

Bratcher, Mike, EMNRD

From: Randall Hicks <r@rthicksconsult.com>
Sent: Wednesday, April 02, 2014 7:38 PM
To: Bratcher, Mike, EMNRD
Cc: 'Travis Hahn'; Mhill@yatespetroleum.com; JimP@yatespetroleum.com; 'Katie Parker'; 'Eddings, Scott'; mike@rthicksconsult.com; Dawson, Scott, EMNRD; Sanchez, Daniel J., EMNRD
Subject: RE: Yates - Dagger Draw MWFM Pit #1

Mike B:

I am confident that OCD found the application administratively complete. The paper application should have been delivered to OCD on or about 2/25/14. Thus, the timeframe for OCD's review of the permit will expire (with an automatic denial) on or about 4/26/14. I understand I am running a risk of being annoying with the continual refrain of "time is of the essence". Nevertheless, I want OCD to clearly understand that Yates is prepared to move forward with the geotechnical investigation and beginning earthwork as soon as possible after OCD approval of the permit.

In addition to permit approval, I want to summarize what is critical regarding outstanding issues that have been identified via the Mack Permanent Pit approval process and various discussions with Scott Dawson and others. OCD's approval of

1. The use of the specified 60-mil HDPE primary liner without a requirement for EPA 9090A testing (120-days) is necessary and anticipated.
2. The variance for using a geogrid drainage system in lieu of 2-feet of compacted soil is anticipated and is necessary.
3. The variance for the use of 30-mil LLDPE secondary liner is NOT anticipated at this time.
4. The variance to allow the pit to be used for identified wells that do not have approved APDs is not necessary, but is anticipated under the conditions outlined in the variance request

I will stop by your office tomorrow about 8:30 am. If you have 5 minutes then, we can talk. I can also stop by your office for 5 minutes a little after noon if you are not available in the morning. I hope to see you sometime.

We all understand that OCD is working these issues. The purpose of this note is not to annoy, but to clarify what is necessary and what is not.

I hope to see you tomorrow.

Randall T. Hicks
505-266-5004 (office)
505-238-9515 (cell and best number to use)

From: Randall Hicks [<mailto:r@rthicksconsult.com>]
Sent: Friday, February 21, 2014 3:50 PM
To: 'Bratcher, Mike, EMNRD'
Cc: Travis Hahn; Mhill@yatespetroleum.com; JimP@yatespetroleum.com; Katie Parker; 'Eddings, Scott'; Mike Stubblefield
Subject: Yates - Dagger Draw MWFM Pit #1

Mike

Here is the first part of this permit.

Paper copy is in the mail today.

Second part in the next transmission.

I will stop in your office next week.

Randall Hicks
RT Hicks Consultants
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Cell: 505-238-9515