

Rose-Coss, Dylan H, EMNRD

From: Rose-Coss, Dylan H, EMNRD
Sent: Monday, August 5, 2019 11:43 AM
To: 'Joel Lowry'
Cc: Mann, Ryan
Subject: RE: REVISED: 1RP- 5430 - Legacy's Kincheloe 2 State Battery - Site Assessment and Proposed Remediation Plan

Joel,

The site assessment and remediation plan as currently written for the aforementioned facility is accepted by the OCD. Concurrent approval from the SLO is also necessary.

I will post the workplan into E-permitting.

Regards,

Dylan Rose-Coss

Environmental Scientist
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

(505) 476-3488



From: Joel Lowry <joel@lowryenvironmental.com>
Sent: Monday, August 5, 2019 9:04 AM
To: Rose-Coss, Dylan H, EMNRD <DylanH.Rose-Coss@state.nm.us>
Subject: RE: REVISED: 1RP- 5430 - Legacy's Kincheloe 2 State Battery - Site Assessment and Proposed Remediation Plan

Dylan,

Please find attached the revised report. I think that this meets those objectives. If you have any questions or need any additional information, please let me know. I may follow up with a phone call. Thanks.

Respectfully,

From: Rose-Coss, Dylan H, EMNRD <DylanH.Rose-Coss@state.nm.us>

Sent: Monday, August 5, 2019 7:50 AM

To: Joel Lowry <joel@etechnv.com>

Cc: Mann, Ryan <rmann@slo.state.nm.us>

Subject: RE: REVISED: 1RP- 5430 - Legacy's Kincheloe 2 State Battery - Site Assessment and Proposed Remediation Plan

Joel,

Thanks for the clarification. After further consideration, the OCD is satisfied with the proposed remediation plan, with the understanding that if that there are no safety concerns associated with the buried crude pipeline, Etech will advance the excavation to a depth at which confirmation soil samples indicate BTEX, TPH and Chloride concentrations are below the NMOCD closure standards.

Could you please revise the report to reflect that language and update the identification boxes in the corners of the pages with the 1RP-5430 information before I post the reports to E-permitting?

Best,

Dylan Rose-Coss

Environmental Scientist

Oil Conservation Division

1220 South St. Francis Drive

Santa Fe, New Mexico 87505

(505) 476-3488



From: Joel Lowry <joel@etechnv.com>

Sent: Thursday, August 1, 2019 3:51 PM

To: Rose-Coss, Dylan H, EMNRD <DylanH.Rose-Coss@state.nm.us>

Subject: RE: REVISED: 1RP- 5430 - Legacy's Kincheloe 2 State Battery - Site Assessment and Proposed Remediation Plan

Dylan,

On this project I believe the intention was to conduct a limited surface cleanup before the heater treater and associated equipment is reinstalled. The soil wasn't affected above the NMOCD Closure Criteria, rather above the NMOCD

Reclamation Standard. Since the TPH and chloride concentrations at 4 Ft. bgs are 465 and 1,040 ppm, respectively, I am acknowledging that that particular area will need more work at final reclamation. We should be able to meet the Remediation and Reclamation goals simultaneously in the eastern portion of the earthen containment and within the affected road. Since the laboratory analysis doesn't indicate that soil was affected above the NMOCD Closure Criteria in that area, remediation may not be required (this is based on it being within an earthen containment for the heater treater). So we are kind of just deferring meeting the reclamation standard at present time. I was back and forth on proposing any remediation within that area but when they indicated that they were going to pull the heater treater I thought it best to get in there and take up the most heavily impacted portion and install new caliche. This approach is further based on the relatively small area, soil within the affected containment being stained/unsightly and the presence of a buried crude oil transfer pipeline transecting that area. If when we get in there we find that there are no safety concerns associated with the pipeline and that we can safely advance the excavation to a depth at which confirmation soil samples indicate BTEX, TPH and Chloride concentrations are below the NMOCD Closure and/or NMOCD Reclamation Standards we will do so. It is a little weird and unconventional. I have proposed collecting soil samples on 250 Ft. increments with discrete samples as necessary. With this, we are prepared to advance the excavation vertically and horizontally as necessary to meet the NMOCD Closure Criteria.

I hope that this helps! If you have any additional questions or need anything else, please let me know.

Respectfully,

Joel Lowry

From: Rose-Coss, Dylan H, EMNRD <DylanH.Rose-Coss@state.nm.us>

Sent: Thursday, August 1, 2019 3:22 PM

To: Joel Lowry <joel@etechnv.com>

Subject: RE: REVISED: 1RP- 5430 - Legacy's Kincheloe 2 State Battery - Site Assessment and Proposed Remediation Plan

Joel,

No, you will not need to submit this report through the online portal. Reports previously submitted, but not yet reviewed, are not subject to the fee. This report came in during the period of time when the D1 environmental specialist position was vacant, so it has never been processed for upload to the imaging system.

After review of the report I have one question though. The first bullet point of the proposed remediation plan states that soil within the earthen containment will be excavated to a depth of 2 Ft. bgs. The second bullet point goes on to say that "Impacted soil affected above the NMOCD Reclamation Standard present within the floor of the excavated area within the earthen containment will be remediated once the facility is no longer needed for production or subsequent drilling".

Are you requesting a deferral? Why can't the excavation proceed past two feet?

Thanks,

Dylan Rose-Coss

Environmental Scientist
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

(505) 476-3488



From: Joel Lowry <joel@etechenv.com>

Sent: Thursday, August 1, 2019 11:51 AM

To: Rose-Coss, Dylan H, EMNRD <DylanH.Rose-Coss@state.nm.us>; Mann, Ryan <rmann@slo.state.nm.us>

Subject: FW: REVISED: 1RP- 5430 - Legacy's Kincheloe 2 State Battery - Site Assessment and Proposed Remediation Plan

Gentlemen,

Legacy was inquiring about this project today. They may be getting ready to get started on it soon. I also see that an RP Number was assigned since the Workplan was originally completed (1RP-5430). If you have any questions or need any additional information, please let me know.

Dylan, this workplan and associated pages from the C-141 was originally submitted to District1Spills on 4/11/2019. I don't see it uploaded on the NMOCD Imaging system. Does this mean we would need to submit it again through the portal? Thanks.

Respectfully,

Joel W. Lowry

Etech Environmental & Safety Solutions, Inc.

3100 Plains Highway

Lovington, NM 88260

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Fax: (575) 396-1429

Cell: (432) 466-4450

From: Joel Lowry

Sent: Thursday, April 11, 2019 9:20 AM

To: emnrd-ocd-district1spills@state.nm.us; Mann, Ryan <rmann@slo.state.nm.us>

Subject: REVISED: 1RP- pending - Legacy's Kincheloe 2 State Battery - Site Assessment and Proposed Remediation Plan

To Whom it may Concern,

I noticed an error on the previous submission for this project. I have attached a revised report. This will replacement the email I sent yesterday. I apologize for the inconvenience.

Please find attached the Site Assessment and Proposed Remediate Plan along with the applicable pages from the Form C-141 that has been prepared for Legacy's Kincheloe 2 State Battery. The release site is located in Unit Letter "K", Section 2, Township 21 South, Range 36 East on land administered by the State Land Office.

They are anxious to get this facility back into operation so I may follow up with a phone call tomorrow. Thanks.

Respectfully,

Joel Lowry

Environmental Professional



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Lovington, NM 88260
Direct 432-466-4450

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