

From: [Hamlet, Robert, EMNRD](#)
To: ["Daniel Dominguez"](#)
Cc: [Bratcher, Mike, EMNRD](#); [Venegas, Victoria, EMNRD](#); [Eads, Cristina, EMNRD](#); [Billings, Bradford, EMNRD](#)
Subject: RE: Remediation Conditional Approval - DCP - N Line Leak (Area 1 and Area 2) - (Incident #NRM2006235833)
Date: Wednesday, September 30, 2020 8:02:00 AM

Daniel,

Brad Billings denied the report because the nearest well was not within ½ mile of the release location. Depth to water was not determined. If you elect to drill the borehole, the remediation plan is denied. Depth to groundwater will need to be established and a subsequent Remediation Plan will need to be written and put on the payment portal. If you remediate the release to the strictest standards (<50' depth to groundwater) 600 mg/kg for chlorides and 100 mg/kg for TPH, the remediation would meet closure criteria standards. After talking to our District Supervisor, we would conditionally approve the report if you remediate to the strictest standard (<50' depth to groundwater). I will copy this email into the incident files, so there is no confusion on what is expected with regards to closure.

Thank you,

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

From: Daniel Dominguez <ddominguez@hungry-horse.com>
Sent: Wednesday, September 30, 2020 7:20 AM
To: Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>
Cc: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>
Subject: [EXT] RE: Remediation Conditional Approval - DCP - N Line Leak (Area 1 and Area 2) - (Incident #NRM2006235833)

Mr. Hamlet,

Thank you for your response. But just to clarify, we maintain NMOCD approval to remediate the site according to your COA, with the addition of remediation to the strictest standard of 600 mg/kg for chlorides and 100 mg/kg for TPH, <50' depth to groundwater?

Sorry, to keep on this but I don't want any confusion. We have approval from DCP to start on Monday and I want to make sure we can actually begin.

Thank you,

Daniel Dominguez
Sr. Project Manager
Hungry Horse, LLC
(mobile) 575-441-2504
ddominguez@hungry-horse.com

From: Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>
Sent: Wednesday, September 30, 2020 7:06 AM
To: Daniel Dominguez <ddominguez@hungry-horse.com>
Cc: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>
Subject: RE: Remediation Conditional Approval - DCP - N Line Leak (Area 1 and Area 2) - (Incident #NRM2006235833)

Daniel,

If you remediate to the strictest standard of 600 mg/kg for chlorides and 100 mg/kg for TPH (<50' depth to groundwater), yes the report will meet closure criteria standards.

Regards,

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

From: Daniel Dominguez <ddominguez@hungry-horse.com>
Sent: Tuesday, September 29, 2020 5:21 PM
To: Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>
Cc: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>; BLM SPILL (<blm_nm_cfo_spill@blm.gov> <blm_nm_cfo_spill@blm.gov>

Subject: [EXT] Re: Remediation Conditional Approval - DCP - N Line Leak (Area 1 and Area 2) - (Incident #NRM2006235833)

Mr. Hamlet,

Or can we keep the approval and remediate the area to 600 cL and 100 TPH?

Thank you,
Daniel

Sent from my iPhone

On Sep 29, 2020, at 5:15 PM, Daniel Dominguez <ddominguez@hungry-horse.com> wrote:

Mr. Hamlet,

Is there any way you can add the borehole to the conditions and let us keep the approval? I can get the permit to drill the borehole submitted tomorrow.

Thank you,

Daniel

Sent from my iPhone

On Sep 29, 2020, at 4:07 PM, Hamlet, Robert, EMNRD
<Robert.Hamlet@state.nm.us> wrote:

Daniel,

Brad is correct, if the well is not within ½ mile of the site, a borehole needs to be drilled to verify the depth to water. Please follow Mr. Billings directive on the depth to groundwater determination.

Thank you,

Robert J Hamlet
State of New Mexico
Energy, Minerals, and Natural Resources
Oil Conservation Division
811 S. First St., Artesia NM 88210

(575) 748-1283

Robert.Hamlet@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: Daniel Dominguez <ddominguez@hungry-horse.com>

Sent: Tuesday, September 29, 2020 3:54 PM

To: Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>

Cc: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>; BLM SPILL (blm_nm_cfo_spill@blm.gov) <blm_nm_cfo_spill@blm.gov>

Subject: [EXT] RE: Remediation Conditional Approval - DCP - N Line Leak (Area 1 and Area 2) - (Incident #NRM2006235833)

Mr. Hamlet,

Thank you for your response on the N Line Leak. The listed conditions will be met.

I do have a question though, about an hour after I received your email, we received an email from Mr. Billings in which he denied the plan as there are no wells within a half mile of the site. I've attached his email.

Can we proceed with your approval, or do we need to drill a borehole?

The closest well is .83 miles from the site and lists water depth at 164.34 per 1991 gauging.

Thank you,

Daniel Dominguez

Sr. Project Manager

Hungry Horse, LLC

(mobile) 575-441-2504

ddominguez@hungry-horse.com

From: Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>

Sent: Tuesday, September 29, 2020 1:48 PM

To: Daniel Dominguez <ddominguez@hungry-horse.com>

Cc: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>; BLM SPILL (blm_nm_cfo_spill@blm.gov) <blm_nm_cfo_spill@blm.gov>

Subject: Remediation Conditional Approval - DCP - N Line Leak (Area 1 and Area 2) - (Incident #NRM2006235833)

Daniel,

We have received your Workplan/Remediation Proposal for **Incident #NRM2006235833 N Line Leak (Area 1 and Area 2)**, thank you. This Workplan/Remediation proposal is approved with the following conditions:

- Please have all closure soil samples analyzed for **all components** in Table 1 of the spill rule.
- All off pad areas must contain a minimum of 4 feet non-waste containing uncontaminated, earthen material with chloride concentrations less than 600 mg/kg. In the pasture area, 4 feet below the ground surface, soil contamination limits revert back to Table 1 "Closure Criteria for Soils Impacted by a Release" included in the spill rule <http://164.64.110.134/parts/title19/19.015.0029.html>
- Based on the depth to groundwater being >100' , deeper than 4' below surface, the correct limit for TPH is 2,500 mg/kg (GRO+DRO+MRO) or 1,000 mg/kg for (GRO+DRO) . Benzene would need to be below the limit of 10 mg/kg, BTEX 50 mg/kg, and chlorides 20,000 mg/kg.
- Please continue to horizontally delineate sample points to 600 mg/kg for chlorides and TPH to 100 mg/kg on the outer edges/periphery and include sample points in your next report after closure criteria limits have been met. Surface sample points and sidewalls on the edge of the release need to be delineated to 600 mg/kg for chlorides and 100 mg/kg for TPH for the spill to be horizontally delineated. All sidewall samples must include **all components** in Table 1 of the spill rule and not just chloride analysis.
- Please collect closure samples, representing no more than 200 square feet. *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 19.15.29.12D(1)(c).*
- Please delineate/excavate the contaminated soil until it is under required Closure Criteria limits.
- Please upload new Closure Report to the Payment Portal after Closure Criteria has been accomplished.

Please let me know if you have any further questions.

Regards,

Robert J Hamlet
State of New Mexico

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Oil Conservation Division
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(575) 748-1283
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