

From: Patterson, Heather, EMNRD
To: ["Chase Settle"](#)
Cc: [Bob Asher](#); [Katie Parker](#); [Bratcher, Mike, EMNRD](#)
Subject: RE: Glow Worm ALX Federal Battery Work Plan- Part 1
Date: Friday, September 04, 2015 7:26:00 AM

Thank you very much, Chase. I really appreciate you double checking this for me. You are correct that this work plan is approved with our agreed upon stipulations.

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: Friday, August 28, 2015 2:00 PM
To: Patterson, Heather, EMNRD
Cc: Bob Asher; Katie Parker; Bratcher, Mike, EMNRD
Subject: RE: Glow Worm ALX Federal Battery Work Plan- Part 1

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

Mrs. Patterson,

Yates Petroleum Corporation has gone through the expense of time and money to perform the sampling in the non-release area (documented in previous emails) required by OCD to attain site closure. All samples were sent to Cardinal Laboratory for analysis with all samples, surface to two feet, receiving the same result of <16.0 mg/kg for chloride concentration (analytical data attached). Yates Petroleum Corporation now considers this work plan approved with the previous agreed upon stipulations and requests email verification from OCD.

Thanks,

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: Wednesday, August 12, 2015 10:45 AM
To: Chase Settle

Cc: Bob Asher; Katie Parker; Bratcher, Mike, EMNRD; Tucker, Shelly
Subject: RE: Glow Worm ALX Federal Battery Work Plan- Part 1

Chase,

I apologize for not getting back to you sooner. As always, we stay pretty busy here. I'm not sure an onsite meeting will be possible in a timely manner, but I do not want you to delay remediation on my account. I have attached an image of the area, marking the location in question. If you are correct that contamination never reached this area, a single sample should easily confirm as much.

Sorry again for the delay.
Thank you,

Heather Patterson
Environmental Specialist
NMOCD District II
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Cell (575)703-0228

From: Chase Settle [<mailto:CSettle@yatespetroleum.com>]
Sent: Wednesday, August 12, 2015 9:07 AM
To: Patterson, Heather, EMNRD
Cc: Bob Asher; Katie Parker; Bratcher, Mike, EMNRD
Subject: RE: Glow Worm ALX Federal Battery Work Plan- Part 1

Heather,

I have yet to hear back on a time and date to meet at this location in order to identify the area of your concern. I would like to get this meeting on the schedule as soon as possible because I will be booked solid the month of September with invasive vegetation treatments and I would like to get the remediation of this release going as soon as possible.

Chase Settle, M.S.
Environmental Regulatory Agent
Yates Petroleum Corporation
105 S. 4th Street
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575-748-4171 (Office)
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From: Chase Settle
Sent: Tuesday, August 04, 2015 11:01 AM
To: 'Patterson, Heather, EMNRD'
Cc: Bob Asher; Katie Parker; Bratcher, Mike, EMNRD
Subject: RE: Glow Worm ALX Federal Battery Work Plan- Part 1

Heather,

As stated previously, I was on location the next day following the initial release of fluid and I walked the entire boundary of the release in order to GPS the impacted area and found absolutely no signs the release carried on down the bar ditch past the already identified (fenced) S8 area, much less to the terminus of the drainage ditch. Therefore, I am requesting an onsite meeting so that I may be shown the area of your concern. I only have Thursday available this week, but I do have Tuesday through Friday available next week.

Please let me know which date and time would work best for you. I would prefer a morning meeting if at all possible.

Chase Settle, M.S.

Environmental Regulatory Agent

Yates Petroleum Corporation

105 S. 4th Street

Artesia, NM 88210

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From: Patterson, Heather, EMNRD [<mailto:Heather.Patterson@state.nm.us>]

Sent: Tuesday, August 04, 2015 8:44 AM

To: Chase Settle

Cc: Bob Asher; Katie Parker; Bratcher, Mike, EMNRD; Tucker, Shelly

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

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
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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

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