

**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

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Ms. Patterson and Ms. Glass

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

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

## 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:** [Tucker, Shelly](#)  
**To:** [Patterson, Heather, EMNRD](#)  
**Cc:** [Tim](#); [Bratcher, Mike, EMNRD](#); [Heather Dolphin](#)  
**Subject:** Re: CAP- 2RP-3355 Loco Hills A6  
**Date:** Monday, April 25, 2016 2:06:59 PM

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What is the status of 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](mailto: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 Mon, Jan 25, 2016 at 8:12 AM, Patterson, Heather, EMNRD  
<[Heather.Patterson@state.nm.us](mailto:Heather.Patterson@state.nm.us)> wrote:

**RE: Memorial \* Loco Hills A Fed #6 \* 30-015-20611 \* 2RP-3355**

Tim,

Your work plan for the above listed site is approved with the one exception. The OCD would like to see the top 2 feet of impacted soils excavated and hauled off before soil treatment begins. Like approval by BLM is required for this site.

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

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**From:** Tim [mailto:[tim@etechnv.com](mailto:tim@etechnv.com)]

**Sent:** Monday, January 04, 2016 9:06 AM

**To:** Bratcher, Mike, EMNRD; Patterson, Heather, EMNRD; [djglass@blm.gov](mailto:djglass@blm.gov)

**Subject:** CAP- 2RP-3355 Loco Hills A6

Good morning

Please see the attached CAP for the release at Loco Hills A6. Let me know if you have any questions or concerns.

Thanks,

Tim

Tim McMinn

Etech Environmental & Safety Solutions, Inc.

P.O. Box 62228

Midland, Texas 79711

Phone: 432-563-2200

Mobile: 432-967-9062

Fax: 432-563-2213

E-mail: [tim@etechnv.com](mailto: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

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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
NSLU #100	9/24/2015	32.885231, -103.909161	2RP-3281
NSLU #3 Inj Line	10/12/2015	32.903056, -103.896083	2RP-3333
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NSLU 197	10/29/2015	32.903050, -103.899767	2RP-3381
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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**State of New Mexico**  
**Energy, Minerals and Natural Resources**  
**Oil Conservation Division**  
**1220 S. St Francis Dr.**  
**Santa Fe, NM 87505**

CONDITIONS

Action 381868

**CONDITIONS**

Operator: MEMORIAL PRODUCTION OPERATING, LLC 1301 Mckinney Suite 2100 Houston, TX 77010	OGRID: 303900
	Action Number: 381868
	Action Type: [IM-SD] Incident File Support Doc (ENV) (IM-BNF)

**CONDITIONS**

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