

**From:** Mann, Ryan  
**To:** "BCC, Inc.," Yu, Olivia, EMNRD  
**Cc:** tpassmore@mar-win.com; sroberts@mar-win.com  
**Subject:** RE: 1RP-5012  
**Date:** Wednesday, April 11, 2018 4:24:58 PM

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NMSLO agrees with the workplan with no further conditions. Keep in mind that if the surface sample from the pasture area indicate contamination above the RRAL, this area will need to be addressed in greater detail.

Ryan Mann  
Remediation Specialist  
Field Operation Division  
(575) 392-3697  
(575) 699-1989  
New Mexico State Land Office  
2827 N. Dal Paso Suite 117  
Hobbs, NM 88240

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**From:** BCC, Inc. [mailto:bcccorp@aol.com]  
**Sent:** Tuesday, April 10, 2018 4:50 PM  
**To:** Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>  
**Cc:** Mann, Ryan <rmann@slo.state.nm.us>; tpassmore@mar-win.com; sroberts@mar-win.com  
**Subject:** Re: 1RP-5012

Thank you Olivia for your rapid response. We will abide by the stipulations that you have presented to us to follow. Once again, thank you for your time and detail!

Paul Porter

Sent from my iPhone

On Apr 10, 2018, at 5:28 PM, Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)> wrote:

Mr. Porter:

NMOCD shares the same concerns as indicated below by NMSLO regarding the proposed delineation/remediation for 1RP-5012. Please be advised that NMOCD considers delineating while remediating to be conducted at-risk. This means that there is potential for the excavation to proceed past the conventional NMOCD depth of removal. Nevertheless, NMOCD appreciates the rapid response to this release and will grant approval to the proposed procedure with the following stipulations:

- Permissible levels for delineation and remediation are 10 mg/kg Benzene; 50 mg/kg BTEX, 100 mg/kg TPH extended, and 600 mg/kg chlorides.
- All soil samples must be tested for BTEX, TPH extended (GRO, DRO, MRO), and chlorides using the methods indicated in the review C-141. All laboratory analyses must have corresponding data from field tests.
- Confirmation bottom and sidewall sample locations must be no greater than 50 ft. apart. Representative surface samples (0-6") in the overspray/misted area also in <= 50 ft. intervals.
- To complete vertical delineation, due to the shallow depth to groundwater, at each representative bottom sample location, proceed to collect 2 ft. and 5 ft. confirmatory samples at depth below the base of the excavation. For example, if the base of the excavation is 2 ft. bgs, then there must be samples collected at 4 ft. and 7 ft. bgs from each bottom sample location and laboratory-verified.
- On an appropriately scaled map, 1) demarcate release point and all sample locations with IDs that match the laboratory reports; 2) annotate the depth of excavation; and 3) differing depths of excavation must be outlined and identified clearly.
- Tabulate GPS coordinates for each sample location along with all field and laboratory data.
- Please stage excavated, impacted soil on plastic liner with berms to prevent enlargement of release area before disposal.
- Dated photo documentation of delineation/remediation activities.

Please confirm or inform for clarification.

Like approval from NMSLO required. NMSLO may have additional conditions/concerns that need to be documented before commencement.

Thanks,  
Olivia

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**From:** Mann, Ryan <[rmann@slo.state.nm.us](mailto:rmann@slo.state.nm.us)>  
**Sent:** Monday, April 9, 2018 4:23 PM  
**To:** 'tpassmore@mar-win.com' <[tpassmore@mar-win.com](mailto:tpassmore@mar-win.com)>; Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>; [sroberts@mar-win.com](mailto:sroberts@mar-win.com)  
**Cc:** [bcccorp@aol.com](mailto:bcccorp@aol.com)  
**Subject:** RE: 1RP-5012

Mr. Passmore,

The plan will need more information in its current form...sample locations, how deep are you planning to sample, etc. As written, it isn't that clear that delineation of the spill would be achieved. This is important because of the shallow depth to groundwater, 28 feet. OCD may have additional stipulations regarding delineation.

Also I would like to see the vegetation that was misted addressed a little more thoroughly. Something more than "sprayed clean" since an unknown volume of oil was released over the vegetation. Others have used a product called micro-blaze in the past in similar scenarios to avoid disrupting vegetation. These can be addressed in the subsequent work plan after the delineation plan is approved.

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Field Operation Division  
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Hobbs, NM 88240

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**From:** Todd Passmore [<mailto:tpassmore@mar-win.com>]  
**Sent:** Monday, April 9, 2018 11:56 AM  
**To:** Mann, Ryan <[rmann@slo.state.nm.us](mailto:rmann@slo.state.nm.us)>; 'Yu, Olivia, EMNRD' <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>; [sroberts@mar-win.com](mailto:sroberts@mar-win.com)  
**Cc:** [bcccorp@aol.com](mailto:bcccorp@aol.com)  
**Subject:** 1RP-5012

Mr. Mann & Ms. Yu,

Attached is the initial report of the release which also includes the plan forward. Please advise if you approve of delineation process and the clean up phase will begin immediately.

Thank you,

Todd Passmore  
Marshall & Winston Inc.

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**From:** Mann, Ryan  
**Sent:** Monday, April 9, 2018 12:18 PM  
**To:** 'Yu, Olivia, EMNRD' ; [sroberts@mar-win.com](mailto:sroberts@mar-win.com)  
**Cc:** [tpassmore@mar-win.com](mailto:tpassmore@mar-win.com)  
**Subject:** RE: Form C-141, Klein 16 State #2H - Lea Co., NM

Ms. Yu is correct. Please include myself in further communications regarding 1RP-5012.

Ryan Mann  
Remediation Specialist  
Field Operation Division  
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(575) 699-1989  
New Mexico State Land Office

2827 N. Dal Paso Suite 117  
Hobbs, NM 88240

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**From:** Yu, Olivia, EMNRD [<mailto:Olivia.Yu@state.nm.us>]  
**Sent:** Monday, April 9, 2018 7:37 AM  
**To:** [sroberts@mar-win.com](mailto:sroberts@mar-win.com); Mann, Ryan <[rmann@slo.state.nm.us](mailto:rmann@slo.state.nm.us)>  
**Cc:** [tpassmore@mar-win.com](mailto:tpassmore@mar-win.com)  
**Subject:** RE: Form C-141, Klein 16 State #2H - Lea Co., NM

Dear Ms. Roberts:

Please be advised that NMOCD database shows that this release occurred on State surface and mineral ownerships. NMSLO can verify.

The 1RP for this incident is

<b>5012</b>	4/9/2018	A	Marshall & Winston	Klein 16 State 2H	30-025-40852	19S-35E-16A	4/4/2018
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Please remember to include this 1RP identifier to all communications. Also, please be advised that a release characterization/delineation workplan as detailed in the attachment must be approved by NMOCD BEFORE any remediation work.

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.

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**From:** Griswold, Jim, EMNRD  
**Sent:** Wednesday, April 4, 2018 1:32 PM  
**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>  
**Subject:** FW: Form C-141, Klein 16 State #2H - Lea Co., NM

And here is a corrected notification.

Jim

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**From:** Jones, Kellie, NMENV  
**Sent:** Wednesday, April 4, 2018 12:55 PM  
**To:** Sherry's mail <[sroberts@mar-win.com](mailto:sroberts@mar-win.com)>  
**Cc:** todd passmore <[tpassmore@mar-win.com](mailto:tpassmore@mar-win.com)>; Griswold, Jim, EMNRD <[Jim.Griswold@state.nm.us](mailto:Jim.Griswold@state.nm.us)>  
**Subject:** RE: Form C-141, Klein 16 State #2H - Lea Co., NM

Sherry,

Good afternoon. I am no longer with OCD and am forwarding the form to the Bureau Chief, Jim Griswold.

Thanks,

Kellie Jones  
Geoscientist  
Ground Water Quality Bureau

NM Environment Department  
505-827-2949 - Direct Line

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**From:** Sherry's mail [<mailto:sroberts@mar-win.com>]  
**Sent:** Wednesday, April 04, 2018 12:45 PM  
**To:** Jones, Kellie, NMENV <[Kellie.Jones@state.nm.us](mailto:Kellie.Jones@state.nm.us)>  
**Cc:** todd passmore <[tpassmore@mar-win.com](mailto:tpassmore@mar-win.com)>  
**Subject:** RE: Form C-141, Klein 16 State #2H - Lea Co., NM

Kellie,

Please disregard previous email attachment.

I have attached a corrected C-141.

Thank you,

Sherry Roberts  
Marshall & Winston, Inc.  
432-684-6373  
<image001.jpg>

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**From:** Jones, Kellie, NMENV [<mailto:Kellie.Jones@state.nm.us>]  
**Sent:** Wednesday, April 04, 2018 1:42 PM  
**To:** Griswold, Jim, EMNRD  
**Cc:** Sherry's mail  
**Subject:** FW: Form C-141, Klein 16 State #2H - Lea Co., NM

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**From:** Sherry's mail [<mailto:sroberts@mar-win.com>]  
**Sent:** Wednesday, April 04, 2018 12:37 PM  
**To:** Jones, Kellie, NMENV <[Kellie.Jones@state.nm.us](mailto:Kellie.Jones@state.nm.us)>  
**Cc:** todd passmore <[tpassmore@mar-win.com](mailto:tpassmore@mar-win.com)>  
**Subject:** Form C-141, Klein 16 State #2H - Lea Co., NM

Kellie,

Please see the attached Form C-141 for the Klein 16 State #2H incident.

Please let me know what the next step needs to be for corrective action.

Thank you,

Sherry Roberts  
Marshall & Winston, Inc.  
432-684-6373  
<image001.jpg>

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