

From: [Wells, Shelly, EMNRD](#)
To: [Ralph Tijerina](#)
Subject: RE: [EXTERNAL] RE: The Oil Conservation Division (OCD) has rejected the application, Application ID: 419316
Date: Tuesday, January 21, 2025 2:44:00 PM

Hi Ralph,

I appreciate you getting back so quickly regarding my rejection. I will need to better understand what has been remediated to date and the methods used as the initial report was not very clear.

The following will need to be provided to me:

1. Updated Site Assessment Map with the locations of SP3, SP35 and SP36 added as well as the "extra" SP4 removed.
2. Updated Sidewall Confirmation map that can be clearly seen (South Wall should be abbreviated to SW, East Wall should be abbreviated to EW, etc in order to be able to clearly see every sampling point).
3. Provide a separate Base sample confirmation map.
4. A proposed sampling map for the additional samples, as well as proposed sampling depths. Explain how they will be collected (via hand auger, drill rig, etc.)
5. In Table, separate sidewall samples from base samples clearly.
6. Explain how the five point composite confirmation samples were previously collected. In the remediation summary provided in this report it appears this was cut and pasted from somewhere as it is in future tense. Are you collecting separate samples for the base and separate samples for the sidewalls? Are the sidewall samples collected at different depths along the sidewall? Referring to Table on pg. 19, why do what appears to be base samples, all have wall samples collected around them? Were there lots of small excavations made? If so, provide an updated excavation map.

Due to a TPH result of 12,567 mg/kg at CS-29 at 2', it does not appear warranted to test only for chlorides.

Sincerely,

Shelly

Shelly Wells * Environmental Specialist-Advanced
Environmental Bureau
EMNRD-Oil Conservation Division

1220 S. St. Francis Drive|Santa Fe, NM 87505
(505)469-7520 Shelly.Wells@emnrd.nm.gov
<http://www.emnrd.state.nm.us/OCD/>

From: Ralph Tijerina <rtijerina@goodnightmidstream.com>
Sent: Friday, January 17, 2025 1:14 PM
To: Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov>
Subject: [EXTERNAL] RE: The Oil Conservation Division (OCD) has rejected the application, Application ID: 419316

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Please advise if you are okay with the following and we will begin moving forward with making the adjustments and submission requested

1. Nighthawk will hand auger to specified depths at floor excavation levels and grab the 58 additional confirmation samples requested. We respectfully request a variance from the NMOCD to analyze for Chlorides only since this is the analyte of concern.
2. The Federal wetland map indicated a lake or playa to the Northwest of the Site however this is a stock-pond. An aerial photo will be submitted in the closure report. The POD's referenced and mapped in the closure report did not meet the definition guidelines of the NMOCD therefore the depth to Groundwater data used was from the recently drilled MW on the Fenway site and the boring logs were included in the appendix pages of the report. It is important to note that the Fenway site was remediation to the strictest Table1 guideline regardless of depth to GW and surface water.
3. Site photo documentation for the excavated areas will be updated and appended to the revised report.
4. The additional interspersed sample locations should have been "labeled as bottom confirmation samples". This will be address and confirmed with the 58 additional samples and updated on site map.
5. The locations of SP3, SP35, SP36 will be added to the Site assessment map as well as the revision of SP4 duplication (one of these should have been uploaded to the map as SP3).
6. Regarding the areas of SP1, SP2, SP4, and SP5 due to the high-pressure lines that travers this area, it was hand excavated. Confirmation composite samples were taken to confirm the remediation. Map will be drafted to indicate the hand excavated area.
7. The CS-40 sample taken on 11/15/24 was at the 3 ft depth but were not labeled as such in the lab report and will be corrected on the data table. The CS-40 confirmation samples taken on 12/15

were at the 4 ft depth and the data table will be revised to reflect this.

Thank You

From: OCDOnline@state.nm.us <OCDOnline@state.nm.us>

Sent: Wednesday, January 15, 2025 3:06 PM

To: Ralph Tijerina <rtijerina@goodnightmidstream.com>

Subject: The Oil Conservation Division (OCD) has rejected the application, Application ID: 419316

[EXTERNAL EMAIL NOTIFICATION] This message was received from outside the Goodnight Midstream Organization, do not click links or attachments unless you recognize the sender and know the content is safe.

To whom it may concern (c/o Ralph Tijerina for GOODNIGHT MIDSTREAM PERMIAN, LLC),

The OCD has rejected the submitted *Application for administrative approval of a release notification and corrective action* (C-141), for incident ID (n#) nAPP2428552848, for the following reasons:

- **Remediation closure denied for the following reasons:**
- **Pursuant to 19.15.29.12(D)1(c) NMAC, confirmation samples must be collected from the remediated area representative of no more than 200 square feet. To the question "What was the total surface area (in square feet) remediated?" You answered "21,699". 108 samples should have been collected from the base of the excavations alone and you have collected 50. Sidewall samples are then collected as five-point composite samples every 200 ft2 around the perimeter of the base of the excavations.**
- **Under the Site Characterization section of the C-141 application update the minimum distances to the following: playa lake and wetland are .78 miles to the NE (refer to pg. 14 of report); a fresh water well used for stock watering purposes are within 1-5 miles (OSE POD CP-00539 and CP-00475).**
- **Since this was a large excavation, more "photographs of the remediated site prior to backfill" should be provided pursuant to 19.15.29.12(E)1(b) NMAC. Captions should be included to help understand what sampling locations are being viewed in each photo.**
- **Sidewall Confirmation Map shows wall samples interspersed throughout excavation area, not just along sides of the varying excavations. Please explain or update Figure with correct locations. Provide a separate site map with confirmation bottom sample locations per 19.15.29.12(E)1 NMAC.**
- **The locations of SP3, SP35, SP36 are missing from Site Assessment map. SP4 appears twice. Update.**

- **Area of SP1, SP2, SP4 and SP5 looks like it was not addressed during excavation. When you look at the Confirmation Map it shows the area south of these samples having been excavated. Explain.**
- **In Table provided, CS-40 was collected at 4' on 11/15/24 and exceeded the RRALs but then collected on 12/10/24 and it was clean. Was this area overexcavated? CS-30 lab data is missing from the Table. Update.**
- **Submit updated remediation closure report to the OCD by 4/15/25.**

The rejected C-141 can be found in the OCD Online: Permitting - Action Status, under the Application ID: 419316.

Please review and make the required correction(s) prior to resubmitting.

If you have any questions why this application was rejected or believe it was rejected in error, please contact me prior to submitting an additional C-141.

Thank you,
Shelly Wells
Environmental Specialist-A
505-469-7520
Shelly.Wells@emnrd.nm.gov

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CONDITIONS

Action 424983

CONDITIONS

Operator: GOODNIGHT MIDSTREAM PERMIAN, LLC 5910 North Central Expressway Dallas, TX 75206	OGRID: 372311
	Action Number: 424983
	Action Type: [IM-SD] Incident File Support Doc (ENV) (IM-BNF)

CONDITIONS

Created By	Condition	Condition Date
scwells	None	1/27/2025