

## **Bratcher, Mike, EMNRD**

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**From:** Gregston, Terry G <tgregsto@blm.gov>  
**Sent:** Monday, January 14, 2013 10:57 AM  
**To:** Chris Jones; Ken Swinney; Jennifer Gilkey; Kathy Purvis; Amos, James A  
**Cc:** Bratcher, Mike, EMNRD  
**Subject:** Undesirable Event: NU12134TG, M H Federal 1: cleanup plan approval stipulations

Mr. Jones, Mr. Brunson,

This notification is in regard to the following location and undesirable event:

Event Number: NU12134TG  
Event Date: 6/5/2012  
Event Name: M H Federal 1  
Legals: T22S/R24E, sec. 1, SESW

The submitted cleanup plan for the above location is approved with the following conditions of approval:

### **Notification Stipulations:**

- 1. A copy of the cleanup plan and conditions of approval must be given to the contractor or site work personnel and be present on the location during all cleanup operations.**
- 2. The authorized officer must be notified at the following phases of cleanup or conditions:**
  - a. Prior to moving equipment on location for cleanup
  - b. When the excavation is nearing completion and a BLM inspection of the excavation or witnessing of sampling is required by the cleanup plan COA's.
  - c. When the cleanup work is nearing completion and to schedule a final onsite prior to removal of equipment.
  - d. Three days before the site is seeded.
  - e. Any time that a variance of the approved plan or conditions of approval is required.
  - f. In the event that you encounter excavation difficulties, unexpected void areas, or archeological artifacts the Authorized Officer must be contacted immediately. An onsite may be required to assess the situation.
- 3. The authorized officer on this undesirable event case is:**

**Terry Gregston**  
**(575) 361-2635**  
**tgregsto@blm.gov**

### **Archeology Stipulations:**

- 1. There are no known archeological issues on this location.**

In the event that archeological artifacts are discovered during cleanup operations, contact the authorized officer on this case immediately. An onsite will be required to assess the situation.

### **Facility Cleanup Stipulations:**

#### **Unlined facility:**

- 1. The BLM requires horizontal cleanup of the spill impacted areas in addition to vertical cleanup/mitigation measures. In this case, the location is still a working tank battery location. As such, excavation depths in portions of the spill area in close proximity to standing production equipment may be limited due to safety concerns. In such cases, the cleanup measures will be considered a temporary spill abatement measure that will be further mitigated upon the abandonment of the well/facility location. Appropriate notations to that effect will be entered in the well file.**

2. Cleanup will include removal of any contaminated berm materials and/or unsuitable berm materials such as sandy soils, gravels, or cobblestones. Tank battery berms should be built of compactable caliche that is capable of fluid containment.
3. The BLM may wish to inspect the excavation once it reaches cleanup depth/width. Confirmation samples of excavation sidewalls and any visibly affected areas outside of the excavation trench will be required; the BLM may witness the sampling. Contact the authorized officer to schedule.
4. Lab analysis of the confirmation sampling must be forwarded to the authorized officer for final approval before backfilling. Based on the sampling results, additional cleanup may be required or the site may be approved for closure.
5. Once final approval of cleanup is given, the excavation can be backfilled with compactable caliche to the level of the original native contour plus enough loft to accommodate the settling and compaction of unconsolidated fill soils.
6. Install secondary containment berms of good quality compactable caliche around existing production equipment and the pad to prevent future spills from being released off the facility location.
7. Restore, recontour, and reseed any pasture disturbances that were created during the cleanup operations.

**Other Stipulations:**

1. At the time of the final onsite for this location, the production facilities, well pad, access road, and the surrounding pasture areas must be in a condition that will pass a routine inspection.
2. All household trash, debris, disconnected pipe and equipment must be removed from the area and the surrounding pasture and hauled to an authorized landfill. Do not bury cleanup trash, equipment debris, or household garbage in the cleanup excavation.

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**BLM approval of this proposal 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 location does not revegetate, or future issues with contaminants are encountered, the operator will be asked to address the issues until 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.**

Thank you for your attention to this matter,

**Terry Gregston**

Environmental Protection Specialist  
Bureau of Land Management  
620 E. Greene St.  
Carlsbad, NM 88220  
Office (575) 234-5958  
Cell (575) 361-2635  
Fax (575) 234-5927

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