

Bratcher, Mike, EMNRD

From: Bratcher, Mike, EMNRD
Sent: Thursday, May 26, 2011 10:33 AM
To: 'Isaac Kincaid'; 'James Tinney'
Cc: 'scontreras@sesi-nm.com'; 'Bob Allen'; 'Susana Rodriguez'
Subject: RE: Palmillo

Reference: Cimarex Energy * Palmillo St Com 002 * 30-015-22343 * J-32-18s-29e * Eddy County, New Mexico
Date of release: 3/13/2011 * OCD Tracking: **2RP-776**

Isaac,

On May 10, 2011, OCD District 2 office received a revised proposal for remediation of a release at the above referenced site. The original proposal was received April 27, 2011 and was denied. Both proposals are dated April 18, 2011. Although this revised proposal does not address all of the issues we had discussed, it will be approved with the following stipulations and/or conditions of approval:

- Notify OCD District 2 office 48 hours prior to commencement of remedial activities.
- Notify OCD District 2 office 48 hours prior to obtaining any samples where the analyses will be submitted to OCD.
- Based on the analytical data submitted, a three foot excavation in the area of "TT # 3" will not remove material to below the RRAL for this site. Deeper excavation will be required in this area.
- Confirmation samples are to be obtained (bottom and sidewalls) from the excavated areas, with lab analyses submitted to OCD for review and approval prior to backfilling.
- No analytical data has been provided from inside the battery area. As discussed, vertical and horizontal delineation will be required in all areas affected by the release, including inside the battery area.
- Submit a closure report and Form C-141 Final Report to OCD District 2 office upon satisfactory completion of project.

OCD approval does not relieve the operator of liability should their operations have failed 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.

If you have any questions or concerns, and for notification, contact me.

MIKE BRATCHER

NMOCD District 2
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From: Bratcher, Mike, EMNRD
Sent: Thursday, April 28, 2011 11:30 AM
To: 'Isaac Kincaid'; 'James Tinney'
Cc: scontreras@sesi-nm.com; 'Bob Allen'; 'Susana Rodriguez'
Subject: RE: Palmillo

Isaac,

In reviewing what OCD has on file regarding this release, I do not see where a C-141 was ever submitted to OCD and have no record that OCD was notified of the release. The C-141 that is with the work plan indicates I was notified on 3/13/11 at 12:00 noon. 3/13/was a Sunday. I keep fairly accurate records on messages left at my extension, and have no record of this notification. As for the C-141, I can use the copy that was included with the Delineation Report/Work Plan you presented to OCD yesterday, however, if a better copy is available, please send.

OCD will require the site to be delineated for contaminants, horizontal and vertical. Per OCD Guidelines, if the site ranking is 0, the RRAL for TPH would be 5000 mg/kg. Any excavation/remedial requirements will be based on the delineation results and the site ranking.

If you have any questions or concerns, please contact me. Also, please advise if there is a better copy of the C-141 available.

MIKE BRATCHER

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From: Isaac Kincaid [<mailto:ikincaid@sesi-nm.com>]
Sent: Wednesday, April 27, 2011 3:07 PM
To: Bratcher, Mike, EMNRD; 'James Tinney'
Cc: scontreras@sesi-nm.com; 'Bob Allen'; 'Susana Rodriguez'
Subject: Palmillo

Mr. Bratcher,

This letter is in regards to our conversation this morning on the Cimarex Palmillo State #2. In the conversation you had denied the previous work plan due high TPH (total petroleum hydrocarbons). The work plan stated to excavate the top 1'bgs and haul contaminated soils. You have suggested that the most highly contaminated soils needs to be excavated to a depth of minimal 3'bgs and anything over 5,000 PPM TPH needs to be removed vertically and horizontally including inside the battery area around the tanks.

SESI will submit a revised hard copy of work plan in the mail.

If this is correct please respond to the email for SESI records.

Thank You

Isaac Kincaid
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