

From: [Yu, Olivia, EMNRD](#)
To: "[Dale Littlejohn](#)"; [Amber Groves](#); [William Savage](#); tate.savage@amtexenergy.com; [Karol Eads](#)
Cc: [Randy Hicks](#); [Billings, Bradford, EMNRD](#)
Subject: RE: Amtex Energy, Inc., Coop "6" Battery Spill (OGRID #000785) Addendum Report
Date: Monday, September 25, 2017 8:50:00 AM
Attachments: 1RP4821.pdf

Dear Mr. Littlejohn:

The 1RP for this incident is

4821	9/25/2017	A	Amtex	Coop 6 State Com Battery	30-025-41177	22S-33E-6A	late summer 2016
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Please note that a release characterization/delineation workplan as detailed in the attachment must be approved by NMOCD BEFORE any remediation work.

In response to the submitted release characterization plans on July 12, 2017 and August 9, 2017:

1. NMOCD disagrees with the volume of release although the provided calculations for the release volume is appreciated. Assessment of the data indicated that the soil volume between 1.5 ft. and 5 ft. bgs should be included in the calculations. TPH and BTEX values at 5 ft. bgs are elevated above background levels.
2. Please provide a rationale for not completing delineation at SP16 on April 11, 2017, when further vertical delineation was conducted at SP6.
3. In order for the release to be considered horizontally and vertically delineated, all field data must accompany laboratory analyses. Currently, the data provided in the reports are not sufficient for NMOCD to consider delineation as complete.
4. NMOCD considers all release on a leases, irrespective of the cause, as the responsibility of the Operator. Thus, the release area to the West of the Coop 6 State battery requires additional vertical delineation at SP21 and SP26.
5. Natural attenuation is not considered an acceptable remedial activity without full release characterization and proposed monitoring plan. NMOCD deems all remedial activities conducted at risk without an approved corrective action plan.

Please address these concerns. NMSLO may have other considerations.

Thanks,

Olivia Yu
Environmental Specialist
NMOCD, District I
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: Dale Littlejohn [mailto:dale@rthicksconsult.com]
Sent: Wednesday, August 9, 2017 3:45 PM
To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>; [Amber Groves](mailto:Agroves@slo.state.nm.us) <[agroves@slo.state.nm.us](mailto:Agroves@slo.state.nm.us)>; [William Savage](mailto:William.Savage@amtexenergy.com) <bsavage@amtexenergy.com>; tate.savage@amtexenergy.com; [Karol Eads](mailto:Karol.Eads@amtexenergy.com) <keads@amtexenergy.com>
Cc: [Randy Hicks](mailto:Randy.Hicks@rthicksconsult.com) <r@rthicksconsult.com>
Subject: Amtex Energy, Inc., Coop "6" Battery Spill (OGRID #000785) Addendum Report

Olivia,

Please find the attached addendum to the report filed on July 12, 2017. It was prepared at the request of Amber Groves (SLO) and is associated with the characterization of the spill west of the lease road.

Thanks,