

3R-1039

**Tocito Central
Tank Battery**

**Work Plan
Approval/General
Correspondence**

Date 2016

Smith, Cory, EMNRD

From: Smith, Cory, EMNRD
Sent: Wednesday, March 23, 2016 10:31 AM
To: John Thomas (jthomas@rlbayless.com)
Cc: Steve Austin (nnepawq@frontiernet.net); Powell, Brandon, EMNRD; Fields, Vanessa, EMNRD
Subject: Tocito Central Tank Battery Release Follow Up

Follow Up Flag: Follow up
Due By: Tuesday, June 21, 2016 7:00 AM
Flag Status: Flagged

John,

After further discussion with the NNEPA as noted below in regards to the Tocito Central Tank Battery Release. The OCD agrees that Robert L. Bayless needs to completely delineate the release to the North and the North West and confirm the contaminate size vertically and horizontally. Bayless can follow the sampling procedures from their previous approve delineation plan.

Upon completion of the full delineation the OCD with prior approval of the surface owner will allow Bayless to leave the contaminate mass in place for natural remediation, so long as the additional delineation does not reach ground water or discover anything otherwise shown to be a threat to human health, ground water, or the environment.

Conditions of Approval:

- To allow adequate planning, Robert L. Bayless must return to the site and commence delineation within 90 days.
- Bayless will notify the OCD at least 72 hours but no more than a week in advance prior to the start of delineation.
- OCD approval of delineation and natural remediation does not relieve Robert L. Bayless of any additional requirements imposed by other regulatory agencies.

If you have any questions please give me a call.

Cory Smith
Environmental Specialist
Oil Conservation Division
Energy, Minerals, & Natural Resources
1000 Rio Brazos, Aztec, NM 87410
(505)334-6178 ext 115
cory.smith@state.nm.us

From: Steve Austin [<mailto:nnepawq@frontiernet.net>]
Sent: Tuesday, January 12, 2016 10:35 AM
To: Smith, Cory, EMNRD
Cc: Fields, Vanessa, EMNRD; Patrick Antonio
Subject: RE: Tocito Report

Cory,

After further conversation with my supervisor your summary sounds good with the following caveats:

- 1) Note that the only reason why we are okay with leaving this in place is because of a lack of human health/environmental risks in the area (this is so that Bayless and/or other operators understand that this is an exception and not the norm).
- 2) This only applies if the investigation does not hit groundwater or is otherwise shown to be a threat to human health or the environment (as you indicated below).
- 3) We reserve the right to revisit active remediation should conditions change (e.g., someone wants to put a home in the area, drill a water well, surface impacts become apparent, etc.).

Let me know if you have any questions and please copy me on your correspondence with Bayless. Thanks.

--Steve

Steve Austin
Senior Hydrologist
NNEPA WQ/NPDES Program
505-368-1037

From: Smith, Cory, EMNRD [<mailto:Cory.Smith@state.nm.us>]
Sent: Monday, January 11, 2016 9:32 AM
To: Steve Austin <nnepawq@frontiernet.net>
Cc: Fields, Vanessa, EMNRD <Vanessa.Fields@state.nm.us>
Subject: RE: Tocito Report

Steve,

As we discussed on the phone on 1/5/16, in regards to the Robert L. Bayless Tocito Central Tank Battery release, the NNEPA would like Bayless to further delineate the release to the North and the North west and confirm the size vertically and horizontally of the contamination. Upon completion of the full delineation the NNEPA is ok with leaving the contaminate mass in place for natural remediation so long as further delineation does not discovery anything unexpected that could be a threat to the environment. I believe we discussed giving Bayless 90 days to complete the work.

If my information is correct I will contact John Thompson of Bayless and discuss moving forward with him.

Thanks,

Cory Smith
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From: Steve Austin [<mailto:nnepawq@frontiernet.net>]
Sent: Wednesday, October 28, 2015 5:06 PM
To: Smith, Cory, EMNRD
Subject: RE: Tocito Report

Hi Cory,

I've been out of the office since the 8th and just got to your e-mail (been working from oldest to most recent). Thanks for the report—not sure when I'll get to reading it because my life has been taken over by the Gold King Mine spill. How'd the meeting go? Any highlights I need to know?

--Steve

Steve Austin
Senior Hydrologist
NNEPA WQ/NPDES Program
505-368-1037

From: Smith, Cory, EMNRD [<mailto:Cory.Smith@state.nm.us>]
Sent: Monday, October 26, 2015 10:07 AM
To: Steve Austin (nnepawq@frontiernet.net) <nnepawq@frontiernet.net>
Cc: John Thomas (jthomas@rlbayless.com) <jthomas@rlbayless.com>
Subject: FW: Tocito Report

Steve,

Here is the delineation report for the Tocito Tank Battery release. Robert L. Bayless would like to meet and discuss the finding on Wednesday Oct. 28 at 8:30 here at the OCD Office in Aztec. Would you like to attend the meeting and does that time and date work for you?

Thanks,

Cory Smith
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From: John Thomas [<mailto:jthomas@rlbayless.com>]
Sent: Monday, October 26, 2015 9:50 AM
To: Smith, Cory, EMNRD
Subject: FW: Tocito Report

JT

John D Thomas
Production and Asset Manager

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From: Jesse Sprague [<mailto:jesse.sprague@soudermiller.com>]
Sent: Monday, October 26, 2015 8:13 AM
To: John Thomas
Subject: Tocito Report

Can you open this one?

Jesse Earl Sprague
Staff Scientist
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