

**NM1 - 23**

**GENERAL  
CORRESPONDENCE**

**YEAR(S):**

**2013-2016**

# J&L LANDFARM INC

PO BOX 356 HOBBS NM 88241

4/29/2016

Oil Conservation Division – NMOCD  
1120 South ST. Francis Drive  
Santa Fe, NM 87505  
ATTN: Brad Jones

RE: Landfarm Map/Merging of Cells

**Dear Mr. Jones,**

After further review, we would like to retract the letter dated 4/20/2016 regarding the J&L Landfarm map that was sent in. Please disregard this information, as we need to further investigate the active cells on the landfarm and submit a new map. Thank you for your cooperation in this matter.

Sincerely,



Judy L Roberts

Owner

Michelle Kuhn

Office/Landfarm Operations Mgr.

J&L Landfarm Inc 575-631-5766

# J&L LANDFARM INC

PO BOX 356 HOBBS NM 88241



4/20/2016

7:11 AM P 2:00

Oil Conservation Division – NMOCD  
1120 South ST. Francis Drive  
Santa Fe, NM 87505  
ATTN: Brad Jones

## Dear Mr. Jones

While waiting on the results of the background approval, we are currently in the process of enlarging some of the current cells within the landfarm. Landfarm maps are attached showing the merged cells, along with new cell numbers and approximate measurements of each merged cell. The map also shows the cells that were implemented after 2007. All cells on the West side of the landfarm are not in use and have not been for some time. These cells will no longer be active and have been approved for additional lifts and DMS – Cell # 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11. According to the Treatment zone closure performance standards in Subsection F of 19.15.36.15 NMAC, once compliance is demonstrated and the soil has been remediated to the required levels, the soils may remain in place. Previous testing shows that this standard has been satisfied.

We are currently sampling for 1<sup>st</sup> quarter testing for 2016. The results will be entered on the table and sent in to NMOCD as soon as background approval is obtained. Testing will be done on the new merged active cells as shown on the attached map – Cell #40, 41, 42, 35, 15 and 44. Cells 43 and 45 will be on a semi-annual testing schedule and will be included in the 1<sup>st</sup> quarter testing. The required 5 year vadose zone monitoring has been completed as well, and will be sent in along with the treatment zone testing.

Pipelines have been located and we are currently clearing the area to 20ft on each side as required by NMOCD. There is also a map attached showing a new cell, which will be cell # 46. This cell is not complete or active at this time. NMOCD will be notified upon completion of the cell.

We hope that we have completed the requirements to meet compliance with NMOCD. If we have overlooked anything, please contact us so that we can get it completed. Thank you for your time and have a great day!

Sincerely,

Judy Roberts  
Owner  
Michelle Kuhn  
Office/Landfarm Operations Mgr  
J&L Landfarm inc 575-631-5766



Google earth



Cells on West side - full and/or difficult to access by dump trucks.  
Not active.



Google earth

feet  
meters



- Cells are full / inactive
- Merged cells
- Cells made after 2007

- Cell # 40 - Approx 4 acres
- Cell # 41 - Approx 4.5 acres
- Cell # 42 - Approx 5 acres
- Cell # 35 - Approx 2.75 acres
- Cell # 43 - Approx 9.2 acres
- Cell # 15 - Approx 1.75 acres

- Cell # 44 - Approx 3.25 acres
- Cell # 45 - Approx 9.7 acres

*\* All cells above are exempt.*





Google earth

feet  
meters



Cells have been evened up on North side.  
We are in the process of creating a new cell  
in the specified area of the map. It is  
currently not complete or active.



New Mexico Energy, Minerals and Natural Resources Department

**Susana Martinez**  
Governor

**John H. Bemis**  
Cabinet Secretary-Designate

**Brett F. Woods, Ph.D.**  
Deputy Cabinet Secretary

**Jami Bailey**  
Division Director  
Oil Conservation Division



September 13, 2011

Ms. Judy L. Roberts  
J & L Landfarm, Inc.  
P.O. Box 356  
Hobbs, New Mexico 88241-0356

**RE: Request For An Additional Lift  
J & L Landfarm, Inc.  
Permit: NM-1-023  
Facility Location: N/2, N/2 of Section 9 and the N/2, N/2 of Section 10, Township 20  
South, Range 38 East, NMPM, Lea County**

Dear Ms. Roberts:

The Oil Conservation Division (OCD) has reviewed J & L Landfarm, Inc.'s (J & L Landfarm) request, dated June 14, 2011 to grant approval to apply an additional six-inch lift to the following cell(s): **Cells 1, 3, 4, 7, 8, 12, 13, 14, 16, 17, 18, 24, 25, 26, 31, 32, 33, and 34**. The test method, EPA Method 9056, utilized for the above referenced landfarm cells to demonstrate the chloride concentration is not one of the OCD recognized approved methods. Methods for analyzing chloride recognized in the Part 36 or otherwise approved by OCD are as follows: EPA Method 300.1; EPA Method 300.0; and Standard Method 4500B. OCD will accept the use of EPA Method 9056 for this demonstration.

Based upon the analytical results provided, OCD hereby grants J & L Landfarm approval to apply an additional six-inch lift of contaminated soils to the above referenced landfarm cell(s). J & L Landfarm shall ensure that the application of an additional six-inch lift of contaminated soils to the above referenced *landfarm cells do not exceed the maximum thickness of two feet or 3000 cubic yards per acre limit* as specified in 19.15.36.15 NMAC. Also, please note that with the addition of successive lifts J & L Landfarm must initiate treatment zone monitoring and resume vadose zone monitoring. The vadose zone monitoring depth must be adjusted to reach the 2-3 foot zone below the original native ground surface.

The following landfarm cells could not be considered due to their TPH concentrations remaining above the 100 ppm TPH standard specified within your permit; **Cell 5** (465.5 ppm); **Cell 6** (232.6 ppm); **Cell 11** (139.9 ppm); and **Cell 15** (960 ppm). OCD recommends re-sampling the above referenced cells for TPH.

Oil Conservation Division \* 1220 South St. Francis Drive  
\* Santa Fe, New Mexico 87505

\* Phone: (505) 476-3440 \* Fax (505) 476-3462\* <http://www.emnrd.state.nm.us>

Ms. Roberts  
J&L Landfarm, Inc.  
Permit NM1-023  
September 13, 2011  
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Please be advised that approval of this request does not relieve J & L Landfarm of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve J & L Landfarm of its responsibility to comply with any other applicable governmental authority's rules and regulations.

If there are any questions regarding this matter, please do not hesitate to contact me at (505) 476-3487 or [brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us).

Sincerely,



Brad A. Jones  
Environmental Engineer

BAJ/baj

cc: OCD District I Office, Hobbs

State of New Mexico  
Energy, Minerals and Natural Resources Department

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Susana Martinez  
Governor

David Martin  
Cabinet Secretary

Brett F. Woods, Ph.D.  
Deputy Cabinet Secretary

Jami Bailey, Division Director  
Oil Conservation Division



April 10, 2014

Ms. Judy L. Roberts  
J & L Landfarm, Inc.  
P.O. Box 356  
Hobbs, New Mexico 88241-0356

**RE: 2013 Quarterly Vadose Zone Monitoring Reports Review  
J & L Landfarm, Inc.  
J & L Landfarm – Permit NM-1-23  
N/2, N/2 of Section 9 and the N/2, N/2 of Section 10, Township 20 South, Range 38  
East, NMPM, Lea County**

Dear Ms. Roberts:

The Oil Conservation Division (OCD) has completed the review of J & L Landfarm, Inc.'s (J & L) 2013 3<sup>rd</sup> Quarter Vadose Zone Monitoring Report, dated November 21, 2013, a Resampling Report, dated February 27 2014, and 2013 4<sup>th</sup> Quarter Vadose Zone Monitoring Report, dated February 27 2014. The vadose zone results were not compared to the background results or PQL (whichever is higher) in order to determine if a release had occurred and if additional follow-up actions are required to be completed. The 2013 3<sup>rd</sup> Quarterly Vadose Zone Monitoring Report and the Resampling Report demonstrate a downward migration of TPH and Chloride contamination approximately 2.5 feet into the vadose zone. The five year vadose sampling event has not been implemented and demonstrated. Also, the incorrect test method for TPH was utilized and demonstrated in regards to vadose zone monitoring.

Pursuant to Paragraph (5) of 19.15.36.15.E NMAC, "If vadose zone sampling results show that the concentrations of TPH, BTEX or chlorides exceed the higher of the PQL or the background soil concentrations, then the operator shall notify the division's environmental bureau of the exceedance, and shall immediately collect and analyze a minimum of four randomly selected, independent samples for TPH, BTEX, chlorides and the constituents listed in Subsections A and B of 20.6.2.3103 NMAC. The operator shall submit the results of the re-sampling event and a response action plan for the division's approval within 45 days of the initial notification. The response action plan shall address changes in the landfarm's operation to prevent further contamination and, if necessary, a plan for remediating existing contamination." The 2013 3<sup>rd</sup> Quarter Vadose Zone Monitoring Report demonstrated TPH contamination in Cells 23, 26, and 30, and high Chlorides (ranging from 112.4 to 1973.9 mg/kg when all other cells were less than 50 mg/kg) in Cells 3, 7, 12, 14, 21, 22, 24, 25, 31, 32, and 33. The Resampling Report confirmed the TPH contamination in Cell 26 at 180 mg/kg and confirmed high Chlorides in Cell

14 at 490 mg/kg and Cell 23 at 110 mg/kg. OCD was not notified of the exceedances, the required additional sampling was not performed, and OCD did not receive the required response action plan to address the confirmed contamination. Please complete the requirements of Paragraph (5) of 19.15.36.15.E NMAC.

In accordance with Paragraph (1) of 19.15.36.15.E NMAC, “The operator shall monitor the vadose zone beneath the treatment zone in each landfarm cell.” Pursuant to Paragraph (3) of 19.15.36.15.E NMAC, “The operator shall collect and analyze a minimum of four randomly selected, independent samples from the vadose zone, using the methods specified below for the constituents listed in Subsections A and B of 20.6.2.3103 NMAC at least every five years and shall compare each result to the higher of the PQL or the background soil concentrations to determine whether a release has occurred.” OCD has reviewed the administrative file and has been unable to locate the five year vadose sampling demonstration. Part 36 became effective February 14, 2007. The five year sampling event is due, please provide. As underlined in the above reference of Paragraph (1) of 19.15.36.15.E NMAC, the “methods specified below for the constituents listed in Subsections A and B of 20.6.2.3103 NMAC” are those identified in Subsection F of 19.15.36.15 NMAC: such as “determined by EPA SW-846 methods 6010B or 6020 or other EPA method approved by the division...” Please perform the five year monitoring program on all of the active landfarm cells and submit all future sampling results demonstrating compliance of Paragraph (3) of 19.15.36.15.E NMAC by EPA SW-846 methods 6010B or 6020.

In regards to utilizing the proper TPH test method for vadose zone monitoring, in accordance with Paragraph (2) of 19.15.36.15.E NMAC the operator shall analyze the samples from the vadose zone “using the methods specified below for TPH, BTEX and chlorides and shall compare each result to the higher of the PQL or the background soil concentrations to determine whether a release has occurred.” The “methods specified below for TPH, BTEX and chlorides” are those identified in Subsection F of 19.15.36.15 NMAC: such as “TPH, as determined by EPA method 418.1 or other EPA method approved by the division...” Pursuant to the Transitional Provisions of Subsection A of 19.15.36.20.NMAC, “Existing surface waste management facilities shall comply with the operational, waste acceptance and closure requirements provided in 19.15.36 NMAC, except as otherwise specifically provided in the applicable permit or order, or in a specific waiver, exception or agreement that the division has granted in writing to the particular surface waste management facility.” The most common vadose zone monitoring (commonly referred to, but incorrectly as “Treatment Zone Monitoring” within existing landfarm permits) condition in an existing landfarm permit is as follows: “The soil samples must be analyzed using EPA-approved methods for total petroleum hydrocarbons (TPH) and volatile aromatic organics (BTEX) quarterly and for major cations/anions and eight (8) RCRA heavy metals annually.” The permit condition only identified the constituent and does not specify the test method. Part 36 specifies EPA Method 418.1 as the required vadose zone analyses for TPH. Please submit all future vadose zone sampling results demonstrating TPH by EPA Method 418.1.

The 2013 Quarter Vadose Zone Monitoring Reports only includes a brief written summary and the laboratory results from the sampling events. The requirements of Subsection E of 19.15.36.15 NMAC are clear that the operator “shall compare each result to the higher of the PQL or the background soil concentrations to determine whether a release has occurred.” The

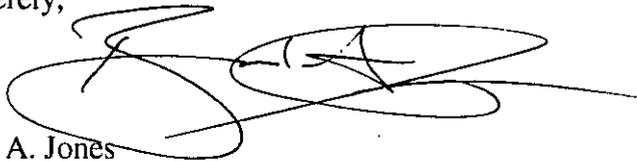
Ms. Roberts  
J & L Landfarm, Inc.  
Permit NM1-23  
April 10, 2014  
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rest of the vadose zone assessment was not completed to determine if a release has occurred and/or if the required additional testing and a response action plan of Paragraph (5) of 19.15.36.15.E NMAC are required. Please complete the required assessment.

Please note that the submittal of treatment zone monitoring results alone does not constitute a request for a successive/additional lift. The permit condition specifies "Authorization from the OCD must be obtained prior to application of successive lifts and/or removal of remediated soils." OCD requires such request to be made under a separate cover from other reporting and include the supporting analytical results and an updated facility map that illustrates and identifies the individual landfarm cells within the facility boundary and indicate the approximate location within the landfarm cells in which the samples were obtained.

Please complete the required actions of 19.15.36.15.E NMAC by performing the required additional sampling and provide OCD with the sampling results compared to background or PQL and a response action plan within 120 days of receipt of this letter. Please perform the five year monitoring program on all of the active landfarm cells. Please submit future vadose zone sampling results demonstrating TPH by EPA Method 418.1 and compliance to Paragraph (3) of 19.15.36.15.E NMAC by EPA SW-846 methods 6010B or 6020. If there are any questions regarding this matter, please do not hesitate to contact me at (505) 476-3487 or [brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us).

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad A. Jones', written over a large, circular scribble.

Brad A. Jones  
Environmental Engineer

BAJ/baj

cc: OCD District I Office, Hobbs