

From: [Yu, Olivia, EMNRD](#)
To: ["Daniel Dominguez"](#)
Cc: sdittman@legacyp.com; [brandon boone](#); [Oberding, Tomas, EMNRD](#); [Billings, Bradford, EMNRD](#)
Subject: RE: 1RP 4536
Date: Wednesday, May 17, 2017 4:14:00 PM

Dear Mr. Dominguez:

Although NMOCD understands Legacy's wish to maintain full operations at this site, given the data presented for 1RP-4536, NMOCD still maintains that the affected portion of the lease road be excavated to 3 ft. bgs, in addition to 3 ft. excavation in the pasture and bottom confirmation samples at SP5 and SP6 at 3 ft. bgs.

For additional discussion regarding requested remediation of the lease road, please contact Dr. Oberding and/or Bradford Billings in Santa Fe for a conference call.

Thanks,
Olivia

From: Daniel Dominguez [mailto:ddominguezepi@gmail.com]
Sent: Monday, May 15, 2017 11:40 AM
To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>
Cc: sdittman@legacyp.com; brandon boone <bboone.epi@gmail.com>
Subject: Re: 1RP 4536

Ms. Yu,

We checked the lease road and found there is another company using the road, Legacy is not the sole operator on the road. I've attached Figure 3 showing the release area to be excavated. On the bottom right side there is a road going east to a tank battery. That is the only road going in to that tank battery. We've talked with Legacy and determined we could excavate the road to one foot bgs as proposed in the Work Plan without disrupting traffic on the road or to the tank battery, however, excavating to three feet bgs would take too long and disrupt traffic to the tank battery.

May we proceed as proposed, lease road to one foot bgs, pasture to three feet bgs, and bottom confirmation samples for chlorides at SP5 and SP6 at three feet bgs?

On Fri, May 5, 2017 at 4:22 PM, Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us> wrote:

Dear Mr. Dominguez:

NMOCD approves the delineation workplan for 1RP-4536 with these conditions. Please confirm.

1. Bottom confirmation samples for chloride levels at SP5 and SP6 at 3 ft. bgs.
2. Excavate the impacted areas (SP1-4) on the lease road to 3 ft. to remove the contaminated soil. Is this lease road operated solely by Legacy?

Thanks,

Olivia Yu
Environmental Specialist
NMOCD, District I
Olivia.yu@state.nm.us
[575-393-6161](tel:575-393-6161) x113

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.

From: Daniel Dominguez [mailto:ddominguezepi@gmail.com]
Sent: Wednesday, April 26, 2017 2:59 PM
To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>; sdittman@legacylp.com; brandon boone <bboone.epi@gmail.com>
Subject: 1RP 4536 and 1RP 4538

Ms. Yu,

Attached for your review are the Work Plans for the Jal Cooper #239 - 1RP4536, and the LMPSU 1 CTB - 1RP4538, both operated by Legacy.

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Sincerely,
ENVIRONMENTAL PLUS, INC.

Daniel Dominguez
Environmental Consultant/Safety Director

Environmental Plus, Inc.
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2100 Avenue 'O'
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