

**From:** [Yu, Olivia, EMNRD](#)  
**To:** ["Robbie Runnels"](#)  
**Cc:** [Amber Groves](#); [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)  
**Subject:** RE: Black Mountain - State K #2 - 1RP-4675  
**Date:** Friday, June 23, 2017 10:48:00 AM

---

Dear Mr. Runnels:

As a reminder, per the Conditions of Approval attached to the reviewed initial C-141, TPH characterization includes GRO, DRO, and MRO. All laboratory analyses must specify TPH in these three components. Also, all sample locations must have BTEX analyses.

Please address these concerns regarding the delineation presented in the corrective action plan for 1RP-4675.

1. In order to determine that chlorides were adequately delineated, data must be provided that demonstrate 3 ft. of soil within permissible chloride levels. Permissible chloride levels is 600 mg/kg. Please provide all field data if available. Otherwise the bottom for all sample locations will need to advance to a minimum of 3 ft. further from current depths.
2. Why was Floor 3 and Floor 9 chosen for BTEX analyses? Were all the other locations field tested for BTEX?
3. At the specified locations for additional horizontal delineation (Floor 1NW, Floor 5 EW, Floor 7 EW, Floor 8 EW, Floor 10 SW), laboratory analyses must include chlorides in addition to TPH.
4. To clarify, vertical delineation at sample location Floor 1 @ 1 ft. must advance to a minimum of 3 feet of permissible chlorides, BTEX, and TPH levels. Additional vertical and horizontal delineation is required at Floor 1 North wall for chlorides, TPH, and BTEX.
5. Vertical delineation for chlorides must reach a minimum of 3 ft. of clean in depth at Floor 2, Floor 9, Floor 10, and Floor 11. Bottom confirmation samples must be submitted for laboratory analyses of chlorides, TPH, and BTEX.

Thanks,

Olivia Yu  
Environmental Specialist  
NMOCD, District I  
[Olivia.yu@state.nm.us](mailto:Olivia.yu@state.nm.us)  
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:** Robbie Runnels [mailto:[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)]

**Sent:** Thursday, June 1, 2017 3:39 PM

**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>

**Cc:** Amber Groves <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>; John.Wierzowiecki@blackmtn.com

**Subject:** Black Mountain - State K #2 - 1RP-4675

Ms. Yu,

Attached is the Corrective Action Plan for the aforementioned site. Please let me know if you have any questions or comments.

Thank you,

Robbie Runnels

Project Manager

Basin Environmental Service Technologies

3100 Plains Hwy.

P.O. Box 301

Lovington, NM 88260

p. 575-396-2378 m. 575-441-5598

f. 575-396-1429

[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)

**From:** [Yu, Olivia, EMNRD](#)  
**To:** ["Robbie Runnels"](#)  
**Cc:** [Amber Groves](#); [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)  
**Subject:** RE: Black Mountain - State K #2 - 1RP-4675  
**Date:** Monday, July 10, 2017 8:31:00 AM

---

Good morning Mr. Runnels:

Yes and no. Vertically, BTEX analyses are not required at the floor of the excavation if excavated area is deeper than confirmatory BTEX samples at a certain depth. For example, if the bottom of the excavation is 6 ft. bgs. and BTEX levels from laboratory analyses are within permissible levels at 2 ft. bgs and 4 ft. bgs (further sampling depth for confirmation) from delineation data, there is no need to test floor samples at 6 ft. bgs for BTEX. However, confirmatory lab analyses of BTEX are required unless these sidewalls were already confirmed during the delineation stage.

Is this clear now?

Olivia

**From:** Robbie Runnels [mailto:[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)]  
**Sent:** Monday, July 10, 2017 7:08 AM  
**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>  
**Cc:** Amber Groves <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>; [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)  
**Subject:** RE: Black Mountain - State K #2 - 1RP-4675

Ms. Yu,

Just for clarification: NMOCD is stating that BTEX analysis has to be run for every final sample taken including floors and sidewalls. Is that correct?

Robbie Runnels  
Basin Environmental

----- Original Message -----

Subject: RE: Black Mountain - State K #2 - 1RP-4675  
From: "Yu, Olivia, EMNRD" <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>  
Date: 7/5/17 2:50 pm  
To: "Robbie Runnels" <[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)>  
Cc: "Amber Groves" <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>, "[John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)" <[John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)>

Mr. Runnels:

After our meeting on June 27, 2017, NMOCD still requires the requested information, indicated in the email dated June 23, 2017 for 1RP-4675, with clarification. BTEX confirmation samples are required for all sample locations. If samples are within permissible

limits at a depth less than depth of proposed excavation, BTEX analyses of bottom confirmatory samples are not required. Please indicate depth at which additional sidewall samples taken and dimensions of proposed excavated areas in the subsequent report.

Thanks,  
Olivia

---

**From:** Yu, Olivia, EMNRD

**Sent:** Friday, June 23, 2017 10:48 AM

**To:** 'Robbie Runnels' <[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)>

**Cc:** Amber Groves <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>; [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)

**Subject:** RE: Black Mountain - State K #2 - 1RP-4675

Dear Mr. Runnels:

As a reminder, per the Conditions of Approval attached to the reviewed initial C-141, TPH characterization includes GRO, DRO, and MRO. All laboratory analyses must specify TPH in these three components. Also, all sample locations must have BTEX analyses.

Please address these concerns regarding the delineation presented in the corrective action plan for 1RP-4675.

1. In order to determine that chlorides were adequately delineated, data must be provided that demonstrate 3 ft. of soil within permissible chloride levels. Permissible chloride levels is 600 mg/kg. Please provide all field data if available. Otherwise the bottom for all sample locations will need to advance to a minimum of 3 ft. further from current depths.
2. Why was Floor 3 and Floor 9 chosen for BTEX analyses? Were all the other locations field tested for BTEX?
3. At the specified locations for additional horizontal delineation (Floor 1NW, Floor 5 EW, Floor 7 EW, Floor 8 EW, Floor 10 SW), laboratory analyses must include chlorides in addition to TPH.
4. To clarify, vertical delineation at sample location Floor 1 @ 1 ft. must advance to a minimum of 3 feet of permissible chlorides, BTEX, and TPH levels. Additional vertical and horizontal delineation is required at Floor 1 North wall for chlorides, TPH, and BTEX.
5. Vertical delineation for chlorides must reach a minimum of 3 ft. of clean in depth at Floor 2, Floor 9, Floor 10, and Floor 11. Bottom confirmation samples must be submitted for laboratory analyses of chlorides, TPH, and BTEX.

Thanks,

Olivia Yu

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

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**From:** Robbie Runnels [<mailto:rrunnels@basinenv.com>]  
**Sent:** Thursday, June 1, 2017 3:39 PM  
**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>  
**Cc:** Amber Groves <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>; [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)  
**Subject:** Black Mountain - State K #2 - 1RP-4675

Ms. Yu,

Attached is the Corrective Action Plan for the aforementioned site. Please let me know if you have any questions or comments.

Thank you,

Robbie Runnels

Project Manager  
Basin Environmental Service Technologies  
3100 Plains Hwy.  
P.O. Box 301  
Lovington, NM 88260  
p. 575-396-2378 m. 575-441-5598  
f. 575-396-1429  
[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)

**From:** Groves, Amber  
**To:** [Robbie Runnels](#); [Yu, Olivia, EMNRD](#)  
**Cc:** [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com); [Naranjo, Mark](#)  
**Subject:** RE: Black Mountain - State K #2 - 1RP-4675  
**Date:** Monday, July 10, 2017 7:34:48 AM  
**Attachments:** image001.png  
image003.png  
image004.png

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Good Morning, Robbie,

As this release is located on State Trust Land, NMLSO still requests a full re-vegetation plan.

Thank you,

**Amber Groves**

*Remediation Specialist*

*Field Operations Division*

(575)392-3697

(575)263-3209 cell

New Mexico State Land Office

2827 N. Dal Paso Suite 117

Hobbs, NM 88260

.....  
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**From:** Robbie Runnels [mailto:[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)]

**Sent:** Monday, July 10, 2017 7:16 AM

**To:** Groves, Amber <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>; Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>

**Cc:** [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)

**Subject:** RE: Black Mountain - State K #2 - 1RP-4675

Ms. Groves,

Justin Johnson prefers to not have the area re-seeded. He thinks the impacted area will re-seed itself in a short amount of time. Please advise.

Robbie Runnels  
Basin Environmental

----- Original Message -----

Subject: RE: Black Mountain - State K #2 - 1RP-4675

From: "Groves, Amber" <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>

Date: 7/6/17 1:25 pm

To: "Yu, Olivia, EMNRD" <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>, "Robbie Runnels" <[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)>

Cc: "[John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)" <[John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)>

Good Afternoon, Robbie,

I am also going to need a full revegetation plan on this one. Please include that in your re-submittal.

Thank you,



<![if !vml]>

<![endif]>Amber Groves

*Remediation Specialist*

*Field Operations Division*

(575)392-3697

(575)263-3209 cell

New Mexico State Land Office

2827 N. Dal Paso Suite 117

Hobbs, NM 88260

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---

**From:** Yu, Olivia, EMNRD [<mailto:Olivia.Yu@state.nm.us>]

**Sent:** Wednesday, July 05, 2017 2:51 PM

**To:** Robbie Runnels <[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)>

**Cc:** Groves, Amber <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>; [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)

**Subject:** RE: Black Mountain - State K #2 - 1RP-4675

Mr. Runnels:

After our meeting on June 27, 2017, NMOCD still requires the requested information, indicated in the email dated June 23, 2017 for 1RP-4675, with clarification. BTEX confirmation samples are required for all sample locations. If samples are within permissible limits at a depth less than depth of proposed excavation, BTEX analyses of bottom confirmatory samples are not required. Please indicate depth at which additional sidewall samples taken and dimensions of proposed excavated areas in the subsequent report.

Thanks,  
Olivia

---

**From:** Yu, Olivia, EMNRD  
**Sent:** Friday, June 23, 2017 10:48 AM  
**To:** 'Robbie Runnels' <[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)>  
**Cc:** Amber Groves <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>; [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)  
**Subject:** RE: Black Mountain - State K #2 - 1RP-4675

Dear Mr. Runnels:

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Thanks,



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

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**From:** Robbie Runnels [<mailto:rrunnels@basinenv.com>]  
**Sent:** Thursday, June 1, 2017 3:39 PM  
**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>  
**Cc:** Amber Groves <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>; [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)  
**Subject:** Black Mountain - State K #2 - 1RP-4675

Ms. Yu,

Attached is the Corrective Action Plan for the aforementioned site. Please let me know if you have any questions or comments.

Thank you,

Robbie Runnels

Project Manager  
Basin Environmental Service Technologies  
3100 Plains Hwy.  
P.O. Box 301  
Lovington, NM 88260  
p. 575-396-2378 m. 575-441-5598  
f. 575-396-1429  
[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)

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**From:** Groves, Amber  
**To:** [Robbie Runnels](#); [Yu, Olivia, EMNRD](#)  
**Cc:** [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)  
**Subject:** RE: Black Mountain - State K #2 - 1RP-4675  
**Date:** Monday, July 24, 2017 10:03:52 AM  
**Attachments:** image001.png  
image003.png

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Robbie,

Your re-vegetation portion of this work plan is denied. Seeding will be required by the landowner (NMSLO). Your seed mixture will need to be included in the plan as well as a noxious weed plan.

Thank you,

**Amber Groves**

*Remediation Specialist*

*Field Operations Division*

(575)392-3697

(575)263-3209 cell

New Mexico State Land Office

2827 N. Dal Paso Suite 117

Hobbs, NM 88260

.....  
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**From:** Robbie Runnels [mailto:[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)]  
**Sent:** Monday, July 24, 2017 8:34 AM  
**To:** [olivia.yu@state.nm.us](mailto:olivia.yu@state.nm.us); Groves, Amber <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>  
**Cc:** [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)  
**Subject:** Black Mountain - State K #2 - 1RP-4675

All,

Attached is an updated Corrective Action Plan with BTEX results for every sample location at final depth. Also included is a more encompassing re-vegetation plan. Please let me know when we can backfill this. A closure report will be submitted once final remediation activities have ceased.

Thank you,

Robbie Runnels

Project Manager  
Basin Environmental Service Technologies  
3100 Plains Hwy.  
P.O. Box 301  
Lovington, NM 88260  
p. 575-396-2378 m. 575-441-5598  
f. 575-396-1429  
[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)

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**From:** Groves, Amber  
**To:** [Robbie Runnels](#)  
**Cc:** [Yu, Olivia, EMNRD](#)  
**Subject:** RE: Black Mountain - State K #2  
**Date:** Wednesday, August 2, 2017 8:19:54 AM  
**Attachments:** image001.png  
image003.png

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Robbie,

You will need to send the latest version of the work plan to Olivia so that it will be on file to upload. She has been waiting on your final submittal before giving permission to backfill. You may send it to both of us, in the same e-mail chain and we will both respond accordingly. Also, your patience would be greatly appreciated as I am sure that she and I will need time to review all of the submitted data before backfill approval will be issued.

Thank you,

**Amber Groves**

*Remediation Specialist*  
*Field Operations Division*  
(575)392-3697  
(575)263-3209 cell  
New Mexico State Land Office  
2827 N. Dal Paso Suite 117  
Hobbs, NM 88260

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**From:** Robbie Runnels [mailto:[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)]  
**Sent:** Wednesday, August 02, 2017 7:10 AM  
**To:** Groves, Amber <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>  
**Subject:** Black Mountain - State K #2

Ms. Groves,

Will that last revegetation plan I sent to you suffice so that we may backfill the location?

Please let me know.

Thank you,

Robbie Runnels

Project Manager  
Basin Environmental Service Technologies  
3100 Plains Hwy.  
P.O. Box 301  
Lovington, NM 88260  
p. 575-396-2378 m. 575-441-5598  
f. 575-396-1429  
[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)

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**From:** [Yu, Olivia, EMNRD](#)  
**To:** [Robbie Runnels](#); [Amber Groves](#)  
**Cc:** [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)  
**Subject:** RE: Black Mountain - State K #2 (1RP-4675)  
**Date:** Friday, September 1, 2017 4:19:00 PM

---

Dear Mr. Runnels:

Thank you for your patience and the laboratory analyses on BTEX for 1RP-4675. However, the concerns highlighted in the emails from June 23, 2017 and July 5, 2017 are still not addressed. Based on the provided data, vertical delineation has not been completed. Also, as written on page 2 of the correction action plan, horizontal delineation is not complete without confirmation sidewall samples demonstrating that further excavation occurred at Floor 1 North wall, Floor 5 East wall, Floor 7 East wall, Floor 8 East wall, and Floor 10 South wall. Furthermore, Floor 4 at 4 ft. bgs exceeds permissible TPH values. Thus, NMOCD does not consider delineation completed for the release.

In addition to the proposed deferral for Floor 1 West wall and Floor 2 West wall, is the Responsible Operator proposing to defer 1RP-4675 to complete vertical and horizontal delineation for the remainder of the release area?

Olivia

**From:** Robbie Runnels [mailto:[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)]  
**Sent:** Wednesday, August 2, 2017 8:30 AM  
**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>; Amber Groves <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>  
**Cc:** [John.Wierzowiecki@blackmtn.com](mailto:John.Wierzowiecki@blackmtn.com)  
**Subject:** Black Mountain - State K #2 (1RP-4675)

All,

Attached is the Corrective Action Plan for the aforementioned site. The only difference in this version is the addition of some verbiage in addressing the revegetation plan.

Please let me know if you have any questions or concerns.

Robbie Runnels

Project Manager  
Basin Environmental Service Technologies  
3100 Plains Hwy.  
P.O. Box 301  
Lovington, NM 88260  
p. 575-396-2378 m. 575-441-5598  
f. 575-396-1429  
[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)

**From:** [Yu, Olivia, EMNRD](#)  
**To:** ["Robbie Runnels"](#)  
**Cc:** [Groves, Amber](#)  
**Subject:** RE: Black Mountain - State K #2 (1RP-4675)  
**Date:** Thursday, October 5, 2017 9:31:00 AM

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Mr. Runnels:

NMOCD will not issue backfill approval for 1RP-4675 until laboratory analyses of confirmation samples are provided as indicated in the email dated September 1, 2017. These confirmation samples are required based on the information written on page 2 of the corrective action plan dated July 31, 2017. The submitted reports to NMOCD and NMSLO only included laboratory analyticals of TPH from initial delineation on April 24, 2017. Were soil samples taken on July 13, 2017 for BTEX analyzed for TPH extended as well? Are there field data from subsequent lateral excavation after initial delineation verifying that elevated TPH were removed?

Olivia

**From:** Robbie Runnels [mailto:[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)]  
**Sent:** Thursday, October 5, 2017 8:39 AM  
**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>  
**Subject:** Black Mountain - State K #2 (1RP-4675)

Ms. Yu,

Have you had an opportunity to review the aforementioned site? This location has been an open excavation for over 3 months and the responsible operator wishes for permission to backfill and restore the site to pre-release conditions. Please let me know if you have any questions.

Thank you,

Robbie Runnels

Project Manager  
Basin Environmental Service Technologies  
3100 Plains Hwy.  
P.O. Box 301  
Lovington, NM 88260  
p. 575-396-2378 m. 575-441-5598  
f. 575-396-1429  
[rrunnels@basinenv.com](mailto:rrunnels@basinenv.com)