

**From:** Tucker, Shelly  
**To:** [Yu, Olivia, EMNRD](#)  
**Cc:** [Emmanuel Lujan](#)  
**Subject:** Re: MEYERS B-27 #3  
**Date:** Tuesday, March 20, 2018 3:07:32 PM

---

## BLM concurs with approval to backfill.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

*Shelly J Tucker*

Environmental Protection Specialist  
O&G Spill/Release Coordinator

Bureau of Land Management  
620 E. Greene St  
Carlsbad, NM 88220

575.234.5905 - Direct  
575.361.0084 - Cellular  
575.234.6235 - Emergency Spill Number

[stucker@blm.gov](mailto:stucker@blm.gov)

The **BLM acceptance/approval does not** relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that may pose a threat to groundwater, surface water, human health or the environment or if the location fails to reclaim properly. In such an event that the location does not revegetate, or future issues with contaminants are encountered, the operator will be asked to address the issues until the contaminant issues are fully mitigated and the location is successfully reclaimed. In addition, BLM approval does not relieve the operator of responsibility for compliance with any other federal, state or local laws/regulations.

**Confidentiality Warning:** This message along with any attachments are intended only for use of the individual or entity to which it is addressed and may contain information that is privileged or confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately.

On Fri, Mar 16, 2018 at 11:33 AM, Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)> wrote:

Mr. Lujan:

Acknowledged. Like approval from BLM required before backfilling.

Thanks,

Olivia

---

**From:** Emmanuel Lujan [mailto:[emmanuel@pantherenergy.net](mailto:emmanuel@pantherenergy.net)]  
**Sent:** Friday, March 16, 2018 11:01 AM  
**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>  
**Subject:** Re: MEYERS B-27 #3

Yes we excavated MBB#2 to 9'. Thank you for getting back to us and we will be backfilling sometime next week. The relocation of the battery will be discussed with BLM upon completion of backfill and we will follow their guidance.

Sent from my iPhone

On Mar 16, 2018, at 9:28 AM, Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)> wrote:

Good morning Mr. Lujan:

Thank you for your patience. Given the information provided, NMOCD will grant backfill approval for 1RP-4767 with one clarification: since MBB #2 at 7 ft. bgs exceeds permissible 600 mg/kg chlorides, does that mean the area represented by MBB#2 has been excavated to 9 ft. bgs?

Please be advised that photo documentation of the remedial activities is required. Like approval from BLM is required. BLM will provide guidance and required documents for construction of the new battery location. NMOCD recommends that the new battery be lined.

Thanks,

Olivia

---

**From:** Emmanuel Lujan [mailto:[emmanuel@pantherenergy.net](mailto:emmanuel@pantherenergy.net)]  
**Sent:** Thursday, March 8, 2018 1:54 PM  
**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>; William Pilkington <[wpilkington@enervest.net](mailto:wpilkington@enervest.net)>; Dawson, Penny <[PDawson@EnerVest.net](mailto:PDawson@EnerVest.net)>; Tucker, Shelly <[stucker@blm.gov](mailto:stucker@blm.gov)>

**Subject:** Re: MEYERS B-27 #3

attached is the aerial view of the site. I have plotted the sample points and have noted the depth of each plot. Also, I have drawn where the new proposed battery is to be placed. Finally, I have also shown where all material and tank were stock piled at. Everything was stock piled on plastic. As of today there is nothing left on site. Everything has been removed and hauled off to Sundance.

---

**From:** "Yu, Olivia, EMNRD" <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>  
**To:** Emmanuel Lujan <[emmanuel@pantherenergy.net](mailto:emmanuel@pantherenergy.net)>; William Pilkington <[wpilkington@enervest.net](mailto:wpilkington@enervest.net)>; "Dawson, Penny" <[PDawson@EnerVest.net](mailto:PDawson@EnerVest.net)>; "Tucker, Shelly" <[stucker@blm.gov](mailto:stucker@blm.gov)>  
**Sent:** Monday, January 22, 2018 10:09 AM  
**Subject:** RE: MEYERS B-27 #3

Good morning Mr. Lujan:

Several concerns regarding 1RP-4767:

1. What is the depth of excavation? Or are there different depths of soil removed? To facilitate review, please submit an appropriately scaled map, preferably aerial imagery, with the delineation and confirmation sample location IDs marked, depth(s) of excavation annotated, and proposed location of the new battery outlined.
2. Please clarify what is meant by 'clean line'. Were the samples collected on January 5, 2018, from the bottom of the excavated area, to complete delineation?
3. Did BLM approve of the required sundry for the new battery location?

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:** Emmanuel Lujan [<mailto:emmanuel@pantherenergy.net>]  
**Sent:** Tuesday, January 9, 2018 9:44 AM  
**To:** William Pilkington <[wpilkington@enervest.net](mailto:wpilkington@enervest.net)>; Dawson, Penny <[PDawson@EnerVest.net](mailto:PDawson@EnerVest.net)>; Tucker, Shelly <[stucker@blm.gov](mailto:stucker@blm.gov)>; Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>  
**Subject:** Fwd: MEYERS B-27 #3

These are the samples we took at 5' below each clean line. As you can see MBB#2 spiked at 7' but is completely clean at 9'. All other spots tested clean. We took samples at 5' below clean as requested by OCD/BLM and at 7' below clean as requested by Enervest. MBB #2 section has been excavated down to the 7' to remove all contamination. Would OCD/BLM like for us to proceed with the backfilling process? Also, i was wondering if we could proceed with building the new battery to the East of the old battery, since the boundary samples came back to be clean.

Sent from my iPhone

Begin forwarded message:

**From:** "Celey Keene" <[celey.keene@cardinallabsnm.com](mailto:celey.keene@cardinallabsnm.com)>  
**Date:** January 8, 2018 at 9:50:16 AM MST  
**To:** "Don Green" <[dwgre@valornet.com](mailto:dwgre@valornet.com)>, <[emmanuel@pantherenergy.net](mailto:emmanuel@pantherenergy.net)>  
**Subject:** MEYERS B-27 #3

THANK YOU,

**Celey Keene**

**Lab Director**

**Cardinal Laboratories**

[101 East Marland](#)

[Hobbs, NM 88240](#)

**T: (575) 393-2326**

**F: (575) 393-2476**

**e-mail: [celey.keene@cardinallabsnm.com](mailto:celey.keene@cardinallabsnm.com)**

*The information contained in this message is confidential and is only intended for the use of the individual/firm named above. If the reader of this message is not the intended recipient or the employee/agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail or telephone in order to return the message. We would like your feedback about the services you have received from Cardinal Laboratories. Click on the following link to complete a brief survey, <https://www.surveymonkey.com/s/Z7JXYQQ>. Thank you.*

<approved\_backfill\_1RP4767\_16Mar2018.pdf>