi-nm.com); Thomas Haigood  
<[Thomas.Haigood@mavresources.com](mailto:Thomas.Haigood@mavresources.com)>  
**Subject:** RE: [EXT] Humble Yates -Maverick Natural Resources Work Plan

#### **Humble Yates Battery -Maverick Natural Resources**

All,  
The OCD tracking number for this release event is **2RP-5384**.  
Thank you,

Victoria Venegas  
EMNRD  
OCD-District II  
811 S First St. Artesia  
NM 88210  
[Victoria.Venegas@state.nm.us](mailto:Victoria.Venegas@state.nm.us)

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**From:** Rebecca Pons <[office2@sesi-nm.com](mailto:office2@sesi-nm.com)>  
**Sent:** Monday, April 22, 2019 7:55 AM  
**To:** Hamlet, Robert, EMNRD <[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@state.nm.us)>  
**Cc:** Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; Venegas, Victoria, EMNRD

<Victoria.Venegas@state.nm.us>

**Subject:** [EXT] Humble Yates -Maverick Natural Resources Work Plan

<image001.gif>

Good Morning,

Has there been a permit (RP) Number assigned to this work plan? Please advise me, and I will include it in the closure report.

Thank you

Best Regards,

*Rebecca Pons*

<image002.png>

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Cell: (575)441-0980