

From: [Nobui, Jennifer, EMNRD](#)
To: [Harimon, Jocelyn, EMNRD](#)
Subject: FW: [EXTERNAL] RE: Jalapeno RP - nAPP2132245281 (App ID# 116976) - Deferral Request
Date: Wednesday, June 15, 2022 3:29:13 PM
Attachments: [image001.png](#)

Hi Jocelyn

I am so sorry to ask this again...but can you upload the emails below to the file for this incident? I know you showed me this before but I can't seem to do it. Thanks so much. Also when you have some time, can you show me this again?

Thanks
Jennifer

From: Joel Lowry <joel@etechnv.com>
Sent: Wednesday, June 15, 2022 3:14 PM
To: Nobui, Jennifer, EMNRD <Jennifer.Nobui@state.nm.us>
Cc: Billings, Bradford, EMNRD <Bradford.Billings@state.nm.us>
Subject: [EXTERNAL] RE: Jalapeno RP - nAPP2132245281 (App ID# 116976) - Deferral Request

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Jennifer,

Impacted soil affected above the NMOCD Closure Criteria characterized by deferral characterization surface soil samples S DEF 1, E DEF 2, N DEF 2, S DEF 2, W DEF 2, E DEF 3, N DEF 3, S DEF 3, W DEF 3, E DEF 4, N DEF 4 and S DEF 4 was removed either by hand or with a hydrovac as described in the correspondence with the landowner seen below:

Proposed Activities

Based on laboratory analytical results, Etech proposes the following activities to advance the Site toward a Landowner and NMOCD-approved deferral status:

- Ensure the removal of impacted soil from the surface of the affected area adjacent to the on-site surface equipment exhibiting elevated TPH and chloride concentrations in the areas characterized by sample points S DEF 1, E DEF 2, N DEF 2, S DEF 2, W DEF 2, E DEF 3, N DEF 3, S DEF 3, W DEF 3, E DEF 4, N DEF 4 and S DEF 4 and depicted in shades of orange on Figures 3a and 4. It should be noted that that this phase has largely been completed during hydrovac activities.
- Excavate impacted areas affected above 600 mg/kg chloride, not adjacent to or beneath the on-site surface equipment, in the areas characterized by soil samples FL 42 (1,400 mg/kg), FL 43 (1,040 mg/kg) and FL 55 (688 mg/kg). The floor of the excavation will be advanced until laboratory analytical results indicate chloride concentrations are below 600 mg/kg.
- Upon completion of excavation activities and receipt of analytical results, backfill the excavated areas with non-impacted material sourced from the landowner. Excavation backfill will be compacted and graded to meet the needs of the facility.
- Advance an investigative soil boring/temporary monitor well at the facility in an effort to determine if shallow groundwater is present. While this step may not be required so long as the areas characterized by soil samples FL 42 (1,400 mg/kg), FL 43 (1,040 mg/kg) and FL 55 (688 mg/kg) are removed, Etech maintains this step adds valuable information for Goodnight and the Landowner and may strengthen the deferral request with the NMOCD.
- Upon completion of remediation activities, prepare a *Remediation Summary and Deferral Request* for the NMOCD detailing remediation activities and laboratory analytical results from excavation confirmation and deferral characterization soil samples a copy of which will be provided to the landowner.

Upon receiving a response from the NMOCD, I will print this email to PDF and tag it to ID Number 116976. If you have any questions or need any additional information, please feel free to contact me by phone or email. Thanks.

Respectfully,

Joel Lowry

From: Nobui, Jennifer, EMNRD <Jennifer.Nobui@state.nm.us>
Sent: Wednesday, June 15, 2022 2:09 PM
To: Joel Lowry <joel@etechnv.com>
Cc: Billings, Bradford, EMNRD <Bradford.Billings@state.nm.us>
Subject: Jalapeno RP - nAPP2132245281 (App ID# 116976) - Deferral Request

Hello Joel

We have reviewed the Deferral Request for this case and wanted to know if there was any way that you could shovel (hand excavate) within the top foot of the deferral areas? It would save you a lot of heartache later. We ask because its quite a lot of area to defer, concentrations at the surface are very high for chloride and TPH, and groundwater is shallow in this area at 44 ft bgs. Please let us know if this is something that can be completed or not. In the meantime, I will HOLD your Deferral Request until I hear from you.

Thanks

Jennifer Nobui, PG • Environmental Specialist A
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To: joel@etechnv.com
From: jennifer.nobui@state.nm.us

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