

R. T. HICKS CONSULTANTS, LTD.

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Artesia ▲ Carlsbad ▲ Durango ▲ Midland

April 25, 2016

Ms. Heather Patterson
State of New Mexico Oil Conservation Division
811 S. 1st Street
Artesia, NM 88210

RE: Schedule of Compliance, Marker Oil Release Sites

Ms. Patterson:

On behalf of Marker Oil, R.T. Hicks Consultants, Ltd. is pleased to submit a proposed schedule of compliance to implement OCD- and BLM-approved remedies for identified releases on the North Square Lake Unit and the R6 and A6 Federal wells. The schedule provides a realistic timeframe to deliver modifications to previously approved Corrective Action Plans and to develop new plans. The goal is to deliver all CAP modifications before the proposed deadlines. To deliver CAPS for releases that are not fully assessed, we are providing ourselves with more time, but still intend to deliver ahead of schedule.

To implement approved remedies, we are proposing a schedule that takes into consideration the capacity of Marker Oil to get the work done in a cost-effective manner. Again, Marker Oil hopes to move forward with implementation ahead of schedule.

In order to maintain the proposed schedule, we ask that OCD and BLM evaluate the CAP Modification for 2RP-3261 (NSLU 69), which will be transmitted to OCD and BLM immediately after this letter. If our minor changes to the approved CAP are acceptable, we might move forward ahead of schedule and before the monsoon.

Please contact me if you have any questions or comments.

Sincerely,
R.T. Hicks Consultants



Randall Hicks

Copy: Marker Oil
BLM Carlsbad

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Location	Date of Incident	GPS	State Job #	eTech CAP Approved?	Schedule of CAP Modification	Schedule of Construction After CAP Mod Approval
NSLU Inj Line #51 & #69	9/13/2015	32.8889, -103.923224	2RP-3261	Yes	CAP Mod submitted 4/25/16	Before May 15
NSLU #100	9/24/2015	32.885231, -103.909161	2RP-3281	Yes	Re-sample before May 15 and submit CAP Mod or Closure Report 5/30	June 30 if construction is required
NSLU #3 Inj Line (10-12-150)	10/12/2015	32.903056, -103.896083	2RP-3333	Yes-OCD	CAP Mod to be submitted 5/30/16	Before June 30
NSLU #3 Inj Line 3rd Release	12/5/2015	32.904084, -103.895592	2RP-3447		CAP to be submitted June 15	Before July 15
NSLU 197	10/29/2015	32.903050, -103.899767	2RP-3381	Yes	CAP Mod to be submitted June 15	Before July 30
NSLU #39	Dec-16	32.897127, -103.902969	Not Assigned		CAP to be submitted July 1	Before August 15
Federal R6	10/28/2015	32.8554, -103.952752	2RP-3363	Yes	CAP Mod to be submitted July 1	Before September 15 if necessary
Loco Hills A6	10/25/2015	32.839367, -103.965968	2RP-3355	Yes	CAP Mod to be submitted July 15	Before September 30 if necessary
NSLU #3	8/6/2015	32.904763, -103.898751	2RP-3243	No CAP on file	Re-sample before June 30 and submit CAP Mod, CAP or Closure Report July 30	Before October 15 if necessary
Grier Battery	7/24/2015	32.879858, -103.911067	NA	Yes	Sample site before July 15 with CAP submitted by August 1	Before October 30 if necessary
NSLU #100 Injection Line	12/2/2015	32.882011, -103.908675	2RP-3448	No	CAP to be submitted August 1	Before November 15

From: [Randall Hicks](#)
To: stucker@blm.gov; "Glass, Dara"; [Patterson, Heather, EMNRD](#)
Cc: "Larry"; "Phelps White"
Subject: Marker Oil - NSLU 39 Release
Date: Tuesday, April 26, 2016 12:23:10 PM
Attachments: Marker Schedule of Compliance NSLU.pdf
CAP-Mod_NSLU69.pdf

Ms. Tucker

We began communication with Ms. Glass regarding the NSLU releases that are now the responsibility of Marker Oil. Do you need copies of communications or are these sites now your responsibility?

Let us know to whom we submit information and we will do so.

Next week we plan to

1. Visit the NSLU 39 site – as we missed this one on our first visit earlier this month - and we will get an incident report to OCD and BLM before the end of this week.
2. Sample the NSLU 100 site to see if it is ready for closure and/or re-seeding
3. Re-visit the NSLU 3 release site of 10-12-15 – we hope to deliver a CAP
4. Visit the NSLU 3 release of 12-5-15 – as we also missed this location earlier this month
5. If the CAP modification for NSLU 69 (also attached) can be approved by OCD/BLM shortly, we might be able to stake out the construction of the CAP based upon some field analyses.

Marker Oil has made compliance with the Rules a top priority and we hope our response to your query provides some evidence of this commitment. Please call with any questions.

Randall Hicks
R.T. Hicks Consultants
Cell: 505-238-9515
Office: 505-266-5004

From: [Tucker, Shelly](#)
To: [Tim; Heather Dolphin](#)
Cc: [Bratcher, Mike, EMNRD; Patterson, Heather, EMNRD](#)
Subject: Re: CAP 2RP-3261- NSLU 69
Date: Monday, April 25, 2016 2:09:31 PM

What is the status for this release?

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Shelly J Tucker

Environmental Protection Specialist
Bureau of Land Management

620 E. Greene St
Carlsbad, NM 88220

575.234.5905 - Direct
575.361.0084 - Cellular

stucker@blm.gov



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

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On Fri, Nov 6, 2015 at 2:01 PM, Patterson, Heather, EMNRD
<Heather.Patterson@state.nm.us> wrote:

RE: Memorial * NSLU 69 * 30-015-03925 * 2RP-3261

Tim,

This CAP is approved as written. Please send confirmation samples to OCD for approval prior to closure request.

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.

If you have any questions or concerns, and for notification, please contact me.

Heather Patterson

Environmental Specialist

NMOCD District II

Office (575)748-1283 ext.101

Cell (575)703-0228

From: Tim [mailto:tim@etechnv.com]

Sent: Friday, November 06, 2015 9:44 AM

To: Bratcher, Mike, EMNRD; Patterson, Heather, EMNRD; Shelly Tucker

Subject: CAP 2RP-3261- NSLU 69

Good Morning,

Attached is the corrective action plan for the release on Memorial's NSLU 51 & 69 Injection Line that occurred on 9/13/15. Let me know if you have any questions or concerns. Have a good weekend!

Thanks,

Tim McMinn

Etech Environmental & Safety Solutions, Inc.

P.O. Box 8469

Midland, Texas 79708-8469

Phone: 432-563-2200

Mobile: 432-967-9062

Fax: 432-563-2213

E-mail: tim@etechnv.com

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From: [Randall Hicks](#)
To: ["Glass, Dara"; Patterson, Heather, EMNRD](#)
Cc: ["Larry"](#)
Subject: Marker Oil - NSLU releases
Date: Monday, April 18, 2016 11:27:07 AM
Attachments: image001.png

Ms. Glass and Ms. Patterson

Last week, Mr. Marker and I examined the sites listed below. However, we looked at the wrong #39 site as we were examining a historic release site, not the one noted below.

I thought that the work done by eTech was good as were most of the CAPs – all of which have been approved. Our recommendation is this:

1. Create a schedule of implementation of the corrective actions based upon a prioritization and submit to BLM and OCD. At this time, we anticipate implementing at least 3 of the remedies every two months. We would like to take advantage of any monsoon while at the same time considering the price of oil and time allocation for the small staff of Marker Oil.
2. We intend to present some minor modifications to the approved CAPs. Initially, we do not see much benefit to the addition of imported fresh water or the fertilizer to this very sandy soil. We ask for a week to come up with some different ideas or to keep the CAPs “as is”.

Please expect the schedule of work by next Monday with implementation of the first remedy within 3 weeks from today. Also next Monday you will receive the first CAP under Marker Oil for these sites.

If your files show different sites than these, please let us know so we can all work off the same page.

Thanks!

Grier Battery	7/24/2015	32.879858, -103.911067	NA
NSLU #3	8/6/2015	32.904763, -103.898751	2RP-3243
NSLU Inj Line #51 & #69	9/13/2015	32.8889, -103.923224	2RP-3261
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NSLU 100 Injection Line	12/2/2015	32.882011, -103.908675	2RP-3448
NSLU #39		32.897127, -103.902969	
NSLU #3 Inj Line 3rd Release	12/5/2015	32.904084, -103.895592	2RP-3447

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Office: 505-266-5004

From: [Randall Hicks](#)
To: [Patterson, Heather, EMNRD](#); ["Glass, Dara"](#)
Cc: ["Larry"](#); ["Phelps White"](#); ["Kristin Pope"](#)
Subject: Marker Oil - Schedule of Compliance - NSLU, R6, A6
Date: Monday, April 25, 2016 10:20:20 AM
Attachments: Marker Schedule of Compliance NSLU.pdf

Ms. Patterson and Ms. Glass

Please expect a second transmission shortly – our proposed modification to an approved CAP

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

CONDITIONS

Action 381757

CONDITIONS

Operator: Acacia Operating Company, LLC 505 N. Big Spring St Midland, TX 79701	OGRID: 330522
	Action Number: 381757
	Action Type: [IM-SD] Incident File Support Doc (ENV) (IM-BNF)

CONDITIONS

Created By	Condition	Condition Date
amaxwell	Historical document upload.	9/9/2024