

From: Patterson, Heather, EMNRD
To: ["Kerry Egan"](#)
Cc: [Bratcher, Mike, EMNRD](#); [Pair, Randal](#)
Subject: RE: Campbell Road Leak Sampling Plan and Data
Date: Wednesday, September 28, 2016 10:19:00 AM

RE: Agave Energy * Campbell Rd 8" Poly * fAB1620738589 * 2RP-3798

Kerry,

Your closure request is approved, go ahead and backfill as planned.

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: Kerry Egan [mailto:KEgan@agaveenergy.com]
Sent: Tuesday, September 27, 2016 1:23 PM
To: Patterson, Heather, EMNRD
Subject: RE: Campbell Road Leak Sampling Plan and Data

Heather,

I've tried to include all pertinent data on the Campbell Road Leak that Agave is requesting closure for. In the last set of sampling we showed a majority of the excavation and affected area to meet BLM's remediation standards. There were three samples that returned results with contamination levels of concern to the BLM. As discussed below, these samples were T-3M-N, T-4F-S, and T-6F-S. Agave continued excavation around these sample points to remove the remaining contamination. When I was finally able to collect the closure samples we showed the areas of these original sampling points to be free of contamination. As such, Agave feels we have completed necessary remediation work at this location and would like approval to repair our line and backfill the excavation.

Please review the attached data and let me know your determination. If you prefer to wait and defer to Mike since I've been working with him on this spill that is alright as well.

Please let me know if you have any questions as well.

Thanks,

Kerry Egan
EH&S Department



Agave Energy Company
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O: (575) 810-6021
C: (575) 513-8988
kegan@agaveenergy.com | www.agaveenergy.com

From: Pair, Randal [<mailto:rpair@blm.gov>]
Sent: Friday, September 23, 2016 4:02 PM
To: Kerry Egan <KEgan@agaveenergy.com>; Fernando Banos <fbanos@blm.gov>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Patterson, Heather, EMNRD <Heather.Patterson@state.nm.us>
Subject: Re: Campbell Road Leak Sampling Plan and Data

Kerry -
Based on the results presented in this email and discussed with me in person in my office this afternoon, BLM approves backfilling of this excavation.
Like approval from OCD also required.

Randal "Randy" Pair
Envir. Protection Specialist - Realty Compliance
office: 575.234.6240
cell: 575.361.0062
email: rpair@blm.gov

On Fri, Sep 23, 2016 at 12:56 PM, Kerry Egan <KEgan@agaveenergy.com> wrote:

Randy,

As we discussed in our phone call on Tuesday (9/20/2016) afternoon, I've collected the closure samples for this location. As discussed after the previous set of sampling data identified three areas with contamination concentrations of concern within the excavation, these sampling points were samples T-3M-N, T-4F-S, and T-6F-S. After identifying these areas Agave excavated an additional 12-18" of material from the surrounding area. After the excavation work was completed, the new excavation was allowed to aerate for several days in order to allow for any volatilization of remaining hydrocarbons. Additionally, before I could collect the closure samples, the location received a significant amount of rainfall 5"+ which is why the sampling has been delayed for a couple of weeks. This precipitation should have helped to dilute the remaining chlorides in the excavation. Due to the fact that the last set of sampling showed the highest concentration of remaining chloride to be 1100ppm at the T-3M-N sampling point, I am not concerned that there was enough chlorides remaining in the soil to be transported by the precipitation to other areas within

the soil profile. Based on the sampling data there simply should not have been enough chlorides in the soil to migrate with the rain, and re-concentrate elsewhere. After the rain events, we had to give the location sufficient time to dry.

The methodology for collecting the closure samples was as discussed on the phone and as described here. The original sampling location of T-3M-N, T-4F-S and T-6F-S were all GPS'd. After further excavation the sidewalls and floor of the excavation were deeper, and in the case T-3M-N slightly further North. I collected four samples centered on the GPS point of the original sampling point, but 5' to the North, East, South and West (see attached sampling diagram). The samples were collected at the surface.

This data shows all samples as coming back free of detectable contamination for BTEX, TPH, and Chlorides. As such Agave is requesting approval from the BLM to close this excavation and remediation project. This same information is being sent to the NMOCD District II office for approval, and upon receiving both agency's approval Agave will proceed with making the necessary repairs to the pipeline and backfill the excavation. I have the seed mix that you provided me, however I believe we've missed the bulk of the growing season and seeding at this point will be ineffective. I would prefer to reseed early next spring to achieve the best growth at this location, if allowed.

Please review the attached information and let me know what you think. I plan to stop by the office this afternoon to go over everything in person with you, I just wanted to make sure you had everything in digital copies for your records as well.

Please let me know if you have any questions.

Thanks,
Kerry Egan
EH&S Department



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