

December 14, 2018

Mr. Jim Griswold  
Environmental Bureau Chief  
EMNRD  
1220 South St. Francis Drive  
Santa Fe, NM 87505

Re: Release of Hydrocarbons at the Federal I #5, #8, and #9 Tank Battery  
Section 21, T23N, R7W, Sandoval County, NM

Dear Mr. Griswold,

Epic Energy, LLC received a delineation report and a remediation plan from Envirotech concerning the above referenced spill that occurred on an Encana Oil and Gas, USA location on December 10, 2018. We have not had an opportunity to thoroughly review the plan or make a reasonable cost estimate of the remediation costs. For these reasons Epic Energy requests a 30 day extension to submit the remediation plan.

As you are aware, Epic Energy feels that Encana is responsible for this spill and also responsible for the remediation. Epic Energy is still contemplating pursuing legal action against Encana and may request an indefinite stay of the Environment Department's request for a remediation plan from Epic Energy.

Sincerely,



Paul C. Thompson, P.E.

Cc: Mr. Charlie Perrin, Aztec OCD  
Mr. Gene Gallegos, Gallegos Law Firm

**UNOCD**

**DEC 20 2018**

**DISTRICT III**

## Smith, Cory, EMNRD

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**From:** Griswold, Jim, EMNRD  
**Sent:** Tuesday, December 18, 2018 4:17 PM  
**To:** Thompson, Paul  
**Cc:** Smith, Cory, EMNRD; Herrmann, Keith, EMNRD  
**Subject:** Federal I #5 tank battery

Mr. Thompson

I have reviewed your request dated December 14<sup>th</sup>, 2018 asking for an additional 30-day extension of time to submit a delineation report and remediation plan regarding the Federal I #5 tank battery. Because we have already granted an extension from the original deadline of November 14<sup>th</sup> to December 14<sup>th</sup> and you have cited no additional reason for requiring additional time, we cannot grant your request. While the Division appreciates Epic's concern for the fiscal implications of the remediation plan, it is not a criteria pertinent to our review and hopeful approval. However, we are willing to agree to a 7-day extension. Please provide the OCD with a delineation report and remediation plan no later than close of business Friday, December 21<sup>st</sup>, 2018. Thank you.

**Jim Griswold**

*Environmental Bureau Chief*

Oil Conservation Division

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