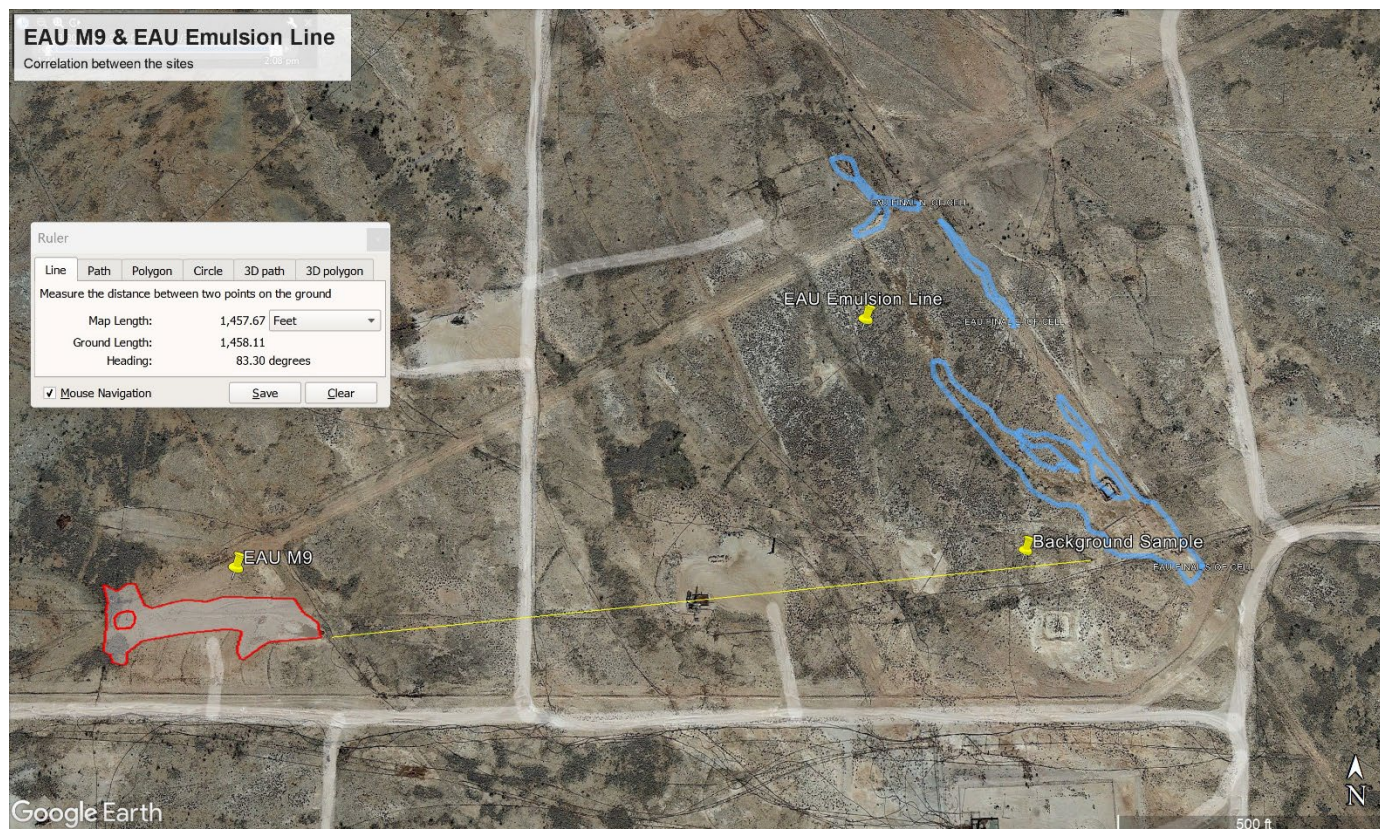


To: NMOCD

RXSoil is remediating the site EAU M9 (nAPP2121456443) which is adjacent to the EAU Emulsion Line (NaB1606057005); approximately 350 yards apart. We are experiencing the same clay layer and near identical lithology at the M9 that we experienced at the Emulsion line.

Due to the proximity of both sites, we would like to ask for the same variance request of 752mg/kg chlorides that was granted on the EAU Emulsion Line (NaB1606057005); to be granted on the EAU M9 (nAPP2121456443).

The rationale for the request is the proximity of previous background samples achieving variance request approvals. See correspondence below.



Incident #	PROJECT	METHODCODE	ANALYTE	RESULT
nAB1606057005	EAU	Sieve Analysis 8,16,20,30,50 %Passing	16 mesh (1.18mm) passed	33.2
nAB1606057006	EAU	Sieve Analysis 8,16,20,30,50 %Passing	20 mesh (0.86mm) passed	27.9
nAB1606057007	EAU	Sieve Analysis 8,16,20,30,50 %Passing	30 mesh (0.60mm) passed	20.3
nAB1606057008	EAU	Sieve Analysis 8,16,20,30,50 %Passing	50 mesh (0.297 mm) passed	0.87
nAB1606057009	EAU	Sieve Analysis 8,16,20,30,50 %Passing	8 mesh (2.38 mm) passed	51
nAB1606057010	EAU	Texture - 24 Hour	Clay, Percent	27.5
nAB1606057011	EAU	Texture - 24 Hour	Sand, Percent	32.5
nAB1606057012	EAU	Texture - 24 Hour	Silt, Percent	40
nAB1606057013	EAU	Texture - 24 Hour	Textural Class	Clay Loam
Napp2121456443	M9	Sieve Analysis 8,16,20,30,50 %Passing	16 mesh (1.18mm) passed	63.9
Napp2121456444	M9	Sieve Analysis 8,16,20,30,50 %Passing	20 mesh (0.86mm) passed	63.6
Napp2121456445	M9	Sieve Analysis 8,16,20,30,50 %Passing	30 mesh (0.60mm) passed	60.1
Napp2121456446	M9	Sieve Analysis 8,16,20,30,50 %Passing	50 mesh (0.297 mm) passed	26.8
Napp2121456447	M9	Sieve Analysis 8,16,20,30,50 %Passing	8 mesh (2.38 mm) passed	77.5
Napp2121456448	M9	Texture - 24 Hour	Clay, Percent	27.5
Napp2121456449	M9	Texture - 24 Hour	Sand, Percent	42.5
Napp2121456450	M9	Texture - 24 Hour	Silt, Percent	30
Napp2121456451	M9	Texture - 24 Hour	Textural Class	Clay Loam

From: Billings, Bradford, EMNRD <Bradford.Billings@emnrd.nm.gov>
Sent: Tuesday, November 8, 2022, 9:39 AM
To: stan.mickle@rxsoil.solutions
Subject: RE: [EXTERNAL] Correlation/Proximity between nAB1606057005 & nAPP2121456443

Hi,

In general, I am okay with request, however, please tag a variance request to the remediation plan so it can be signed off. Including the rationale for the request. Thanks.

Bradford Billings

EMNRD/OCD

From: stan.mickle@rxsoil.solutions <stan.mickle@rxsoil.solutions>
Sent: Monday, November 7, 2022 7:41 PM
To: Billings, Bradford, EMNRD <Bradford.Billings@emnrd.nm.gov>
Subject: [EXTERNAL] Correlation/Proximity between nAB1606057005 & nAPP2121456443

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Hi Brad,

Sorry I missed you earlier today.

Please review the below correspondence regarding the EAU Emulsion Line release having the incident ID: nAB1606057005. RXSoil is currently remediating the adjacent site EAU M9 Incident ID: Napp2121456443.

We are experiencing very near similarities in soil lithology, especially in the clay category. The two sites are separated by approximately 350 yards.

We are requesting approval to utilize the same background analytics and allowable chloride threshold of 752 mg/kg as previously granted on the adjacent site.

Thanks in advance for your review.

Stan Mickle | SR VP of Development | RXSoil, Inc.

Office: 817-996-4653 | Cell: 210-997-7645

stan.mickle@rxsoil.solutions

Zach Robbins <zach.robins@rxsoil.solutions>
To: "Billings, Bradford, EMNRD" <Bradford.Billings@state.nm.us>

Thu, Mar 17, 2022 at 10:33 AM

Morning, Brad,

Have you had a chance to look over the data? Is there anything else we can provide to help guide a decision? Let me know what I can do!

Thanks,
Zach

[Quoted text hidden]

--

[Quoted text hidden]

Zach Robbins <zach.robins@rxsoil.solutions>
To: "Billings, Bradford, EMNRD" <Bradford.Billings@state.nm.us>

Thu, Mar 17, 2022 at 12:50 PM

As discussed on the phone, we will move forward using the confirmed background sample of 752 mg/kg as our allowable chloride threshold for the remainder of this project's excavation. I will include this correspondence in the final report.

Thanks,

Zach

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 167432

CONDITIONS

Operator: APACHE CORPORATION 303 Veterans Airpark Ln Midland, TX 79705	OGRID: 873
	Action Number: 167432
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
rhamlet	The Variance Request is approved. Utilization of background analytics and allowable chloride threshold of 752 mg/kg has been approved for the (NAPP2121456443) EAU M9 EMPIRE EMULSION TRUNK LINE incident. The EAU Emulsion Line (NAB1606057005), which is located 350 yards from the EAU M9 Empire Emulsion Trunk line incident had a Variance Request approved. Both sites have the same clay layer and near identical lithology. The rationale for the request is the close proximity of previous background samples achieving variance request approval.	1/27/2023