

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Tuesday, March 31, 2020 3:10 PM
To: 'Gonzales, Clair'; Hamlet, Robert, EMNRD; Bratcher, Mike, EMNRD; Eads, Cristina, EMNRD
Cc: Rob Kirk
Subject: RE: NAB1928444103 OXY SAND DUNES LINE

Hi Ms. Gonzales,
Please see the answer below (in blue).
Thank you,

Victoria Venegas
State of New Mexico
Energy, Minerals, and Natural Resources
Oil Conservation Division
811 S. First St., Artesia NM 88210
(575) 748-1283
Victoria.Venegas@state.nm.us

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 groundwater, 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, or local laws and/or regulations.

From: Gonzales, Clair <Clair.Gonzales@tetrattech.com>
Sent: Tuesday, March 31, 2020 12:26 PM
To: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>
Cc: Rob Kirk <rob.kirk@solarismidstream.com>
Subject: [EXT] RE: NAB1928444103 OXY SAND DUNES LINE

Ms. Venegas,

I have tried calling you, but with the shut-downs I didn't have much luck. I was hoping I could get some clarification on this report.

- I apologize for the inconvenience. The OCD is teleworking until further notice. For more information, please, visit our web site:
[http://www.emnrd.state.nm.us/ocd/documents/How To OCD Business Operations During Emergency Declaration 3-20-20.pdf](http://www.emnrd.state.nm.us/ocd/documents/How_To_OCD_Business_Operations_During_Emergency_Declaration_3-20-20.pdf)

The seeding requirements need to be included in the report we will re-submit, but are you also asking that we collect our confirmation samples every 200 square feet instead of the 500 square feet requested in the report?

- The OCD approves your proposed alternative sampling plan. Please, include the alternative sampling map in the closure report and provide sidewall/bottom confirmation samples locations of the remediated area.

Also, is it acceptable to perform the horizontal sampling immediately prior to/during the remediation activities?

- It is acceptable to perform delineation during the remediation activities, however, final confirmation samples from the sidewalls/bottom of the excavation must be provided and must be below limit for this site. Be advised that, while vertical definition of contamination that may be acceptable is almost exclusively driven by depth to

water, as determined, and as driven by Table I in the spill rule, horizontal definition if different. The edges (horizontal definition) of a liquid release must be determined as well. The only value for determination of horizontal impact are derived by either “background” value as determined appropriate to Rule 29, or, for chloride, 600 mg/Kg in soils. Therefore, horizontal soils delineation/confirmation samples for chloride should be 600 mg/kg (again, or background) for all liquid releases, either on or off production pad. . Generally, the top one foot sample suffices for immediate horizontal evaluation.

Clair Gonzales,

Clair Gonzales, P.G. | Project Manager

Phone: 432.687.8123 | Mobile 432.260.8634 | Fax:432.682.3946

clair.gonzales@tetrattech.com

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From: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>

Sent: Thursday, February 20, 2020 4:20 PM

To: Gonzales, Clair <Clair.Gonzales@tetrattech.com>; Rob Kirk <rob.kirk@solarismidstream.com>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>

Cc: blm_nm_cfo_spill@blm.gov

Subject: RE: NAB1928444103 OXY SAND DUNES LINE

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RE: NAB1928444103 OXY SAND DUNES LINE

Ms. Gonzalez,

Per Rule NMAC 19.15.29.12.D.(1):

- *(c) Alternately, without division approval, the responsible party may elect to perform a composite and grab sample plan of the remediated area where each composite sample is not representative of more than 200 square feet.*
- *(2) If all composite and grab sample concentrations are less than or equal to the parameters listed in Table I of [19.15.29.12](#) NMAC or any conditions of approval, then the responsible party may proceed to backfill any excavated areas.*

Please, review and make the required corrections prior to resubmitting the updated report through the fee portal.

Regards,

Victoria Venegas

State of New Mexico

Energy, Minerals, and Natural Resources

Oil Conservation Division

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From: Gonzales, Clair <Clair.Gonzales@tetrattech.com>

Sent: Thursday, February 20, 2020 1:45 PM

To: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; Rob Kirk <rob.kirk@solarismidstream.com>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>

Cc: blm_nm_cfo_spill@blm.gov

Subject: [EXT] RE: NAB1928444103 OXY SAND DUNES LINE

Ms. Venegas,

Would it be acceptable to perform the horizontal delineation during the remediation activities? We would install horizontal sample points around the perimeter of the release, and email the laboratory data and updated site map immediately for your approval.

To address the NMOCD Reclamation Standards by Rule [19.15.29.13](#), Solaris proposes to perform reseeding at the site once the remediation is completed. Reseeding will be performed in June 2020 to coincide with the rainy season in Southeastern New Mexico and aid in revegetation. Based on the soils at the site, the BLM Loamy (L) Sites Seed Mixture will be used and will be planted in the amount specified in the pounds pure live seed (PLS) per acre. The seed mixture will be spread by a drill equipped with a depth regulator or a handheld broadcaster and raked. If a hand-held broadcaster is used for dispersal, the pounds PLS per acre will be doubled. The soil survey information and BLM seed mixture to be used is attached.

Thank you,

Clair Gonzales,

Clair Gonzales, P.G. | Project Manager

Phone: 432.687.8123 | Mobile 432.260.8634 | Fax: 432.682.3946

clair.gonzales@tetrattech.com

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From: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>

Sent: Wednesday, February 19, 2020 12:25 PM

To: Rob Kirk <rob.kirk@solarismidstream.com>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>

Cc: blm_nm_cfo_spill@blm.gov; Gonzales, Clair <Clair.Gonzales@tetrattech.com>

Subject: NAB1928444103 OXY SAND DUNES LINE

NAB1928444103 OXY SAND DUNES LINE

Mr. Kirk,

The NMOCD has received your Remediation Plan for **NAB1928444103 OXY SAND DUNES LINE**, thank you. This remediation plan is denied for the following reason:

- Horizontal delineation has not been completed. The edges -horizontal definition- of a liquid release must be determined. A visual footprint on the surface is not sufficient or adequate to assess the horizontal extent of the release.
- Since the release was not on an active pad or production facility, the top 4 feet must meet the NMOCD Reclamation Standards by Rule [19.15.29.13](#).

Please let me know if you have any questions.

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