

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Friday, April 12, 2019 9:20 AM
To: 'Ike Tavarez'; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; 'jamos@blm.gov'
Cc: Rebecca Haskell; Sheldon Hitchcock; Dakota Neel; DeAnn Grant; Carmona, Mike; Kell, John; Jennifer Knowlton; Gonzales, Clair; 'caweaver@blm.gov'
Subject: RE: COG Screech Owl Fed #4H (2RP-4944) 8.18.18 Closure Request
Attachments: 16. (C-141 Final) DEFERRAL COG Screech Owl Fed #4H (2RP-4944) 4.12.19.pdf

RE: COG Screech Owl Fed #4H (2RP-4944) 8.18.18 Closure Request

Mr. Tavarez,

OCD agrees that the release area was properly delineated and remedied but, unfortunately, there is still contamination in place. According to the rule, this closure cannot be approved. Please, kindly understand that we must follow the rule NMAC 19.15.29. This denied closure was a consensus decision between the environmental group in OCD-DII.

At this time OCD approves a deferral for COG Screech Owl Fed #4H (2RP-4944) 8.18.18. The Final C-141 will be accepted for the record and marked accordingly (see attachment). The release will remain open in OCD database files and reflect an open environmental issue.

Regards,

Victoria Venegas
EMNRD
OCD-District II
811 S First St. Artesia
NM 88210
Victoria.Venegas@state.nm.us

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 groundwater, 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, or local laws and/or regulations.

From: Ike Tavarez <itavarez@concho.com>
Sent: Friday, April 5, 2019 9:53 AM
To: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; 'jamos@blm.gov' <jamos@blm.gov>
Cc: Rebecca Haskell <RHaskell@concho.com>; Sheldon Hitchcock <SLHitchcock@concho.com>; Dakota Neel <DNeel2@concho.com>; DeAnn Grant <agrant@concho.com>; Carmona, Mike <Mike.Carmona@tetrattech.com>; Kell, John <John.Kell@tetrattech.com>; Jennifer Knowlton <jknowlton@concho.com>; Gonzales, Clair <Clair.Gonzales@tetrattech.com>
Subject: [EXT] RE: COG Screech Owl Fed #4H (2RP-4944) 8.18.18 Closure Request

Victoria,

We understand the regulatory requirements for the site. Majority of the release has been remediated below the proposed concentrations, with the exception a small area along the very active lease road with high traffic. However, we also assumed there would be some flexibility in the rule and the chloride concentrations detected on the edge of the lease road do not appear to an environmental concern.

As stated in the submitted report, the areas of North Sidewall #5 and North Sidewall #6 could not be safely excavated or removed due to the location along a high traffic lease road. Based on the safety concerns, COG proposes to defer the areas of North Sidewall #5 and North Sidewall #6. Please let me know if you have any questions or concerns.

Ike Tavarez, PG
Senior HSE Supervisor
COG Operating LLC
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From: Venegas, Victoria, EMNRD [<mailto:Victoria.Venegas@state.nm.us>]
Sent: Thursday, April 04, 2019 3:03 PM
To: Gonzales, Clair <Clair.Gonzales@tetrattech.com>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; 'jamos@blm.gov' <jamos@blm.gov>
Cc: Rebecca Haskell <RHaskell@concho.com>; Ike Tavarez <itavarez@concho.com>; Sheldon Hitchcock <SLHitchcock@concho.com>; Dakota Neel <DNeel2@concho.com>; DeAnn Grant <agrant@concho.com>; Carmona, Mike <Mike.Carmona@tetrattech.com>; Kell, John <John.Kell@tetrattech.com>; Jennifer Knowlton <jknowlton@concho.com>
Subject: [External] RE: COG Screech Owl Fed #4H (2RP-4944) 8.18.18 Closure Request

**** External email. Use caution. ****

RE: COG Screech Owl Fed #4H (2RP-4944) 8.18.18 Closure Request

Ms. Gonzales,

OCD has received your closure request for COG Screech Owl Fed #4H (**2RP-4944**) 8.18.18, thank you. Unfortunately, at this time, this closure request is not approved for the following reason:

- The release is located in a high karst area. OCD considers high karst area as "an unstable area". Please note that according to OCD rule, *if a release occurs within an unstable area, the responsible party must treat the release as if it occurs less than 50 feet to groundwater in Table I of 19.15.29.12 NMAC.*
- Analytical data for two sample points, North Sidewall# 5 and North Sidewall# 6, show chloride concentration values above the limit of 600 mg/kg. Based on these results, OCD considers that the contaminated soil at these two points is still in place and this closure cannot be approved.

Please let me know if you have any further questions.

Regards,

Victoria Venegas
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From: Gonzales, Clair <Clair.Gonzales@tetrattech.com>

Sent: Wednesday, March 27, 2019 9:13 AM

To: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; 'jamos@blm.gov' <jamos@blm.gov>

Cc: Rebecca Haskell <RHaskell@concho.com>; Ike Tavarez <itavarez@concho.com>; Sheldon Hitchcock <SLHitchcock@concho.com>; Dakota Neel <DNeel2@concho.com>; DeAnn Grant <agrant@concho.com>; Carmona, Mike <Mike.Carmona@tetrattech.com>; Kell, John <John.Kell@tetrattech.com>

Subject: [EXT] COG Screech Owl Fed #4H (2RP-4944) 8.18.18 Closure Request

Good Morning,

The closure report for the above referenced site located in Eddy County, New Mexico is attached. Please let me know if you have any questions or concerns.

Thank you,

Clair Gonzales

Clair Gonzales | Project Manager

Phone: 432.687.8123 | Mobile 432.260.8634 | Fax: 432.682.3946

clair.gonzales@tetrattech.com

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