

## Hamlet, Robert, EMNRD

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**From:** Hamlet, Robert, EMNRD  
**Sent:** Monday, December 23, 2019 9:52 AM  
**To:** 'Amber L Groves'  
**Cc:** Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Eads, Cristina, EMNRD; Mann, Ryan  
**Subject:** Closure Approval - Plains Pipeline - Former EK Queen Station Historical - (1RP-5593) 6-20-2019  
**Attachments:** Closure Approval - Plains Pipeline - Former EK Queen Station Historical - (1RP-5593) 12.23.19.pdf

Amber,

I took a second look at this report and have decided to approve it. The initial characterization was incorrect and didn't mention that the spill occurred on a reclaimed pad, which is now considered pasture. Although the characterization was incorrect, Plains Pipeline remediated to the more strict standards. All off pad areas must contain a minimum of 4 feet non-waste containing uncontaminated, earthen material with chloride concentrations less than 600 mg/kg and TPH less than 100 mg/kg. In the pasture area, 4 feet below the ground surface, soil contamination limits revert back to Table 1 "Closure Criteria for Soils Impacted by a Release" included in the spill rule

<http://164.64.110.134/parts/title19/19.015.0029.html>

The report stated that the (4) verticals (HA-1, HA-2, HA-3, HA-4) were installed within the affected areas to vertically delineate. HA-3 was excavated to 1 foot, which matches confirmation samples 2 FL 1 @ 1' and 2 FL 2 @ 1'. Both of those samples were below the 600 mg/kg limit for chlorides and 100 mg/kg limit for TPH. HA-4 was excavated to 4 feet, which matches confirmation sample 1 FL @ 4'. This sample location was excavated to 4 feet and will be replaced with clean material. HA-1 is in the vicinity of confirmation sample 3 FL 5 @ 12', which is below the limit. HA-2 is in the vicinity of confirmation samples 3 FL 1 @ 12' and 3 FL 2 @ 12', which are also below limit. The sidewalls are below the limit for each area that was excavated.

A couple things, the report incorrectly characterized the location and didn't mention that the spill occurred on a reclaimed pad, which is now considered pasture. If excavation occurs, please make sure the tables match what is said in the report. All samples in the tables had "In-Situ", which generally means "leave in place". If sampling with an auger hits rock refusal, please take samples as you excavate with a back-hoe, so we have the full picture on contaminant amounts. In the end, the confirmation floor samples and sidewalls were below the closure limits. The report contradicted itself in a few places, thank you for the clarifications.

Please let me know if you have any further questions.

Regards,

Robert J Hamlet  
State of New Mexico  
Energy, Minerals, and Natural Resources  
Oil Conservation Division  
811 S. First St., Artesia NM 88210  
(575) 748-1283  
[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@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.

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**From:** Amber L Groves <ALGroves@paalp.com>

**Sent:** Friday, December 20, 2019 2:56 PM

**To:** Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>

**Cc:** Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>; Mann, Ryan <rmann@slo.state.nm.us>

**Subject:** [EXT] RE: Closure Denied - Plains Pipeline - Former EK Queen Station Historical - (1RP-5593) 6-20-2019

Good Afternoon, Mr. Hamlet,

I thought that I would take the opportunity to address some of your concerns.

OCD's assumption of reclamation is correct and the 100 mg/kg requirement for the top 4' of the area has been met as shown by the chemistry tables.

You are correct that there is not data for HA-2 from 2' to 12'. The reason for this is that the delineation was only conducted to 2' for HA-1 due to olfactory indications and inability to hand auger past a rock layer. HA-2 was initially delineated to 10' as well and excavation commenced since the sample was under delineation standards. During excavation, it was necessary to take the depth to 12' bgs due to visible staining and olfactory indications. Once it was certain that the confirmation samples would be below standards, they were submitted to the lab. 3 FL 1-5 (Floor) as well as 3 SW 1-5 (Wall) are all confirmation samples of the areas initially characterized by HA-1 and HA-2. The top 4' of this area is locally sourced, non-impacted material and the excavated material was hauled to an NMOCD approved facility. Areas initially characterized as HA-3 and HA-4 were followed up with confirmation samples at 1' and 4' shown as 1 FL and 2 FL 1-2 both under 10 mg/kg. Both areas were also backfilled with locally sourced, non-impacted material.

I have left you a voicemail and I would really like the opportunity to meet with you or set up a phone call to discuss this location. I can be reached at (575)200-5517.

Thank you,

*Amber L. Groves  
Remediation Coordinator  
Plains All American  
3112 W. US Hwy 82  
Lovington, NM 88260  
575-200-5517*

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**From:** Hamlet, Robert, EMNRD <[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@state.nm.us)>  
**Sent:** Friday, December 20, 2019 2:15 PM  
**To:** Amber L Groves <[ALGroves@paalp.com](mailto:ALGroves@paalp.com)>  
**Cc:** Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; Venegas, Victoria, EMNRD <[Victoria.Venegas@state.nm.us](mailto:Victoria.Venegas@state.nm.us)>; Eads, Cristina, EMNRD <[Cristina.Eads@state.nm.us](mailto:Cristina.Eads@state.nm.us)>; Mann, Ryan <[rmann@slo.state.nm.us](mailto:rmann@slo.state.nm.us)>  
**Subject:** Closure Denied - Plains Pipeline - Former EK Queen Station Historical - (1RP-5593) 6-20-2019 [External]

Amber,

We have received your closure report and final C-141 for **1RP-5593 Former EK Queen Station Historical**, thank you. This closure is denied.

The OCD is under the assumption this former station has been reclaimed and is now pasture area. All off pad areas must contain a minimum of 4 feet non-waste containing uncontaminated, earthen material with chloride concentrations less than 600 mg/kg and 100 mg/kg for TPH. In the pasture area, 4 feet below the ground surface, soil contamination limits revert back to Table 1 "Closure Criteria for Soils Impacted by a Release" included in the spill rule [BLOCKED164\[.\]64\[.\]110\[.\]134/parts/title19/19\[.\]015\[.\]0029\[.\]htmlBLOCKED](#)

The OCD will need to see analytical results for the 4 feet below ground surface to verify TPH is under the limit of 100 mg/kg for TPH. One point of confusion, the report says, "Impacted soil in the area characterized by sample points HA-1 and HA-2 was excavated to a depth of twelve (12) feet", but the analytical table only have 2 feet below surface for HA-1 and 10 feet below surface for HA-2. Please include the missing analytical data in the table to verify the limits have been met.

For additional guidance, the OCD has put some clarifications on the implementation of the Spill Rule on our website: <http://www.emnrd.state.nm.us/OCD/documents/OCDInternalPolicy-SpillRuleClarifications.pdf>

Please let me know if you have any further questions.

Thank you,

Robert J Hamlet  
State of New Mexico  
Energy, Minerals, and Natural Resources  
Oil Conservation Division  
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