

**Bratcher, Mike, EMNRD**

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**From:** tgregsto@blm.gov  
**Sent:** Thursday, February 10, 2011 5:15 PM — *Rec'd 2/14/11 6:25 AM*  
**To:** ikincaid@sesi-nm.com  
**Cc:** Bratcher, Mike, EMNRD  
**Subject:** re: Appended Work Plan Cottonwood 22 Federal Com 5-received 02/10/11  
**Attachments:** Cottonwood Draw 22 Federal Com 5-Stips for Amended Work Plan-021011.pdf

Isaac,

I have reviewed the work plan, with appendments, delivered to the BLM on 02/10/11 for the Cottonwood 22 Federal Com 5 spill site. This is basically the same work plan that was submitted September 20, 2010, with the addition of my original stipulations on that plan (dated 09/21/10) included as an amendment to proposed actions. However, due some verbage changes made in the translation of the stips to the appended plan, I will forward a digital copy of my original stipulations to be included as a condition of approval for the appended plan as well.

See attached.

Terry Gregston  
Environmental Protection Specialist  
Bureau of Land Management  
620 E. Greene St.  
Carlsbad, NM 88220  
Office (575) 234-5958  
Fax (575) 234-5927



Terry G  
Gregston/CFO/NM/BLM/DOI  
09/21/20 10:11:49 AM

To "Susana Rodriguez" <office2@sesi-nm.com>  
cc mike.bratcher@state.nm.us, scontreras@sesi-nm.com,  
terry.gregston@blm.gov, James  
Amos/CFO/NM/BLM/DOI@BLM, Paul  
bcc

Subject Re: CIM-10-007 Cotton wood Delineation Report 8.24.10

Ms. Rodriguez,

I have reviewed your cleanup plan and approve it with the following stipulations:

1. The location will be downsized to below the approved APD pad size stipulations to comply with interim reclamation requirements. This will be difficult for this location because both pads for both wells were overbuilt considerably and two facilities were subsequently placed on the outer sides of two sides of the pad. The BLM would like to see the pad reduced to not only what was approved in the original APD conditions of approval, but downsized from those dimension to comply with interim reclamation requirements. Originally, BLM management was willing to push this issue in so far as to moving one or both facilities. If Cimarex can come up with a solution that meets interim requirements and accommodates both facilities in their current position, I am willing to listen to that proposal. However, it will take some careful engineering and planning on Cimarex's part to achieve that goal. They should keep in mind that pads do not have to be square and that they can be irregularly shaped. The approved APDs authorized disturbance of 2.06 acres for both wells combined; the final pad size should be considerably less than this to achieve interim reclamation requirements.
2. Final sampling of the excavated areas must be witnessed by a BLM authorized officer. Myself, Jim Amos, and Paul Evans are available to witness bottom sampling. If none of the three are available at the proposed sampling time, a mutually agreeable sampling time and date will be set to accommodate all parties.
3. All backfill caliche from the pad must be tested to ensure that it is clean prior to backfilling by pulling grab samples from the proposed fill material in grid pattern. The spill area can be backfilled with caliche, but must also have at least 1 foot of topsoil similar to the surrounding terrain. The same is true of any interim reclamation areas.
4. Once the pad is downsized and all contaminated areas are addressed and backfilled, erosion control measures will be installed on the reclaimed areas to prevent erosion and to help establish vegetation.
5. Contact Terry Gregston, (575) 361-2635, for a reclamation onsite 3 days prior to pulling the equipment off the location.
6. The reclaimed areas will be ripped and seeded with a combination of BLM seed mixes #3 and #4. The BLM is open to the addition of additional seeds that may encourage vegetation establishment. We have been looking at utilizing *Oenothera* (primrose), *Verbena bracteata*, *Glandularia bipinnatifida* (Dakota mock vervain), and *Ratibida columnifera* (upright prairie coneflower) as possible additions to reclamation seed mixes in gypsum soils. All of these are wildflowers that occur in our region and that may establish easier than native grasses; several provide creeping ground cover that helps to hold soils in place until native grasses can re-establish. Some, like the *Ratibida* have been successfully used in mining reclamations in soils with a higher than normal chloride content. Dakota mock vervain is already often found in the Hay Hollow area coming in on disturbed soil sites through native seeding (a number of Cimarex sites have this coming in on disturbed areas). So we are willing to experiment some to see if we can achieve a better and more rapidly established ground cover in sites with gypsum soils. If you wish to utilize any seeds other than the seed mix #3 and #4 please contact me in advance so that I can have our range staff approve the specific species additions for this location.
6. Contact Terry Gregston, (575) 361-2635, three days prior to seeding the reclaimed areas.

7. Cimarex will monitor the reclamation after completion to ensure no erosion develops and that vegetation is successfully established on a sustainable basis.

BLM approval of this proposal does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that may pose a threat to groundwater, surface water, human health, or the environment; or if the location fails to reclaim properly. In such an event that the location fails to establish vegetation, or future issues with contaminants or erosion are encountered, the operator will be asked to address the situation until all issues are fully addressed and the location is successfully reclaimed. In addition, BLM approval does not relieve the operator of responsibility for compliance with any other federal, state, or local laws/regulations.

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09/20/20 10:02:52 PM

To <terry.gregston@blm.gov>  
cc <mike.bratcher@state.nm.us>, <scontreras@sesi-nm.com>  
Subject CIM-10-007 Cotton wood Delineation Report 8.24.10

Ms. Gregston:

Attached please find the delineation report for the Cottonwood 22-5 as well as the analytical results. I have mailed out the hard copies to your attention and wanted to follow up on the status of the site. Could you please review and forward your approval or any stipulations regarding this delineation report/work plan?

Thank you,

Susana Rodriguez  
Administrative Assistant  
Safety & Environmental Solutions, Inc.  
575.397.0510(attachment "CIM-10-007 Cotton wood Delineation Report 8.24.10.pdf" deleted by Terry G Gregston/CFO/NM/BLM/DOI] [attachment "H20713 SE5I.pdf" deleted by Terry G Gregston/CFO/NM/BLM/DOI] [attachment "H20663 SE5I.pdf" deleted by Terry G Gregston/CFO/NM/BLM/DOI] [attachment "H20663CL SE5I.pdf" deleted by Terry G Gregston/CFO/NM/BLM/DOI]