OCD District II
Received on
9/28/17

District I
1625 N. French Dr., Hobbs, NM 88240
District II
811 S. First St., Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-141
Revised April 3, 2017

Submit 1 Copy to appropriate District Office in accordance with 19.15.29 NMAC.

fAB1732039240
nAB1732039551

Release Notification and Corrective Action

#315219 OPERATOR ☒ Initial Report ☐ Final Report

Name of Company RVL Excavation + Construc	Contact Susan Cone
Address 91 & R Howard Rd	Telephone No. 575-495-5376
Facility Name Caliche Pit 471	Facility Type Caliche Pit
Surface Owner State of NM Mineral Owner State of NM	API No.

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
M	17	19S	29E					Eddy

Latitude _____ Longitude _____ NAD83

NATURE OF RELEASE approx 60bbls

Type of Release Fresh Water	Volume of Release approx 60BBL Volume Recovered
Source of Release Fresh Water	Date and Hour of Occurrence / Date and Hour of Discovery 9/7/17
Was Immediate Notice Given? ☐ Yes ☐ No ☒ Not Required	If YES, To Whom? by Robert Krasuboski
By Whom? by	Date and Hour on per email
Was a Watercourse Reached? ☐ Yes ☐ No	If YES, Volume Impacting the Watercourse.

If a Watercourse was Impacted, Describe Fully.*

Describe Cause of Problem and Remedial Action Taken.*

not needed for Freshwater

Describe Area Affected and Cleanup Action Taken.*

not needed for Freshwater

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Signature: Susan Cone	OIL CONSERVATION DIVISION
Printed Name: Susan Cone	Approved by Environmental Specialist: Crystal Weaver
Title: President	Approval Date: 11/14/17 Expiration Date: N/A
E-mail Address: rdlec@live.com	Conditions of Approval: See attached Attached ☒ 2RP-4485
Date: 9/28/17 Phone: 575-495-5376	

* Attach Additional Sheets If Necessary

Operator/Responsible Party,

The OCD has received the form C-141 you provided on **9/28/17** regarding an unauthorized release. The information contained on that form has been entered into our incident database and remediation case number 2RP-4485 has been assigned. **Please refer to this case number in all future correspondence.**

It is the Division's obligation under both the Oil & Gas Act and Water Quality Act to provide for the protection of public health and the environment. Our regulations (19.15.29.11 NMAC) state the following,

> *The responsible person shall complete division-approved corrective action for releases that endanger public health or the environment. The responsible person shall address releases in accordance with a remediation plan submitted to and approved by the division or with an abatement plan submitted in accordance with 19.15.30 NMAC.* [emphasis added]

Release characterization is the first phase of corrective action unless the release is ongoing or is of limited volume and all impacts can be immediately addressed. Proper and cost-effective remediation typically cannot occur without adequate characterization of the impacts of any release. Furthermore, the Division has the ability to impose reasonable conditions upon the efforts it oversees. **As such, the Division is requiring a workplan for the characterization of impacts associated with this release be submitted to the OCD District II office in Artesia on or before 11/24/17. If and when the release characterization workplan is approved, there will be an associated deadline for submittal of the resultant investigation report. Modest extensions of time to these deadlines may be granted, but only with acceptable justification.**

The goals of a characterization effort are: 1) determination of the lateral and vertical extents along with the magnitude of soil contamination. 2) determine if groundwater or surface waters have been impacted. 3) If groundwater or surface waters have been impacted, what are the extents and magnitude of that impact. 4) The characterization of any other adverse impacts that may have occurred (examples: impacts on vegetation, impacts on wildlife, air quality, loss of use of property, etc.). To meet these goals as quickly as possible, the following items must, at a minimum, be addressed in the release characterization workplan and subsequent reporting:

- Horizontal delineation of soil impacts in each of the four cardinal compass directions. Adsorbed soil contamination must be characterized for the following constituents using the associated laboratory methods: benzene, toluene, ethylbenzene, and total xylenes by either Method 8260 or 8021, total petroleum hydrocarbons by Method 8015 extended range (GRO+DRO+MRO; C_6 thru C_{36}), and for chloride by Method 300. This is not an exclusive list of potential contaminants. Analyzed parameters should be modified based on the nature of the released substance(s). Soil sampling must be both within the impacted area and beyond.

- Vertical delineation of soil impacts. Adsorbed soil contamination must be characterized for the following constituents using the associated laboratory methods: benzene, toluene, ethylbenzene, and total xylenes by either Method 8260 or 8021, total petroleum hydrocarbons by Method 8015 extended range (GRO+DRO+MRO; C_6 thru C_{36}), and for chloride by Method 300. As above, this is not an exclusive list of potential contaminants and can be modified. Vertical characterization samples should be taken at depth intervals no greater than five feet apart. Lithologic description of encountered soils must also be provided. At least ten vertical feet of soils with contaminant concentrations at or below these values must be demonstrated as existing above the water table.

- Nominal detection limits for field and laboratory analyses must be provided.

- Composite sampling is not generally allowed.

- Field screening and assessment techniques are acceptable (headspace, titration, EC [include algorithm for validation purposes], EM, etc.), but the sampling and assay procedures must be clearly defined. Copies of field notes are highly desirable. A statistically significant set of split samples must be submitted for confirmatory laboratory analysis, including the laterally farthest and vertically deepest sets of soil samples. Make sure there are at least two soil samples submitted

for laboratory analysis from each borehole or test pit (highest observed contamination and deepest depth investigated). Copies of the actual laboratory results must be provided including chain of custody documentation.

•Probable depth to shallowest protectable groundwater and lateral distance to nearest surface water. If there is an estimate of groundwater depth, the information used to arrive at that estimate must be provided. If there is a reasonable assumption that the depth to protectable water is 50 feet or less, the responsible party should anticipate the need for at least one groundwater monitoring well to be installed in the area of likely maximum contamination.

• If groundwater contamination is encountered, an additional investigation workplan may be required to determine the extents of that contamination. Groundwater and/or surface water samples, if any, must be analyzed by a competent laboratory for volatile organic hydrocarbons (typically Method 8260 full list), total dissolved solids, pH, major anions and cations including chloride and sulfate, dissolved iron, and dissolved manganese. The investigation workplan must provide the groundwater sampling method(s) and sample handling protocols. To the fullest extent possible, aqueous analyses must be undertaken using nominal method detection limits. As with the soil analyses, copies of the actual laboratory results must be provided including chain of custody documentation.

• Accurately scaled and well-drafted site maps must be provided providing the location of borings, test pits, monitoring wells, potentially impacted areas, and significant surface features including roads and site infrastructure that might limit either the release characterization or remedial efforts. Field sketches may be included in subsequent reporting, but should not be considered stand-alone documentation of the site's layout. Digital photographic documentation of the location and fieldwork is recommended, especially if unusual circumstances are encountered.

Nothing herein should be interpreted to preclude emergency response actions or to imply immediate remediation by removal cannot proceed as warranted. Nonetheless, characterization of impacts and confirmation of the effectiveness of remedial efforts must still be provided to the OCD before any release incident will be closed.

Jim Griswold
OCD Environmental Bureau Chief
1220 South St. Francis Drive
Santa Fe, New Mexico 87505
505-476-3465
jim.griswold@state.nm.us

Weaver, Crystal, EMNRD

From: Groves, Amber <agroves@slo.state.nm.us>
Sent: Thursday, October 12, 2017 9:59 AM
To: RDL Excavation and Construction
Cc: Weaver, Crystal, EMNRD; Bratcher, Mike, EMNRD; Kasuboski, Robert
Subject: RE: State Caliche Pit 471

You will need to copy me on all submittals to NMOCD on this release as it is in a State Caliche Pit on State Trust Land. Also, I have opened the C-141 and as stated in previous e-mails due to the sample results, this release is not characterized as fresh water.

Thank you,

Amber Groves
Remediation Specialist
Field Operations Division
(575)392-3697
(575)263-3209 cell
New Mexico State Land Office
2827 N. Dal Paso Suite 117
Hobbs, NM 88240

From: RDL Excavation and Construction [mailto:rdlec@live.com]
Sent: Thursday, October 12, 2017 9:54 AM
To: Groves, Amber <agroves@slo.state.nm.us>
Subject: Re: State Caliche Pit 471

Hello
I sent it to Crystal Weaver on 9/28/17.
I can forward it to you now also .
I did not know I needed to send it to you also.

Thank You
Susan Cone
RDL

From: Groves, Amber <agroves@slo.state.nm.us>
Sent: Thursday, October 12, 2017 9:18 AM
To: Weaver, Crystal, EMNRD; rdlec@live.com
Cc: Kasuboski, Robert; Bratcher, Mike, EMNRD
Subject: RE: State Caliche Pit 471

Ms. Cone,

According to the below e-mail sent by NMOCD, your C-141 was required to be submitted on or before October 2, 2017. It is now 8 days overdue. When can we expect the C-141 to be submitted?

Thank you,

Amber Groves
Remediation Specialist
Field Operations Division
(575)392-3697
(575)263-3209 cell
New Mexico State Land Office
2827 N. Dal Paso Suite 117
Hobbs, NM 88240

From: Weaver, Crystal, EMNRD [mailto:Crystal.Weaver@state.nm.us]
Sent: Tuesday, September 26, 2017 11:53 AM
To: Groves, Amber <agroves@slo.state.nm.us>; rdlec@live.com
Cc: Kasuboski, Robert <rkasuboski@slo.state.nm.us>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>
Subject: RE: State Caliche Pit 471

Hello Ms. Cone,

OCD would like to concur with State Land Office (SLO) on requiring a C-141 for this release due to the volume size of the release and the field analysis efforts conducted thus far by the SLO. Sampling and delineation of this spill location will be required. Upon receipt of laboratory sample data (benzene, toluene, ethylbenzene, and total xylenes by either EPA Method 8260 or 8021, total petroleum hydrocarbons by EPA Method 8015 extended range (GRO+DRO+MRO; C_6 thru C_{36}), and for chloride by EPA Method 300.0) OCD and SLO can then determine what further action if any is required.

Please remit the requested Initial C-141 form on or before 10/2/17.

Crystal Weaver

Environmental Specialist
OCD – Artesia District II
811 S. 1st Street
Artesia, NM 88210
Office: 575-748-1283 ext. 101
Cell: 575-840-5963
Fax: 575-748-9720

From: Groves, Amber [mailto:agroves@slo.state.nm.us]
Sent: Monday, September 18, 2017 7:43 AM
To: rdlec@live.com
Cc: Kasuboski, Robert <rkasuboski@slo.state.nm.us>; Weaver, Crystal, EMNRD <Crystal.Weaver@state.nm.us>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>
Subject: State Caliche Pit 471

Good Morning, Ms. Cone,

It is my understanding that RDL recently had a storage trailer parked in one of our caliche pits. It was observed during that time that there was a release from said trailer. I have been to the pit and taken a couple of samples for field tests and they are below.

Sample Point 1: 1,394 ppm
Sample Point 2: 3,482 ppm
Back Ground: 29 ppm

As the background sample was taken outside of the release area, the elevated chloride numbers indicate that this was not a fresh water release. NMSLO is requesting that a C-141 be filed with NMOCD, whom I have copied on this e-mail for your convenience.

Thank you,

Amber Groves
Remediation Specialist
Field Operations Division
(575)392-3697
(575)263-3209 cell
New Mexico State Land Office
2827 N. Dal Paso Suite 117
Hobbs, NM 88240

Samples for pit 471

RDL Excavation and Construction

Tue 9/26/2017 9:50 AM

To: agroves@slo.state.nm.us <agroves@slo.state.nm.us>; jyates@slo.state.nm.us <jyates@slo.state.nm.us>;

Good Morning,

In response to sampling of Pit 471.
All water used came from Alfadale Water Station. Fresh water station. Off of CR 206.
60 BB of fresh water left in tank was drained out so that tank could be moved .
Fresh water is all we use .

Thank You
Susan and Robert Cone
RDL