

## Venegas, Victoria, EMNRD

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**From:** r@rthicksconsult.com  
**Sent:** Wednesday, November 18, 2020 4:31 PM  
**To:** Venegas, Victoria, EMNRD  
**Cc:** 'Michael Incerto'; 'Alyssa McGuire'  
**Subject:** [EXT] FW: Solaris Telluride Air Gap AST  
**Attachments:** Vol2\_AST VarianceBook\_TellurideDRAFT\_LP\_MB\_ReducedSize.pdf;  
Solaris\_TellurideAirGapAST\_Volume1\_Draft\_LP\_MB\_ReducedSize.pdf

Ms. Venegas

As stated in our previous email, we understand you are the point person to deal with this submission, which was originally transmitted on 6/9/20. According to the OCD Environmental Bureau, this AST Containment C-147 is a permit and not a registration. Except for one (see below), all requested variances in this submission to cause an AST Containment to comply with the Rule were recently approved by OCD for the ConocoPhillips Zia Hills AST Containment (see

[http://ocdimage.emnrd.state.nm.us/Imaging/FileStore/santafeenvironmental/ao/20201030/psl2029048811\\_10\\_30\\_20\\_20\\_12\\_16\\_46.pdf](http://ocdimage.emnrd.state.nm.us/Imaging/FileStore/santafeenvironmental/ao/20201030/psl2029048811_10_30_20_20_12_16_46.pdf) ).

I believe we have a bond already on file with OCD that will suit this site – and I will chase it down and provide an update to you.

As these documents were submitted to [OCD.Enviro@state.nm.us](mailto:OCD.Enviro@state.nm.us) in June, they should be in the queue. BLM has approved this facility on their surface.

Solaris understands that OCD has not approved the variance for an AST to hold fluids with 2-feet of freeboard. They will comply with the Rule and maintain a 3-foot freeboard

We thank you in advance for your attention to this matter.

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**From:** r@rthicksconsult.com <r@rthicksconsult.com>  
**Sent:** Tuesday, June 9, 2020 3:26 PM  
**To:** 'LucasKamat, Susan, EMNRD' <Susan.LucasKamat@state.nm.us>; 'Enviro, OCD, EMNRD' <OCD.Enviro@state.nm.us>  
**Cc:** 'Michael Incerto' <Michael.Incerto@solarismidstream.com>; 'Todd Carpenter' <todd.carpenter@solarismidstream.com>; 'madison@rthicksconsult.com' <madison@rthicksconsult.com>; 'Alyssa McGuire' <Alyssa.McGuire@solarismidstream.com>  
**Subject:** FW: Solaris Telluride Air Gap AST

Ms. LucasKamat

Upon OCD approval of the closure cost estimate and prior to construction of this facility, Solaris will obtain the appropriate bond and submit evidence of the bonding to OCD.

Please note that the design calls for 40-mil LLDPE as the primary liner and 30-mil LLDPE or 40-mil LLDPE as the secondary liner. The availability of liner will determine which is used as the secondary liner.

Finally, please examine pages 16-18 of Volume 2 as it contains the same freeboard variance that was recently denied by OCD for the Quail Ranch Air Gap AST. We believe the arguments set forth by Mr. Frobel in his stamped opinion are sound and deserve another look by OCD. As indicated in the transmittal letter, we would appreciate a presentation of OCD rationale for any denial of this variance for the Telluride Air Gap AST.

There is no big hurry for an OCD review of this containment, please put it in your queue and when we get 2-3 weeks from needing the AST, we can alert you.

Thanks again for helping us through the Quail Ranch AST process.

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