## Hall, Brittany, EMNRD

**From:** Hall, Brittany, EMNRD
**Sent:** Friday, August 25, 2023 11:17 AM
**To:** 'michael@raybawoperating.com'; 'rick@raybawoperating.com'
**Cc:** 'Gio PimaOil'; sebastian@pimaoil.com; 'TIM HOUGHTALING'; 'tom@pimaoil.com'; 'Nancy Winn'; 'Tom Campbell'; 'Drew Clements'; 'Jeff Stevenson'; Smith, Cory, EMNRD; Romero, Rosa, EMNRD; Bratcher, Michael, EMNRD; Hamlet, Robert, EMNRD
**Subject:** Chimayo 16 State #003 (API: 30-015-38105)
**Attachments:** Photos from 08222023.pdf

Good morning,

On Tuesday, August 22, 2023, OCD representatives Robert Hamlet and Brittany Hall performed a site inspection at the Chimayo 16 State #006 (API: 30-015-38105). The OCD was on site at 7:52 AM and no activities were being performed. Pictures were taken documenting the conditions of the site. See the attached pictures.

Brittany Hall attempted to contact Pima representative, Mr. Tom Bynum, and Raybaw Operating, LLC. representative, Ms. Nancy Winn, but both attempts were unsuccessful. At 9:36 AM the OCD contacted Mr. Tom Campbell, a representative for Flint Oak Energy and Raybaw Operating. Mr. Campbell informed the OCD that Mr. Tim Houghtaling was in the area and would be able to meet at the site and inform the OCD of the activities that had been performed. The OCD met Mr. Houghtaling at the site at approximately 10:15 AM. Mr. Houghtaling informed the OCD that the excavation was approximately 6 feet deep, and he was given the go ahead to backfill the site “last Friday”. Mr. Bynum returned the OCD’s phone call at 10:31 AM. He informed the OCD that he had given notice of sampling on August 3, 2023, via email.

After a review of OCD records, no proper notice was given to the OCD that final sampling was being conducted per 19.15.29.12.D.1(a) NMAC and the site should not have been backfilled at the time of inspection.

OCD records show that work was to begin on Monday, July 31, 2023, per an email forwarded to Brittany Hall by Ms. Winn from Mr. Bynum on July 26, 2023. Mr. Bynum sent an update on August 2, 2023, stating “Our preliminary field tests are showing positive results, we are currently working on getting these organized and sorted so we get all the right samples off to the lab.”, indicating that the samples had already been collected. Another update was sent on August 3, 2023, which included an excel file named “7-31-23 Field Screen Data Table”.

On August 15, 2023, an update for the assessment of the location of the former tank battery was received. The “Containment Area Report” attached to this update includes laboratory analytical results. The chain of custody for these labs shows that these samples were collected on July 28 in 5-minute intervals starting at 8:00 and ending at 8:55. The samples were relinquished on August 7, 2023, and arrived at the laboratory on August 8, 2023, 11 days after the samples were collected. The sample receipt checklist completed by Envirotech Analytical Laboratory states “Samples will expire on Friday 8/11/2023 at 8am, samples will be ran on a 3-day turnaround time to avoid expiration.”

The latest received update for the site was received on August 22, 2023. The “Top 2’ Report” attached to this update incudes laboratory analytical results. The chain of custody for these labs shows that these samples were collected on July 31 in 5-minute intervals starting at 8:00 and ending at 9:30. The samples were relinquished on August 9, 2023, and arrived at the laboratory on August 10, 2023, 10 days after the samples were collected. The sample receipt checklist completed by Envirotech Analytical Laboratory states “Changed TAT due to date sampled. Sampled on 7/31/23. Will expire for BTEX/GRO on 8/14/23.”

Raybaw failed to provide proper notification to the OCD of the final sampling events pursuant to 19.15.29.12.D.1(a) NMAC therefore, any samples collected from those events will not be accepted as remediation closure samples. Raybaw

Operating, LLC will need to resample the impacted area per the approved remediation plan and send notifications pursuant to 19.15.29.12.D.1(a) NMAC. Any sampling notification for this site will need to be sent directly to Brittany Hall (Brittany.Hall@emnrd.nm.gov) and Robert Hamlet (Robert.Hamlet@emnrd.nm.gov) two business days prior to final sampling being conducted. The sampling will need to be completed no later than October 9, 2023.

Please let me know if you have any questions or require any additional information.

Thank you,
**Brittany Hall** • Environmental Specialist
Environmental Bureau Projects Group
EMNRD - Oil Conservation Division
1000 Rio Brazos Road | Aztec, NM 87110
505.517.5333 | Brittany.Hall@emnrd.nm.gov
http://www.emnrd.nm.gov/ocd/

RAYBAW
OPERATING, LLC

**IN CASE OF EMERGENCY CALL (214) 800-2301**

CHIMAYO 16 STATE #003 SWD-1235

30-015-38105

SEC.16-T25S-R29E 1610' FNL & 1455' FWL

LEA COUNTY, NEW MEXICO

LAT.N" 32 ° 07'58.463" LONG.W 103 ° 59' 36.001"

[redacted] CORPORATE CONTACT:

IN CASE OF EMERGENCY CALL: [redacted]

Received by OCD: 8/25/2023 11:21:08 AM

Received by OCD: 8/25/2023 11:21:08 AM

Released to Imaging: 8/25/2023 11:24:07 AM

Generated by NSF Advisor Expert AI

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RAYBAW
IN CASE OF EMERGENCY CALL (214) 800-2301
CHIMAYO 16 STATE #003 SWD-1235
30-015-38105
SEC.16-T25S-R29E 1610' FNL & 1455' FWL
LEA COUNTY, NEW MEXICO
LAT.N° 32 ° 07'58.463" LONG.W 103 ° 59' 36.001"
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**District I**
1625 N. French Dr., Hobbs, NM 88240
Phone:(575) 393-6161 Fax:(575) 393-0720
**District II**
811 S. First St., Artesia, NM 88210
Phone:(575) 748-1283 Fax:(575) 748-9720
**District III**
1000 Rio Brazos Rd., Aztec, NM 87410
Phone:(505) 334-6178 Fax:(505) 334-6170
**District IV**
1220 S. St Francis Dr., Santa Fe, NM 87505
Phone:(505) 476-3470 Fax:(505) 476-3462

# State of New Mexico
# Energy, Minerals and Natural Resources
# Oil Conservation Division
# 1220 S. St Francis Dr.
# Santa Fe, NM 87505

CONDITIONS

Action 257801

## CONDITIONS

| | |
|---|---|
| Operator:<br>RAYBAW Operating, LLC<br>2626 Cole Avenue<br>Dallas, TX 75204 | OGRID:<br>330220 |
| | Action Number:<br>257801 |
| | Action Type:<br>[IM-SD] Incident File Support Doc (ENV) (IM-BNF) |

**CONDITIONS**

| Created By | Condition | Condition Date |
|---|---|---|
| bhall | none | 8/25/2023 |