

From: [Yu, Olivia, EMNRD](mailto:Yu_Olivia_EMNRD)
To: [Mike Burton; Rickman, Rick; Butters, Thomas](mailto:Mike_Burton_Rickman_Rick_Butters_Thomas_agroves@slo.state.nm.us)
Cc: agroves@slo.state.nm.us
Subject: RE: CMU 67 Closure/Site Activities
Date: Tuesday, October 31, 2017 12:05:00 PM

Mr. Burton:

Thank you for your prompt response regarding 1RP-4856. The information conveyed during these meetings was provided as general guidance. As mentioned, these types of questions are the norm for a comprehensive assessment of submitted documents. Several general comments to keep in mind:

1. Clearly state the type of release in the initial notification to NMOCD and respective agencies in order to avoid potential issues, especially as the Responsible Operator is not proposing to submit an initial C-141 in advance of a corrective action plan and final C-141.
2. NMOCD appreciates the use of apps as another source of data. Yet, the data provided must be verified with more conventional devices.
3. Information provided in the delineation/remediation/closure report must be representative of the release. NMOCD trusts that the Responsible Party has the knowledge and professional judgement to evaluate the proportion of samples required for laboratory analyses of BTEX, TPH extended, and chlorides.
4. In order for delineation sample points to be considered for remediation, data for each sample location must have laboratory analyses satisfying both stages. For example, if only 1 sample location is selected for BTEX, TPH, and chlorides, there must be laboratory analyses for each depth for that sample location.
5. All sample IDs must match in the text, tables, figures, and laboratory reports.
6. All written communication must be sent to all responsible agencies: NMOCD + if State (Amber Groves) or BLM (Shelly Tucker). If Fee, then the correspondence would be among NMOCD, Responsible Party conducting the work, and Linn Energy.

For 1RP-4856, please resubmit in one aggregate report indicating the depth of excavation, revised GPS coordinates, and complete laboratory analytical reports, including the chain of custody forms. If the depth of excavation varied by area for a specific sample point, annotate and outline as such on a scaled map.

FYI, some flexibility to the above guidelines may be granted to close 1RP-4856, as the debut report in this format.

Thanks,

Olivia

From: Mike Burton [mailto:marineburton@gmail.com]
Sent: Tuesday, October 31, 2017 7:16 AM
To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>; Rickman, Rick <rrickman@linenergy.com>; Butters, Thomas <tbutters@linenergy.com>
Subject: Re: CMU 67 Closure/Site Activities

Miss. Yu,

Good morning. Thank you for a quick response on this. I have looked over your concerns and will address each by the number you assigned to them in your previous email.

1. I checked back in my notes and noticed the GPS points for the sample points were wrong in the report but the sidewalls were correct. I have attached the correct GPS attachment. When all issues are resolved I will resend the final closure.
2. During an onsite meeting with you and BLM rep. Art Arias on 10/11/2017 and in the meeting, with you on 10/23/2017 we discussed sampling. From those meetings it was our understanding that not all sample points must be ran for MRO, GRO, BTEX, TPH ect because this was a produced water spill. We had understood that only a small amount should represent everything so show it was not present.
3. Not all samples were tested for TPH, BTEX and extended range because this was a produced water spill. Two samples in the release area were ran for TPH, BTEX, extended to represent that they were not present.
4. Sidewall depths are taken 1/2 way down the excavation. In this case approx. 6" BGS. The south sidewall was selected because there was a puddle on the south side and I wanted to ensure we captured all of the contaminated soil.
5. I will double check the App for its accuracy. We take pictures with these apps to give you as much info as possible. The pictures were taken from the pad location on the southern side, southeast and southwest facing I a northern direction.

Please let me know if this helps to clear this up. I look forward to your response and the closure of this event. Thanks again.

Michael Ray Burton
575-499-5306
USMC VET

On Mon, Oct 30, 2017 at 3:20 PM, Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us> wrote:

Mr. Burton:

Please note that this this release occurred on State surface and mineral ownership. BLM does not need to be informed.

The 1RP for this incident is

4856	10/30/2017	A	Linn Operating	Caprock Maljamar Unit #67	30-025-32731	17S-33E-19I	10/16/2017
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Please address these concerns regarding the closure report for 1RP-4856:

1. The GPS coordinates for the sample points and confirmation sidewall locations are not the vicinity of API well 30-025-32731. Please correct.
2. As an initial C-141 was not submitted before the commencement of delineation/remediation activities, NMOCD could not provide guidance on laboratory analyses required. Based on the initial release notification on October 17, 2017 of 12 bbls fluids released, NMOCD was expecting soil samples to be tested for BTEX, TPH extended, and chlorides from all 3 sample locations.
3. All confirmation samples must have laboratory analyses of BTEX, TPH extended, and chlorides unless sufficiently verified during release characterization.
4. At what depth were confirmation sidewall samples taken? Why was the South sidewall selected for testing of TPH, BTEX, and chlorides?
5. Please be advised that the app used to indicate latitude and longitude of the location is not accurate. Were the photos taken from the pasture and southern edge of the well pad?

Thanks,

Olivia Yu
Environmental Specialist
NMOCD, District I
Olivia.yu@state.nm.us
[575-393-6161 x113](tel:575-393-6161)

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: Mike Burton [mailto:marineburton@gmail.com]

Sent: Sunday, October 29, 2017 8:17 PM

To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>; Tucker, Shelly <stucker@blm.gov>; Rickman, Rick <rrickman@linnenergy.com>; agroves@slo.state.nm.us; Butters, Thomas <tbutters@linnenergy.com>; Paul Cowan <pcowan75@me.com>; Sandra Cowan <sacowan1@me.com>; Gordon, Debra <dgordon@linnenergy.com>; Aaron Hickert <ahickert@linnenergy.com>

Subject: CMU 67 Closure/Site Activities

All,

Attached is the Closure/ Site Activities report for the release at the CMU 67. I have also attached the initial and final C-141's. Please review and let me know of any questions or concerns. Thank you.

Michael Ray Burton

[575-499-5306](tel:575-499-5306)

USMC VET