

To: Attn: NMOCD District 2 - Artesia
811 S. First Street
Artesia, NM 88210

From: David Roybal

Date: January 29, 2021

Subject: REVISED COVER LETTER Longfellow Energy – Impound 24 C-147 Registration

On behalf of Longfellow Energy, Pettigrew and Associates submits the attached registration. Grading and compaction of the containment and liner foundation will be conducted during construction. No variances from the Rule are necessary and this submittal demonstrates compliance with all mandates of the Rule for the containment. Since the recycling facility meets the criteria of 19.15.34.9.B.7, the facility also requires a registration.


This submission includes the following elements that, for the purpose of OCD statistics, would be listed as variances:

1. An equivalency demonstration written by experts for the proposed 40-mil HDPE secondary liner has been previously submitted and approved by OCD. A variance letter has been provided for this as a part of this revision along with relevant specifications.
2. OCD has approved the proposed Avian Protection Plan (Bird-X Mega Blaster Pro) for other containments. Thus, the plan meets the requirement of the rule that the “otherwise protective of wildlife, including migratory birds”. A variance letter has been provided for this as a part of this revision along with relevant specifications.
3. Using a 6-foot high chain link and/or game fence in lieu of a 4-strand barbed wire fence is not a variance. Because feral pigs, javelena and deer are present in the area, a fence is required in order to comply with Section 19.15.34.12 D.1 of the Rule¹. The specification for fencing provided in 19.15.34.12 D.2 contradicts D.1 because pigs will move beneath the lower strand of a 4-strand, 4-foot high barbed wire fence and deer will jump over. Thus, compliance with D.2 results in a violation of D.1. We maintain that compliance with D.1 is the critical component of the Rule and a variance letter has been provided as a part of this revision in order to follow Best Management Practices and comply with the Rule.

Site specific information demonstrates compliance with siting criteria for the location.

¹ The operator shall fence or enclose a recycling containment in a manner that deters unauthorized wildlife and human access and shall maintain the fences in good repair.





On this project an inspector (Engineer's Representative) from Pettigrew and Associates will be present on site during all the phases of construction. Construction will also be overseen by a Senior Project Manager with over 10 years of experience in construction and soil classification. Pettigrew & Associates will sample and test the properties of the soil throughout the construction process. While it is not anticipated, the Engineer will be notified immediately should existing conditions vary from design assumptions.

From the driller's log in Appendix F, it can be concluded that the water is encounter at approximately 160 feet below existing elevation, therefore it complies with Section 19.15.34.11.

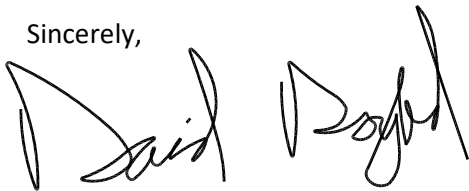
Appendix A includes engineering design Longfellow Energy Impound 24 Recycling Containment. It is assumed that the in-situ material underlying the surface will be harvested for construction of roads and locations. As the construction progresses the in-situ material will be assessed. After construction of the liner foundation is complete, as-built drawings will be submitted to OCD.

Appendices B, C and D of this registration package are design/construction, operating and maintenance, and closure plans. These plans are verbatim from previously-approved containment submissions. Additionally we include a site survey and photographs of the proposed containment area in Appendix E. Appendix F presents driller's log from nearby water supply well.

In compliance with 19.15.34.10 of the Rule, this submission is copied to the State of New Mexico who is the surface owner of the public surface upon which the containment is constructed.

If you have any questions or concerns regarding this amendment to the registration or the attached C-147, please contact me.

Sincerely,



David Roybal, PE

