

From: [Chase Settle](#)
To: [Tucker, Shelly](#)
Cc: [Bratcher, Mike, EMNRD](#); [Patterson, Heather, EMNRD](#); [Jim Amos](#)
Subject: RE: Glow Worm ALX Federal Battery Work Plan Part 1
Date: Wednesday, August 19, 2015 1:59:21 PM
Attachments: Glow Worm ALX Federal Battery Work Plan.pdf
Glow Worm ALX Federal Battery Map w Sample Points.pdf
Glow Worm ALX Federal Battery Results Sheet.pdf
Glow Worm ALX Federal Battery Cardinal Analysis- Part 1.pdf

Mrs. Tucker,

I apologize for not forwarding a copy of the work plan to BLM when it was submitted to NMOCD for approval. The information I received from Jim Amos on April 21, 2015, was that if the work plan is approved by the NMOCD, then we are to consider that work plan approved by BLM and continue with remediation activities. Yates Petroleum Corporation has not had any correspondence with BLM on the contrary to the instruction provided by Mr. Amos on April 21, 2015, as it relates to the approval of work plans. I have attached a copy of the initial work plan to this email, and will follow up with Part 2 of the work plan in a subsequent email. However, as evidenced by the email correspondence between myself and Mrs. Patterson, the final plan of work for remediation of the release area has yet to be determined due to NMOCD having another area of concern requiring further sampling. Once this final area of incongruousness has been addressed, a finalized and complete work plan should be available for BLM approval prior to remediation activities occurring. In the future, when working directives are revised, Yates Petroleum Corporation would like to be made aware of such changes, preferably through email correspondence, to avoid such misunderstandings.

Thank you,

Chase Settle, M.S.

**Environmental Regulatory Agent
Yates Petroleum Corporation**

105 S. 4th Street

Artesia, NM 88210

575-748-4171 (Office)

575-703-6537 (Cell)

From: Tucker, Shelly [mailto:stucker@blm.gov]

Sent: Wednesday, August 19, 2015 11:15 AM

To: Patterson, Heather, EMNRD

Cc: Chase Settle; Bob Asher; Katie Parker; Bratcher, Mike, EMNRD

Subject: Re: Glow Worm ALX Federal Battery Work Plan- Part 1

The BLM does not approve any work at this time do to the fact we did not receive a copy of the Work Plan. Please forward us a copy of the WP as soon as

you can.

The BLM 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 groundwater, surface water, human health or the environment or if the location fails to reclaim properly. In such an event that the location does not revegetate, or future issues with contaminants are encountered, the operator will be asked to address the issues until the contaminant issues are fully mitigated and the location is successfully reclaimed. In addition, BLM approval does not relieve the operator of responsibility for compliance with any other federal, state or local laws/regulations.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Shelly J Tucker

Environmental Protection Specialist
Bureau of Land Management

620 E. Greene St
Carlsbad, NM 88220

575.234.5905 - Direct
575.361.0084 - Cellular

stucker@blm.gov

On Tue, Aug 4, 2015 at 8:43 AM, Patterson, Heather, EMNRD

<Heather.Patterson@state.nm.us> wrote:

Chase,

Your proposal to retain the top, clean layer of soil at S5 is fine with the OCD. We agree that there is no sense in disposing of clean soils.

The OCD's request for further sampling beyond S8 was based on our onsite inspection. It was observed that there was a possible pooling area just to the southeast of the Glow Worm #12 well pad, which is downhill from and at the terminus of the drainage ditch. The requested sampling will be required for site closure.

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 me.

Heather Patterson
Environmental Specialist
NMOCD District II
Office (575)748-1283 ext.101
Cell (575)703-0228

From: Chase Settle [mailto:CSettle@yatespetroleum.com]
Sent: Tuesday, July 28, 2015 12:00 PM
To: Patterson, Heather, EMNRD
Cc: Bob Asher; Katie Parker; Bratcher, Mike, EMNRD
Subject: RE: Glow Worm ALX Federal Battery Work Plan- Part 1

Mrs. Patterson,

Yates Petroleum Corporation has no arguments with performing a confirmation analysis for chlorides from the bottom of the hole once the S8 area has been excavated.

Yates also agrees to excavate from two and a half to three and a half feet (2.5'-3.5') below surface level (BSL) in the S5 area, but will retain all soil above two and a half feet (2.5') BSL to place back into the excavated area. Initial analysis (6/1/2015 results enclosed with work plan) in this area show chlorides at 64.0 ppm at one (1) foot BSL, and subsequent sampling conducted July 14, 2015 show that chlorides remain below 1,000 ppm at two (2) feet BSL (7/16/2015 results enclosed). With these low chloride levels detected, it seems illogical and impracticable to excavate and dispose of these soils when they pose no risk to ground water, surface water, human health or the environment.

Yates also takes issue with the request for further sampling, and possibly excavation, requested in the area from the S8 release area west to the next well pad. The entire release area was walked and outlined on April 28, 2015, the day following the release, using a handheld GPS. The GPS map of the release was created the next day following the release date and accurately identifies all areas impacted by the release event. During the course of the initial visit, all soils affected by the release showed signs of chloride impaction and/or were still visibly moist. The area to the west of the S8 release was not impacted by the release and showed no signs of chlorides on the surface or vegetative damage during the initial site visit, or during any site visits following the initial visit. Yates therefore will not be conducting any sampling or excavation outside of the release area to the west of the S8 area and did not see evidence on April 28, 2015 that the release event impacted any areas outside of the impacted areas displayed in the GPS map.

Chase Settle, M.S.
Environmental Regulatory Agent
Yates Petroleum Corporation
105 S. 4th Street
Artesia, NM 88210

575-748-4171 (Office)
575-703-6537 (Cell)

From: Patterson, Heather, EMNRD [<mailto:Heather.Patterson@state.nm.us>]
Sent: Tuesday, July 14, 2015 8:47 AM
To: Chase Settle
Cc: Bob Asher; Katie Parker; Bratcher, Mike, EMNRD; 'Robertson, Jeffery'
Subject: RE: Glow Worm ALX Federal Battery Work Plan- Part 1

RE: Yates * Glow Worm ALX Fed Battery * 30-015-35313 * 2RP-2996

Chase,

Your proposed work plan is approved with the following exceptions:

- S5 will need a 3' excavation;
- Please pull a bottom hole confirmation sample at S8 (chlorides only);
- Sampling, and possibly further excavation, will need to be extended west from S8 to the corner of the next well pad where there was a small pooling area;
- Like approval by BLM is required for this site.

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 me.

Heather Patterson
Environmental Specialist
NMOCD District II
Office (575)748-1283 ext.101
Cell (575)703-0228

From: Chase Settle [<mailto:CSettle@yatespetroleum.com>]
Sent: Thursday, July 09, 2015 2:59 PM
To: Bratcher, Mike, EMNRD; Patterson, Heather, EMNRD
Cc: Bob Asher; Katie Parker
Subject: Glow Worm ALX Federal Battery Work Plan- Part 1

July 9, 2015

Mr. Mike Bratcher/Mrs. Heather Patterson
NMOCD District II
811 S. First St.
Artesia, NM 88210

Re: Glow Worm ALX Federal Battery
30-015-35313
Section 3, T23S-R31E
Eddy County, New Mexico
2RP-2996

Mr. Bratcher/Mrs. Patterson,

Yates Petroleum Corporation is submitting the attached work plan for the above captioned well. The plan is being submitted in response to the C-141 report dated May 8, 2015.

If there are no objections with the scope of work described in the plan, Yates will have a contractor begin work on or after August 1, 2015.

If you have any questions, feel free to call me at (575) 748-4171

Thank you.

Chase Settle, M.S.

Environmental Regulatory Agent
Yates Petroleum Corporation
105 S. 4th Street
Artesia, NM 88210
575-748-4171 (Office)
575-703-6537 (Cell)

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