

**From:** [Yu, Olivia, EMNRD](#)  
**To:** ["Micheal McGhee"](#)  
**Subject:** RE: delineation workplan guidelines  
**Date:** Thursday, March 15, 2018 3:47:00 PM  
**Attachments:** approved\_1RP4981\_OCD Delineation Request.pdf

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Mr. McGhee:

Not a problem. For a first pass, the proposed delineation plan has all the basic elements. Therefore, NMOCD will approve of the proposed delineation plan for 1RP-4981 with following clarifications.

1. Although the depth to groundwater of >100 ft. bgs did not change, there are two identified USGS wells within 1 mile radius of the release location. One of the USGS wells to the Northwest is within 1000 ft. radius of the impacted area, as are the identified NMOSE well and Closson well. Please be advised that as these water wells are considered water sources, the lowest permissible delineation and remediation levels of BTEX, TPH extended, and chlorides apply.
2. Please provide NMOSE at least 24 hour advance notice of soil sampling activities.
3. Please note that photo documentation of delineation and remediation activities will be required.

Please confirm or inform for clarification.

Thanks,  
Olivia

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

From: Micheal McGhee [<mailto:mmcghee01@yahoo.com>]  
Sent: Wednesday, March 14, 2018 11:35 AM  
To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>  
Subject: Re: delineation workplan guidelines

Ms. Yu,

Attached please find my first pass attempt for the report you request. If you could let me know if it has any deficiencies prior to acceptance I will gladly revise and resubmit.

Let me know what you think. Sorry it's taken so long to get this to you.

Micheal McGhee

On Friday, March 9, 2018, 5:13:47 PM CST, Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us> wrote:

Mr. McGhee:

Nice to speak with you this afternoon. The guidelines to which I was referencing is here:

[http://www.emnrd.state.nm.us/OCD/documents/7C\\_spill.pdf](http://www.emnrd.state.nm.us/OCD/documents/7C_spill.pdf)

As I mentioned during our phone conversation, these are the items that NMOCD requires to facilitate review of the release characterization/ delineation report as detailed in the directive attached to the reviewed initial C141:

1. Scaled, preferably digital, map of the site with location of release, locations of proposed or actual sample points, and dimensions of the release demarcated. You can either mark on the map or provide a table on a subsequent page of sample points and respective GPS coordinates.

2. Documentation of depth to groundwater search. Use all pertinent sources of data. At a minimum, check

a) NM Office of State Engineer: <http://nmwrrs.ose.state.nm.us/nmwrrs/waterColumn.html>

You may search with PLSS, but optimally use the UTM NAD83 radius search. Use the UTM conversion tool to get GPS coordinates in lat/long degrees into UTM coordinates. Use a radius of 2000 m and 5000 m.

b) USGS: <https://nwis.waterdata.usgs.gov/nwis/gwlevels>

c) Use the conservative value from sources and proximity to release location to determine water table depth.

1. Check on a topographical map and report distance to surface water body and water sources.

2. A completed delineation workplan should have field and laboratory analytical results for chlorides, BTEX, and TPH tabulated by sample location IDs and depth. Put the lab analytical reports and chain of custody afterwards or in an appendix. All depths for laboratory analyses should have corresponding field data for correlation.

3. Georeferenced photos in tiff, jpg, jpeg etc. format if available. This is easiest if photos are taken with a smartphone with GPS location activated. Otherwise, provide photos that were taken from the same spot pre- and post-cleanup. An app, such as Solocator, can use useful.

NMOCD assumes that the environmental professional would follow standard soil sample protocols. Please be advised that NMOCD does not accept a caliche layer as a rationale for not completing delineation. Moreover, delineation sample locations must be representative of the release, which may include establishment of sample locations within facilities, as feasible and practicable. NMOCD must be informed at least 48 hours in advance regarding any requests for site evaluation.

Please inform if you have questions.

Thanks and have a relaxing weekend,

Olivia

From: Micheal McGhee [<mailto:mmcghee01@yahoo.com>]  
Sent: Thursday, March 8, 2018 5:44 PM  
To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>  
Subject: Re: RE: C-141

Thanks. That's perfect

Sent from Yahoo Mail for iPhone

On Thursday, March 8, 2018, 5:21 PM, Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us> wrote:

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> No. Let's schedule for 2:30 pm MST.  
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> From: Micheal McGhee [<mailto:mmcghee01@yahoo.com>]  
> Sent: Thursday, March 8, 2018 4:14 PM  
> To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>  
> Subject: Re: RE: C-141  
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>> Confirmed. Will call you at 713-304-1695. Please inform if another phone number is preferred.  
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>> Thanks,  
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>> Olivia  
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>> From: Micheal McGhee [<mailto:mmcghee01@yahoo.com>]  
>> Sent: Thursday, March 8, 2018 4:05 PM  
>> To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>  
>> Subject: Re: RE: C-141  
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>>> Mr. McGhee:  
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>>> Pardon for the missed call. I can schedule a phone conversation with you tomorrow afternoon at 1:30 pm MST.  
Will you be available?  
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>>> Thanks,  
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>>> Olivia  
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>>> From: Micheal McGhee [<mailto:mmcghee01@yahoo.com>]  
>>> Sent: Thursday, March 8, 2018 11:49 AM  
>>> To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>; Micheal McGhee <mmcghee01@yahoo.com>  
>>> Subject: Re: RE: C-141  
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>>> Dear Ms. Yu,  
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>>> REF: 1RP-4981

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>>> Attached is an accurately scaled site map showing the potentially impacted area, significant surface features including roads and the tank battery associated with cause 1RP-4981.

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>>> Also included is an accurately scaled 1:200 ft photo of the area show the features described above.

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>>> I hope these partially satisfy the requirement requested for regulation 19.15.29.11 NMAC point 8. "●

Accurately scaled and well-drafted site maps must be provided providing the location of borings, test pits, monitoring wells, potentially impacted areas, and significant surface features including roads and site infrastructure that might limit either the release characterization or remedial efforts'

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>>> Since M & M Energy has never been involved with an oil spill or the corrective action thereafter required, after you have had a chance to review this data, we would like to get the NMOCD's input on how to put a plan in place.

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>>> If you could give me a good time to contact you, I would appreciate being able to call and further discuss the matter with you.

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>>> Please remember to include this IRP identifier to all communications. Also, please be advised that a release characterization/delineation workplan as detailed in the attachment must be approved by NMOCD BEFORE any remediation work.

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>>> Thanks,

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>>> Olivia Yu

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>>> Environmental Specialist

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>>> NMOCD, District I

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>>> Olivia.yu@state.nm.us

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>>> 575-393-6161 x113

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>>> 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.

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>>> From: Micheal McGhee [<mailto:mmcghee01@yahoo.com>] Sent: Friday, March 2, 2018 10:52 AM To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us> Subject: C-141

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>>> Ms. Yu,

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>>> Please find the C-141 filled out attached below describing the spill M & M had on our Day #1 lease.

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>>> Please give me a call if you have any questions.

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>>> Best regards,

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>>> Micheal McGhee

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>>> M & M Energy, LLC

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>>> 2409 Ella Lee Lane

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>>> Houston, TX 77019

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>>> 713-304-1695

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**To:** "Micheal McGhee"  
**Subject:** delineation workplan guidelines  
**Date:** Friday, March 9, 2018 4:13:00 PM

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Mr. McGhee:

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**Sent:** Thursday, March 8, 2018 11:49 AM

**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>; Micheal McGhee <[mmcghee01@yahoo.com](mailto:mmcghee01@yahoo.com)>

**Subject:** Re: RE: C-141

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If you could give me a good time to contact you, I would appreciate being able to call and further discuss the matter with you.

Thank you for your assistance in this matter.

Best regards,

Micheal McGhee

On Friday, March 2, 2018, 5:38:25 PM CST, Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)> wrote:

Dear Mr. McGhee:

Please be advised that volume recovered is rarely 100%, especially as this release did not occur inside a lined facility. The Responsible Party is recommended to contact NMOCD on how to proceed on the release characterization/delineation plan.

The 1RP for this incident is

**4981**

3/2/2018

A

M&M Energy

J H Day #1 Tank battery

[30-025-08809](#)

22S-36E-6K

2/28/2018?

Please remember to include this 1RP identifier to all communications. Also, please be advised that a release characterization/delineation workplan as detailed in the attachment must be approved by NMOCD BEFORE any remediation work.

Thanks,

Olivia Yu

Environmental Specialist

NMOCD, District I

[Olivia.yu@state.nm.us](mailto:Olivia.yu@state.nm.us)

[575-393-6161](tel:575-393-6161) x113

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Please give me a call if you have any questions.

Best regards,

Micheal McGhee  
M & M Energy, LLC  
2409 Ella Lee Lane  
Houston, TX 77019  
[713-304-1695](tel:713-304-1695)

# M & M Energy

## 1RP-4981 REPORT

Blue = Closest Surface Water

Green = Estimated spill areal extent

