

From: Groves, Amber
To: ["andrew@rthicksconsult.com"](mailto:andrew@rthicksconsult.com); [Griswold, Jim, EMNRD](#); [Martin, Ed](#)
Cc: [Yu, Olivia, EMNRD](#); taylorp@pride-energy.com; mattp@pride-energy.com; ["Randall Hicks"](#); [Billings, Bradford, EMNRD](#); [Naranjo, Mark](#); [Strang, Dana V.](#)
Subject: RE: Guidelines vs Rules
Date: Thursday, January 11, 2018 10:05:19 AM
Attachments: image001.png
image003.png

Mr. Hicks,

This e-mail is to serve as a response to your submitted letter to Mr. Griswold and Mr. Martin in response to my e-mail notifying you that you did not currently have an approved delineation plan in place for either location that was sampled on Monday January 8, 2018. I would like to give a timeline of events for everyone involved of the last year in the attempts of NMOCD and NMSLO in getting the two RP's in question resolved and in an attempt to clarify to you the reason that I advised that there was not currently an approved plan in place.

- ❖ January 2017: I received phone call letting me know that Pride had a new and historical release at the NM 87 State #1 Well and tank Battery. A field inspection was conducted and Pride was asked to submit a C-141 to NMOCD and NMSLO for both locations.
- ❖ 1/26/2017: Received a C-141 for the Battery Location from Pride.
- ❖ 1/26/2017: I replied to Pride stating that there were two facilities with new and historic releases that needed C-141's.
- ❖ 2/13/2017: I e-mailed Pride asking for a status update as the requested C-141's had not yet been received.
- ❖ 2/13/2017: Pride responded that they were speaking with the landowners and would let SLO know the outcome.
- ❖ 2/13/2017: I responded letting Pride know that NMSLO was the landowner on both locations and that they would need to correspond with me.
- ❖ 2/14/2017: Pride requested a meeting with NMOCD and NMSLO to discuss sample locations.
- ❖ 2/14/2017: NMOCD and NMSLO both responded that that 2/23 would be available for a meeting with both agencies.
- ❖ 2/22/2017: I e-mailed Pride asking if the meeting was still taking place and at what time.
- ❖ 2/22/2017: Pride responded that the environmental contractor would be unavailable until the following week and requested moving the meeting.
- ❖ 2/22/2017: Olivia requested that the C-141 for the well be submitted.
- ❖ 2/23/2017: I responded that Tuesday of the following week would be best to meet.
- ❖ 2/28/2017: Pride submits the C-141 for the well.
- ❖ 3/1/2017: C-141's processed by NMOCD and RP's issued.
- ❖ 3/1/2017: Pride notified that they were currently taking bids from contractors.
- ❖ 3/20/2017: I requested a status update.
- ❖ 3/21/2017: Pride responded that they were still taking bids.
- ❖ 4/25/2017: I requested a status update.
- ❖ 4/25/2017: Pride responded that they were still taking bids. (During this time period there were multiple phone calls from contractors to state personnel at both NMOCD and NMSLO)
- ❖ 4/25/2017: I advised Pride to contact NMOCD regarding remediation vs. delineation and that

both NMOCD and NMSLO needed an initial submittal to determine acceptability of any proposals.

- ❖ 5/17/2017: I e-mailed Pride that it had been three weeks since the last communication requesting a status update.
- ❖ 5/17/2017: Pride e-mails Olivia asking for a caliche layer to be taken into consideration on the depth of delineation.
- ❖ 5/18/2017: Olivia responds advising that a caliche layer is not im-permeable and will need to be drilled through for site delineation.
- ❖ 5/18/2017: Pride responds asking if the material can be used for secondary containment.
- ❖ 5/18/2017: Olivia asks for clarification and Pride responds that they would like to use the material for a firewall.
- ❖ 5/23/2017: I responded that NMSLO denies that request without any sample data in place.
- ❖ 6/7/2017: Pride was advised by NMOCD that they would be issued an NOV if the delineation plans were not submitted in 30 days.
- ❖ 6/7/2017: Pride responds that they received the last remaining bid.
- ❖ 6/28/2017: Pride requests and extension to July 14th to submit delineation plans and it is approved by NMOCD.
- ❖ 6/30/2017: Pride notifies that delineation will take place on July 5, 2017.
- ❖ 7/5/2017: Olivia and I both attend the site delineation. All sample locations, new spill areas, and historical areas of concern are discussed.
- ❖ 7/12/2017: Olivia requests a status update.
- ❖ 7/12/2017: Contractor responds that soil core bids are being taken.
- ❖ 8/2/2017: Pride sends e-mail stating there is a historical release from a previous operator, asking for guidance on moving forward.
- ❖ 8/18/2017: Olivia and I met with the contractor and during the meeting resolved all issues with the outcome being a very reasonable plan for both parties.
- ❖ 9/5/2017: NMOCD receives a letter from Pride.
- ❖ 9/25/2017: Olivia responds to Pride's letter addressing their historical concerns and the requirements of NMOCD.
- ❖ 12/14/2017: Receive a delineation plan from Andrew Parker for 1RP-4625.
- ❖ 12/21/2017: I responded inquiring why there were not any sample points in the playa located next to the battery as this has been requested of Pride for the last year and if there would be another delineation plan submitted for 1RP-4624.
- ❖ 12/27/2017: New delineation plans received.
- ❖ 12/28/2017: Olivia responds requesting that her concerns be addressed including that due to the geology of a playa a soil bore be installed instead of a trench in the playa.
- ❖ 12/29/2017: Andrew Parker responds in which he addresses her concerns including arguing of the status of a playa and stating that a trench would still be used.
- ❖ 1/2/2017: I responded inquiring of the rationale used in determining that a soil bore would not be installed in the playa even though it was required by NMOCD. Also, e-mailed that the well delineation plan needed to encompass the historical area that has also been constantly requested to be sampled in the last year and that the plan be resubmitted to include at least 3 delineation points instead of the one delineation point.
- ❖ 1/2/2017: 48 hour sample notice given by Andrew Parker and my subsequent e-mail below.

We have also received your rationale letter for the playa, Mr. Hicks and I will be sure to forward that to Ed Martin, Dana Vackar-Strang and Mark Naranjo for their information in moving forward with resolving all of the issues at these two locations.

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 88240

*My last day with NMSLO will be January 11, 2018. All ROE inquiries will need to go to Conrad Kegel at ckegel@slo.state.nm.us. Any release that is over 10 bbls of OIL will need to be reported to Kenda Montoya at kmontoya@slo.state.nm.us. All C-141 submittals to NMOCD will need to have Tammy Honea copied at thonea@slo.state.nm.us. Once my position is filled, you will be notified on who to copy on submittals to NMOCD. It has been a pleasure working with you!

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From: andrew@rthicksconsult.com [mailto:andrew@rthicksconsult.com]

Sent: Friday, January 5, 2018 12:49 PM

To: Jim.Griswold@state.nm.us; Martin, Ed <emartin@slo.state.nm.us>

Cc: 'Yu, Olivia, EMNRD' <Olivia.Yu@state.nm.us>; taylorp@pride-energy.com; mattp@pride-energy.com; 'Randall Hicks' <r@rthicksconsult.com>; 'Billings, Bradford, EMNRD' <Bradford.Billings@state.nm.us>; Groves, Amber <agroves@slo.state.nm.us>

Subject: Guidelines vs Rules

Mr. Griswold and Mr. Martin:

Attached is a discussion on NMOCD Guidelines and NMOCD requirement for approved characterization plans. Mr. Hicks would have sent you this personally but he is out of the office this afternoon. Please note that the attached discussion is a result of NMOCD requiring approval of a characterization plan. We plan to perform preliminary characterization of the two sites referenced

in the attachment on Monday January 8th knowing that additional vertical and horizontal delineation may be required and that any future proposed work will be submitted either as a Corrective Action Plan (Part 29) or Remediation Plan (Part 30).

Andrew Parker
R.T. Hicks Consultants
Durango Field Office
Cell: (970) 570-9535

From: Groves, Amber [<mailto:agroves@slo.state.nm.us>]
Sent: Thursday, January 4, 2018 6:59 PM
To: andrew@rthicksconsult.com
Cc: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>; taylorp@pride-energy.com; mattp@pride-energy.com; Randall Hicks <r@rthicksconsult.com>; Billings, Bradford, EMNRD <Bradford.Billings@state.nm.us>
Subject: Re: Pride Energy NM 87 State #001 (1RP-4624) and 1RP-4625

Mr. Parker,

Please be advised that neither location has a NMOCD and NMSLO approved delineation plan at this time. Please revise both plans to include both agencies requests for approval before commencing sampling.

Thank you,

Amber Groves

Sent from my iPhone

On Jan 2, 2018, at 4:27 PM, "andrew@rthicksconsult.com" <andrew@rthicksconsult.com> wrote:

Ms. Yu:

This email serves as the 48 hour notice for proposed sampling at the above two locations. We will be conducting sampling activities on Monday Jan. 8th 2018.

Andrew Parker
R.T. Hicks Consultants
Durango Field Office
Cell: (970) 570-9535

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