

From: [Bratcher, Mike, EMNRD](#)
To: [Fred Holmes](#); [James A. Amos](#); [Jeffery Robertson](#)
Cc: [Toby Nivens](#); [Patterson, Heather, EMNRD](#)
Subject: RE: Memorial Operating - Diverse Battery CAP - Second Send
Date: Tuesday, January 27, 2015 9:29:19 AM

RE: Memorial Production Operating LLC * Diverse Federal Battery * D-24-26s-29e * Eddy County, NM

Date of release: 12/21/14

Fred,

OCD concurs with BLM approval and conditions of approval, for your proposal for remediation of the above referenced release. In addition, OCD notes that groundwater in this area may be encountered at less than 100' (possibly as shallow as 60'-70'). Blending impacted material to manipulate the analytical data will not be an accepted remedy. Bio-remediation may be an alternative to a complete dig and haul, but some the highly impacted material may require removal to a disposal. Prior to that determination, OCD will request the site be fully delineated (vertical and horizontal) to determine the full impact, and, volume of material that may require bio-remediation.

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.

If you have any questions or concerns, and for notification, please contact the District 2 Office.

Mike Bratcher
NMOCD District 2
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From: Fred Holmes [mailto:fred@etechenv.com]
Sent: Tuesday, January 20, 2015 9:56 AM
To: Bratcher, Mike, EMNRD; James A. Amos; Jeffery Robertson
Cc: Toby Nivens
Subject: Memorial Operating - Diverse Battery CAP - Second Send

Mike, Jim & Jeff:

Attached is the corrective action plan for the Memorial Production Operating- Federal Diverse Battery remediation with the scope of work I have discussed. Thanks to all of you for your assistance on this project. Should you have any questions, please contact me via this email or at 432-563-2200.

Respectfully,

Fred Holmes
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