

From: [Pruett, Maria, EMNRD](#)
To: "[Cliff Brunson](#)"; "[Ryan Mann](#)"
Cc: "[Wade Dittrich](#)"; "[Becky Moore](#)"; "[Ken Swinney](#)"; "[Jennifer Gilkey](#)"; "[Kathy Purvis](#)"; [Bratcher, Mike, EMNRD](#); [Billings, Bradford, EMNRD](#)
Subject: Denial of Remediation Plan I RE: [EXT] OXY Turkey Track CTB (2RP-4949) - Delineation Workplan
Date: Wednesday, November 28, 2018 10:57:00 AM
Attachments: [13. OCD Denied Delineation Workplan, Turkey Track CTB \(8-18-18\).pdf](#)

Hello Mr. Brunson,

I understand that there are some disagreements/concerns with the 2RP-4949 Remediation Plan determination presented by OCD D2. Please find attached the denied remediation plan effective today. This will enable the OXY team to move forward with direct communications with the OCD Santa Fe office. Please note that OXY will have 30 days from today (11/28/18) to request a hearing on this matter. Let me know if you have any questions or need further assistance from the OCD D2 team.

Best Regards,

Maria Pruett

Environmental Specialist
N.M. Oil Conservation Division
District 2
811 S. 1st Street
Artesia, NM 88210
Desk: 575 748-1283 X 101
Cell: 575 840-5963
Fax: 575748-9720

From: Cliff Brunson <cbrunson@bbcinternational.com>
Sent: Thursday, November 22, 2018 6:14 PM
To: Pruett, Maria, EMNRD <Maria.Pruett@state.nm.us>; 'Ryan Mann' <rmann@slo.state.nm.us>
Cc: 'Wade Dittrich' <Wade_Dittrich@oxy.com>; 'Becky Moore' <rebecca_moore@oxy.com>; 'Ken Swinney' <kswinney@bbcinternational.com>; 'Jennifer Gilkey' <jgilkey@bbcinternational.com>; 'Kathy Purvis' <kathy@bbcinternational.com>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>
Subject: RE: Conditional Approval RE: [EXT] OXY Turkey Track CTB (2RP-4949) - Delineation Workplan

Maria,

I do have some comments and we disagree with the conditions that you presented. The following are our responses to the conditions:

1. The location is not in a medium karst area according to the Google Earth map provided to us

by the BLM. It is in a low karst area and therefore is in an area per Table 1 DTW>100'. Therefore, there is no requirement to excavate to 5' at SP7.

2. GPS photos of the spill are not required per Rule 19.15.29. until closure is submitted. This is also per Jim Griswold in the public meeting in Carlsbad, NM.
3. There is no requirement for all off pad areas to be excavated to 4 feet if the contaminants are in the <50 DTW ranges. If the chloride content is less than 600 ppm in shallower than 4' then there is no requirement to excavate clean soil in order to backfill with clean soil. At this site, everything off pad is well below 600 ppm at 1' foot. Also, Table 1 clearly states the limits are either the Table 1 limits or natural background level whichever is greater. This site meets this criterion. In addition, on more than one conference call Jim Griswold has stated these facts as well.
4. The remediation plan as presented meets this condition.

I believe if you will review this plan as presented, you will agree with my responses. Oxy looks forward to hearing back from you.

Thanks, Cliff

Cliff P. Brunson, CEI, CRS
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From: Pruett, Maria, EMNRD <Maria.Pruett@state.nm.us>
Sent: Wednesday, November 21, 2018 2:24 PM
To: Cliff Brunson <cbrunson@bbcinternational.com>; Ryan Mann <rmann@slo.state.nm.us>
Cc: 'Wade Dittrich' <Wade_Dittrich@oxy.com>; 'Becky Moore' <rebecca_moore@oxy.com>; 'Ken Swinney' <kswinney@bbcinternational.com>; 'Jennifer Gilkey' <jgilkey@bbcinternational.com>; 'Kathy Purvis' <kathy@bbcinternational.com>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>
Subject: Conditional Approval RE: [EXT] OXY Turkey Track CTB (2RP-4949) - Delineation Workplan

Hello Mr. Brunson,

OCD has received the remediation plan for 2RP-4949, thank you! This plan is conditional approved with the following:

1. Location is in medium karst area, therefore remediation is to Table 1 DTW < 50'. Area around SP7 excavated to 5'.
2. GPS photos of spill required so OCD may determine which areas are on/off pad.
3. All off pad areas to contain a minimum 4' "uncontaminated", "non-waste containing" material. This may require additional sidewall samples and further delineation.
4. Restoration, reclamation and re-vegetation to 19.15.29.13 NMAC.

Please let me know if you have any questions.

Best Regards,

Maria Pruett

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OCD approval does not relieve the operator of liability should their operations fail to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment. In addition, OCD approval does not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

From: Cliff Brunson <cbrunson@bbcinternational.com>

Sent: Monday, November 5, 2018 9:53 AM

To: Pruett, Maria, EMNRD <Maria.Pruett@state.nm.us>; Ryan Mann <rmann@slo.state.nm.us>

Cc: 'Wade Dittrich' <Wade_Dittrich@oxy.com>; 'Becky Moore' <rebecca_moore@oxy.com>; 'Ken Swinney' <kswinney@bbcinternational.com>; 'Jennifer Gilkey' <jgilkey@bbcinternational.com>; 'Kathy Purvis' <kathy@bbcinternational.com>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>

Subject: [EXT] OXY Turkey Track CTB (2RP-4949) - Delineation Workplan

Maria and Ryan,

Please find the attached Delineation Workplan and remediation proposal for the Oxy Turkey Track CTB (2RP-4949). Oxy is requesting that you review this plan and is looking forward to the OCD's and SLO's approval.

If you have any questions, please let me know.

Thanks, Cliff

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