Bratcher, Mike, EMNRD

From: Alan & Cheryl [ahowell@pvtnetworks.net]
Sent: Friday, August 06, 2010 6:53 AM
To: Amanda Trujillo
Cc: Lisa Norton; Bratcher, Mike, EMNRD; James_Amos@blm.gov; Jerry Fanning
Subject: Re: Federal CW-B No 4 Sec 1, 19S, 24E
Attachments: contaminated soil 002.jpg; contaminated soil 006.jpg

Amanda,

On July 16th you stated that remediation would be completed as soon as road conditions allowed. The only thing that has happened is a little more contaminated soil / caliche has been removed & the site has been fenced off. It actually still looks about the same. It still has contaminated soil on the surface. (picture attached) When do you think you will complete this site?

The landowner is also requesting copies of all soil and water samples going forward on all leaks, remediation, reclamation, etc. Thank you in advance for your cooperation in this matter.

Thank You,

Cheryl

----- Original Message -----
From: Amanda Trujillo
To: Amanda Trujillo ; 'Alan & Cheryl'
Cc: Lisa Norton ; 'mike.bratcher@state.nm.us' ; 'James_Amos@blm.gov' ; Jerry Fanning
Sent: Wednesday, July 21, 2010 6:44 PM
Subject: RE: Federal CW-B No 4 Sec 1, 19S, 24E

Ms. Griffith:

I'm sorry I forgot to include the water sample from 7/7/10. Then it occurred to me that I should supply some explanation for the sample results. According to OCD Guidelines recommended action limits are based on depth to ground water and distance to a surface water source. The spill associated with the Federal CW-B #4 has a closure limit of 5000 ppm Total Petroleum Hydrocarbon. (ppm is parts per million, it is measured in milligrams per kilogram for soil and milligrams per liter in water samples). Benzene and BTEX have a recommended action limit of 10 ppm and 50 ppm, respectively. There are no chloride recommended action limits set by the OCD. The EPA has a drinking water standard of 250 ppm chloride for human potable water. Your water sample tested at 248 ppm as per EPA approved Method 9253 (Chloride (Titrimetric, Silver Nitrate). I ran the sample in our in house lab and conferred with Cardinal Labs in Hobbs, NM to confirm my findings.

If you'll notice the soil chloride concentrations are high. Soil can adsorb a great quantity of chloride. The reason the water does not reflect this concentration is due the fact that the soil was saturated; meaning all pore space within the soil was filled with water. Water with a greater concentration of Total Dissolved Solids (TDS) weights more then fresh water, such as rain water, which would have a lower TDS, the water with the greater weight will remain trapped with in the soil. The lighter water will remain on the surface. You can find this scenario with brackish ponds that are fed by both salt and fresh water.

The Benzene samples showed Non-Detectable recovery and BTEX levels were less then 50 ppm. The TPH was above the 5000 ppm in Sample 1. Sample 1 contained 609 ppm GRO. A GRO is a light end Gasoline Range Organic. This is an organic that will flash off very quickly, especially in the hot early days of summer. Sample 1 also contained 6, 240 ppm DRO. A DRO is a Diesel Range Organic. This is long chain organic which does not flash off as easily as a GRO, however is degraded by native soil microbes. At time of the water sampling there was no sheen to the water. A sheen is the US Environmental Protection Agency's standard for determining water contamination as per the Spill Prevention Control Countermeasure Regulation (40 CFR Part 112).

I hope you find this explanation helpful.

Thank you,

Amanda N. Trujillo
Environmental Scientist
Yates Petroleum Corporation
Office 575-748-4310
Cell 575-703-6537
Email atrujillo@yatespetroleum.com

-----Original Message-----
From: Amanda Trujillo
Sent: Wednesday, July 21, 2010 3:33 PM
To: 'Alan & Cheryl'
Cc: Lisa Norton; mike.bratcher@state.nm.us; James_Amos@blm.gov; Jerry Fanning
Subject: RE: Federal CW-B No 4 Sec 1, 19S, 24E

Ms. Griffith:

Attached are the results of the samples taken April 27, 2010.

Amanda N. Trujillo
Environmental Scientist
Yates Petroleum Corporation
Office 575-748-4310
Cell 575-703-6537
Email atrujillo@yatespetroleum.com

-----Original Message-----
From: Alan & Cheryl [mailto:ahowell@pvtnetworks.net]
Sent: Tuesday, July 20, 2010 2:09 PM
To: Amanda Trujillo
Cc: Lisa Norton; mike.bratcher@state.nm.us; James_Amos@blm.gov; Jerry Fanning
Subject: Re: Federal CW-B No 4 Sec 1, 19S, 24E

Amanda,
Please have the site fenced until rememdiation is complete. Also we requested a copy of the results you received from the lab of the contaminated soil & the water and we have not received this yet.

Thank You,

Cheryl

----- Original Message -----
From: Amanda Trujillo
To: 'Alan & Cheryl'
Cc: Lisa Norton ; mike.bratcher@state.nm.us ; James_Amos@blm.gov ; Jerry Fanning
Sent: Friday, July 16, 2010 3:32 PM
Subject: RE: Federal CW-B No 4 Sec 1, 19S, 24E

Ms. Griffith:

Reclamation techniques employed at this site are standard, accepted and protective practices. Sampling at the site delineated horizontal and vertical extent of the impacted area.

On July 6, when you alerted Yates of your concerns about livestock and wildlife drinking water pooling in the area, we sampled the site. Results of water samples taken on July 7 indicated that concentrations were below levels of concern for livestock and wildlife.

As soon as road conditions allow we plan to complete remediation work at the site.

Thank you,

Amanda N. Trujillo
Environmental Scientist
Yates Petroleum Corporation
Office 575-748-4310
Cell 575-703-6537
Email atrujillo@yatespetroleum.com

-----Original Message-----
From: Alan & Cheryl [mailto:ahowell@pvtnetworks.net]
Sent: Monday, July 12, 2010 8:07 AM
To: Amanda Trujillo
Cc: Lisa Norton; mike.bratcher@state.nm.us; James_Amos@blm.gov
Subject: Re: Federal CW-B No 4 Sec 1, 19S, 24E

Amanda,

Thank you for confirming that contaminates were left on the surface after excavation as my original email stated. I really appreciatiate your honesty. Alan & I don't agree with letting the soil air out in order to get a clean sample. There is no way to know how far down this level of contamination goes. In fact we complained about this being done during our meeting in February 2008 and assumed this technique had stopped. I will verify through OCD & BLM whether or not this is acceptable.

As for the cattle issue, over the years we have discussed these leaks with our veterinarian. The vet said they could be harmfull & even cause death. Rather than take the risk please have the contaminated area fenced off immediately & all future leaks with the potential of ponding should be fenced as well. Also if you will email me the copies of the reports you received from the lab for the contaminated soil & the water, I would like to take it to the vet & get an opinion.

Again thank you for providing all of this information. It is very helpful.

Cheryl

----- Original Message -----
From: Amanda Trujillo
To: 'Alan & Cheryl'
Cc: 'Bratcher, Mike, EMNRD' ; Lisa Norton ; James_Amos@blm.gov ; Jerry Fanning
Sent: Thursday, July 08, 2010 3:53 PM
Subject: RE: Federal CW-B No 4 Sec 1, 19S, 24E

Ms. Griffith:

I understand your obvious concern. Please allow me to clarify. Total Petroleum Hydrocarbons were only slightly above recommended action levels as per OCD Guidelines. Light end organic levels were far below toxic limits; therefore I allowed residuals to volatilize. Long chain organics, which as you know are non-toxic to mammalian health, were allowed to biodegrade from native soil micro flora and fauna. Wednesday July 7, 2010 I took a water sample from the watering hole and found no toxic properties.

Thank you for the picture, although I'm not disagreeing with you that chlorides may be high. I would like to caution you that clay particles and loess particles like those found in the area, can appear to have sodic properties. The white substance on the surface is most likely calcium which has leached from the high calcic soils common to the area. Additionally, crusting of clays is a naturally occurring phenomenon.

I hope this information gives you some degree of comfort and please feel free to contact me with any future questions or concerns.

I will be addressing the location within the month.

Amanda N. Trujillo
Environmental Scientist
Yates Petroleum Corporation
Office 575-748-4310
Cell 575-703-6537
Email atrujillo@yatespetroleum.com

-----Original Message-----
From: Alan & Cheryl [mailto:ahowell@pvtnetworks.net]
Sent: Wednesday, July 07, 2010 6:17 AM
To: Amanda Trujillo
Cc: 'Bratcher, Mike, EMNRD'; Lisa Norton; James_Amos@blm.gov
Subject: Re: Federal CW-B No 4 Sec 1, 19S, 24E

Amanda,

No one is questioning the fact that your company did dig up (excavate) immediately as stated in my original email. I guess the question is if the samples you collected from the site do not show any contamination why would you need to leave it open in order to volatilize organics?

The rains have come & some of the contamination has come to the wet surface. We have had heavy rains & all the contamination on the surface would have ran with the water into the hole the cattle are drinking out of. If the cattle eat or drink too much of this it can kill them & I would assume it could kill other wildlife as well. I have attached a another picture so that you can see what is going on. I hope this helps.

Thanks again,

Cheryl

----- Original Message -----
From: Amanda Trujillo
To: 'Alan & Cheryl'
Cc: 'james.dillingham@lotusllc.com' ; 'Bratcher, Mike, EMNRD' ; Jerry Fanning ; Lisa Norton
Sent: Tuesday, July 06, 2010 11:21 AM
Subject: Federal CW-B No 4 Sec 1, 19S, 24E

Ms. Griffith:

The excavated area east of the Federal CW-B #4 was excavated immediately after the spill was discovered. It was left open to volatilize organics. Samples collected from the site do not show levels of contamination harmful to livestock or wildlife. The Federal CW-B is on a docket of issues to be addressed shortly. Thank you for your patience.

Amanda N. Trujillo
Environmental Scientist
Yates Petroleum Corporation
Office 575-748-4310
Cell 575-703-6537
Email atrujillo@yatespetroleum.com

lnorton@yatespetroleum.com
-----Original Message-----
From: Alan & Cheryl [mailto:ahowell@pvtnetworks.net]
Sent: Tuesday, July 06, 2010 7:52 AM
To: Lisa Norton
Cc: James_Amos@blm.gov; mike.bratcher@state.nm.us
Subject: Federal CW-B No 4 Sec 1, 19S, 24E

Lisa,

Alan would like to know why we reported this leak on 4/26/10 & it still has not been completed. It was immediately dug up with contamination left on the ground and it has been left an open wound on the earth. We have received 4 inches of rain in this area over the last week & your hole is now a contaminated pool that cattle & wildlife have been drinking out of (picture attached). We would like to know why leaks are always left open like this for long periods of time & when we can expect this to be completed. If you don't get this cleaned up & reclaimed you will miss the growing season this year & we will have yet another bare spot that won't grow grass because of your aging pipelines. I have also asked for a copy of the right of way for this pipeline & as of yet have not received it.

Thank You,

Cheryl