

**From:** Heath Loftin  
**To:** [Weaver, Crystal, EMNRD](#); [Kimberly M. Wilson](#)  
**Cc:** [Jose Soriano](#); [Groves, Amber](#); [Bratcher, Mike, EMNRD](#); [David Adkins](#)  
**Subject:** RE: Legacy: State CF #5 \* 30-005-60304 \* 2RP-3648 \* Closure Report  
**Date:** Wednesday, January 3, 2018 2:27:08 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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I believe that Legacy has met their obligations of cleaning up a spill that occurred in late 2015 to early 2016 at the State CF battery. Legacy sold this property in June 2016 to Remnant Oil Company and we believe a new spill occurred after Remnant took over operations. Looking at pictures from when Legacy cleanup was complete to the way the battery looks now, you can definitively tell that another spill occurred. Legacy would be happy to meet with you on this matter to show this proof. Please let us know what date and time is best for you to meet. Thanks.

*Heath Loftin*

Production Superintendent – New Mexico

**Legacy Reserves Operating, LP.**

Office - (432)689-5200

Fax – (432)686-8318

Cell - (432)853-2445

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**From:** Weaver, Crystal, EMNRD [mailto:[Crystal.Weaver@state.nm.us](mailto:Crystal.Weaver@state.nm.us)]  
**Sent:** Friday, December 29, 2017 2:52 PM  
**To:** Kimberly M. Wilson  
**Cc:** Jose Soriano; Heath Loftin; Groves, Amber; Bratcher, Mike, EMNRD; David Adkins  
**Subject:** RE: Legacy: State CF #5 \* 30-005-60304 \* 2RP-3648 \* Closure Report

Heath and Jose,

Any update on the progress of this remediation. I have spoken with Kim regarding it but I am asking Legacy specifically for an update please. **OCD would like to hear back from someone with Legacy regarding progress made by no later than 1/5/2018.**

Thank you,

**Crystal Weaver**

Environmental Specialist

OCD – Artesia District II

811 S. 1<sup>st</sup> Street

Artesia, NM 88210

Office: 575-748-1283 ext. 101

Cell: 575-840-5963

Fax: 575-748-9720

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**From:** Kimberly M. Wilson [<mailto:kwilson@talonlpe.com>]  
**Sent:** Wednesday, November 29, 2017 4:06 PM  
**To:** Weaver, Crystal, EMNRD <[Crystal.Weaver@state.nm.us](mailto:Crystal.Weaver@state.nm.us)>  
**Cc:** [joriano@legacyp.com](mailto:joriano@legacyp.com); [hloftin@legacyp.com](mailto:hloftin@legacyp.com); Groves, Amber <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>; Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; David Adkins <[dadkins@talonlpe.com](mailto:dadkins@talonlpe.com)>  
**Subject:** RE: Legacy: State CF #5 \* 30-005-60304 \* 2RP-3648 \* Closure Report

I will keep you informed.

Have a good night.

**Kimberly M. Wilson**

**Project Manager**

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Cell: 575.602.3826

Fax: 575.746.8905

Emergency: 866.742.0742

Web: [www.talonlpe.com](http://www.talonlpe.com)



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**From:** Weaver, Crystal, EMNRD [<mailto:Crystal.Weaver@state.nm.us>]  
**Sent:** Wednesday, November 29, 2017 4:03 PM  
**To:** Kimberly M. Wilson  
**Cc:** Bratcher, Mike, EMNRD; Amber Groves; Jose Soriano; David Adkins  
**Subject:** RE: Legacy: State CF #5 \* 30-005-60304 \* 2RP-3648 \* Closure Report

Thank you very much for the update on this one Kim. We look forward to hearing about the outcome of your meeting.

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**From:** Kimberly M. Wilson [<mailto:kwilson@talonlpe.com>]  
**Sent:** Wednesday, November 29, 2017 2:46 PM  
**To:** Weaver, Crystal, EMNRD <[Crystal.Weaver@state.nm.us](mailto:Crystal.Weaver@state.nm.us)>  
**Cc:** Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; Amber Groves <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>; Jose Soriano <[joriano@legacyp.com](mailto:joriano@legacyp.com)>; David Adkins <[dadkins@talonlpe.com](mailto:dadkins@talonlpe.com)>  
**Subject:** Re: Legacy: State CF #5 \* 30-005-60304 \* 2RP-3648 \* Closure Report

Good Afternoon Crystal,

We have spoken with Legacy regarding this matter. We will be meeting them on site early next week to address your concerns.

Thank you.

Respectfully,

Kimberly

**Kimberly M. Wilson**

**Project Manager**

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**From:** Kimberly M. Wilson

**Sent:** Monday, November 20, 2017 12:26 PM

**To:** Weaver, Crystal, EMNRD

**Cc:** Bratcher, Mike, EMNRD

**Subject:** RE: Legacy: State CF #5Closure Report (30-005-60304) 2RP-3648

Thanks Crystal.

I know we have treated this lined battery several times, the last being with hydrogen peroxide.

I will look into it and get back to you next week due to the holiday I'll be out of town.

**Kimberly M. Wilson**

**Project Manager**

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**From:** Weaver, Crystal, EMNRD [<mailto:Crystal.Weaver@state.nm.us>]

**Sent:** Monday, November 20, 2017 12:06 PM

**To:** Kimberly M. Wilson

**Cc:** Bratcher, Mike, EMNRD

**Subject:** FW: Legacy: State CF #5Closure Report (30-005-60304) 2RP-3648

Kim,

Here are those pictures. David Adkins responded back to my original send of them on 6/14/17.

However, no one from Legacy has ever communicated a response of any kind then or since to OCD regarding this release.

Thanks,

**Crystal Weaver**

Environmental Specialist

OCD – Artesia District II

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Artesia, NM 88210

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**From:** Weaver, Crystal, EMNRD

**Sent:** Wednesday, June 14, 2017 9:56 AM

**To:** 'Sheldon Hitchcock' <[slhitchcock@talonlpe.com](mailto:slhitchcock@talonlpe.com)>; Bratcher, Mike, EMNRD

<[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; 'Groves, Amber' <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>

**Cc:** David Adkins <[dadkins@talonlpe.com](mailto:dadkins@talonlpe.com)>; Heath Loftin <[hloftin@legacyp.com](mailto:hloftin@legacyp.com)>

**Subject:** RE: Legacy: State CF #5 Closure Report (30-005-60304) 2RP-3648

RE: Legacy \* State CF #5 \* 30-005-60304 \* 2RP-3648

Greetings,

Your request for closure of the above referenced release is not approved. The closure report that was submitted has a draft date on it of December 5, 2016. The submission for request of closure was sent in to OCD by Sheldon on 1/2/17. However, on January 5, 2017 a site inspection was conducted and the photos attached above were taken. These photos appear to depict soil that is not clear of contamination. Therefore at this time your request for closure is not approvable.

If you have any questions or concerns please contact Mike Bratcher and/or myself in the District II Office.

## Crystal Weaver

Environmental Specialist  
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Artesia, NM 88210  
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**From:** Sheldon Hitchcock [<mailto:slhitchcock@talonlpe.com>]  
**Sent:** Monday, January 2, 2017 11:35 AM  
**To:** Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; Weaver, Crystal, EMNRD <[Crystal.Weaver@state.nm.us](mailto:Crystal.Weaver@state.nm.us)>; 'Groves, Amber' <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>  
**Cc:** David Adkins <[dadkins@talonlpe.com](mailto:dadkins@talonlpe.com)>; Heath Loftin <[hloftin@legacyp.com](mailto:hloftin@legacyp.com)>  
**Subject:** Legacy: State CF #5 Closure Report (30-005-60304) 2RP-3648

All,

The closure report for the Legacy State CF #5 is attached. Please let me know if you have any questions or concerns.

Respectfully,

**Sheldon Hitchcock**  
**Project Manager**  
Office: 575.746.8768  
Direct: 575.616.4021  
Cell: 575.689.5198

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