

**From:** Patterson, Heather, EMNRD  
**To:** ["Chase Settle"](#)  
**Cc:** [Bob Asher](#); [Katie Parker](#); [Bratcher, Mike, EMNRD](#); [Griswold, Jim, EMNRD](#); [Billings, Bradford, EMNRD](#); ["Robertson, Jeffery"](#)  
**Subject:** RE: Benson Deep BDX Federal Com #1 Work Plan  
**Date:** Monday, May 04, 2015 12:43:00 PM

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Chase,

As explained before, composite sampling across a large area is not considered to be an adequate representation of contamination by the OCD. Three composited samples across a 400' span only gives us a vague idea of what might be in place. In this case, due to the low numbers overall and your proposal to pull confirmation samples, I opted to approve the work plan as it was written and have you follow up with discrete confirmation samples, rather than outright deny the plan until proper sampling is completed.

Heather Patterson  
Environmental Specialist  
NMOCD District II  
Office (575)748-1283 ext.101  
Cell (575)703-0228

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**From:** Chase Settle [mailto:CSettle@yatespetroleum.com]  
**Sent:** Monday, May 04, 2015 11:13 AM  
**To:** Patterson, Heather, EMNRD  
**Cc:** Bob Asher; Katie Parker; Bratcher, Mike, EMNRD  
**Subject:** RE: Benson Deep BDX Federal Com #1 Work Plan

Heather,

I have yet to receive a response to the previous inquiry (email listed below) requesting the justification from NMOCD for stipulating individual samples be obtained for confirmation of remediation. I believe this to be an important aspect to the Work Plan for this location, and cannot proceed with remediation activities until resolution of this issue in the remediation process.

Thank you,

*Chase Settle*  
**Environmental Regulatory Agent**  
**Yates Petroleum Corporation**  
105 S. 4<sup>th</sup> Street  
Artesia, NM 88210  
575-748-4171 (Office)  
575-703-6537 (Cell)

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**From:** Chase Settle  
**Sent:** Thursday, April 30, 2015 8:32 AM  
**To:** 'Patterson, Heather, EMNRD'  
**Cc:** Bob Asher; Katie Parker; Bratcher, Mike, EMNRD  
**Subject:** RE: Benson Deep BDX Federal Com #1 Work Plan

Heather,

What is the justification for stipulating individual samples to be taken for confirmation of remediation? This is an added expense to the sampling process and I do not believe that a significant difference will be observed from individual samples versus a composite sample. Composite sampling was the method used to determine the initial impacts of the release, and as such would seem a legitimate method for the confirmation sampling to demonstrate remediation is complete.

*Chase Settle*

**Environmental Regulatory Agent  
Yates Petroleum Corporation**

**105 S. 4<sup>th</sup> Street  
Artesia, NM 88210  
575-748-4171 (Office)  
575-703-6537 (Cell)**

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**From:** Patterson, Heather, EMNRD [<mailto:Heather.Patterson@state.nm.us>]  
**Sent:** Wednesday, April 29, 2015 1:28 PM  
**To:** Chase Settle  
**Cc:** Bob Asher; Katie Parker; 'Robertson, Jeffery'; Bratcher, Mike, EMNRD  
**Subject:** RE: Benson Deep BDX Federal Com #1 Work Plan

RE: Yates \* Benson Deep BDX Fed. Com #1 \* 30-015-22793 \* 2RP-2732

Chase,

Your proposed work plan is approved. When conducting your sampling please remit discrete samples, rather than composite, in the area of MR.

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 ground water, 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, local laws and/or regulations.

If you have any questions or concerns, and for notification, please contact me.

Heather Patterson  
Environmental Specialist  
NMOCD District II  
Office (575)748-1283 ext.101  
Cell (575)703-0228

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**From:** Chase Settle [<mailto:CSettle@yatespetroleum.com>]  
**Sent:** Thursday, April 16, 2015 8:44 AM  
**To:** Bratcher, Mike, EMNRD; Patterson, Heather, EMNRD  
**Cc:** Bob Asher; Katie Parker  
**Subject:** Benson Deep BDX Federal Com #1 Work Plan

April 16, 2015

Mr. Mike Bratcher/Mrs. Heather Patterson  
NMOCD District II  
811 S. First St.  
Artesia, NM 88210

Re: Benson Deep BDX Federal Com #1  
30-015-22793  
Section 33, T18S-R30E  
Eddy County, New Mexico  
2RP-2732

Mr. Bratcher/Mrs. Patterson,

Yates Petroleum Corporation is submitting the attached work plan for the above captioned well. The plan is being submitted in response to the C-141 report dated January 13, 2015.

**If there are no objections with the scope of work described in the plan, Yates will have a contractor begin work on or after May 1, 2015.**

If you have any questions, feel free to call me at (575) 748-4171

Thank you.

*Chase Settle*  
**Environmental Regulatory Agent**  
**Yates Petroleum Corporation**  
**105 S. 4<sup>th</sup> Street**  
**Artesia, NM 88210**  
**575-748-4171 (Office)**  
**575-703-6537 (Cell)**

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