

Bratcher, Mike, EMNRD

From: Bratcher, Mike, EMNRD
Sent: Wednesday, May 31, 2017 11:21 AM
To: 'Brian Kuh'
Cc: 'Cliff Humphreys'; Weaver, Crystal, EMNRD; Billings, Bradford, EMNRD
Subject: RE: Tiger Treatment Facility request for variance

RE: Matador Resources * Tiger Recycle Facility * 2RF-106

Brian,

Thanks for the clarification. A variance has to be more protective than the mandate, and at this site, liner integrity is extremely important due to depth to groundwater. The audible bird deterrent systems currently in use at other facilities seems to work for earthen containments. I am not aware of this deterrent system's use for an AST containment system such as is in use at the Tiger. At this time, your variance request is approved, however, as a condition of approval for this variance, OCD requests Matador notify OCD within 24 hours of discovery of any bird or animal species found in any of the containments, or fatalities of bird or animal species discovered in close proximity to the facility.

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

Thank you,

Mike Bratcher
NMOCD District 2
811 S. First St.
Artesia NM 88210
575-748-1283 Ext 108
mike.bratcher@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 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.

From: Brian Kuh [mailto:matadorwatermanagement@gmail.com]
Sent: Tuesday, May 30, 2017 2:06 PM
To: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>
Cc: 'Cliff Humphreys' <chumphreys@matadorresources.com>
Subject: RE: Tiger Treatment Facility request for variance

Good afternoon Mike,

The intent of the audio bird deterrent system would be to replace the netting that Matador is currently using. When the water is drained from Each AST we would be then removing the nest from the tops of the AST's and removing the net stands that are inside the AST's as a safety precaution to insure liner integrity/protection.

Thank you,

Brian

From: Bratcher, Mike, EMNRD [<mailto:mike.bratcher@state.nm.us>]
Sent: Tuesday, May 30, 2017 12:54 PM
To: Brian Kuh <matadorwatermanagement@gmail.com>
Cc: 'Cliff Humphreys' <chumphreys@matadorresources.com>
Subject: RE: Tiger Treatment Facility request for variance

Brian,

Is your variance request for an audio system to supplement the netting, or in place of netting? Would the netting currently being used remain in place?

Thanks,

Mike Bratcher
NMOCD District 2
811 South First Street
Artesia NM 88210
575-748-1283 Ext 108
mike.bratcher@state.nm.us

From: Brian Kuh [<mailto:matadorwatermanagement@gmail.com>]
Sent: Thursday, April 27, 2017 4:47 AM
To: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>
Cc: matadorwatermanagement@gmail.com; 'Cliff Humphreys' <chumphreys@matadorresources.com>
Subject: Tiger Treatment Facility request for variance

Good morning Mr. Bratcher,

Per our conversation, on Behalf of Matador Resources, we are requesting a variance to our C-147 for the Tiger Recycling Containment and recycling Facility in Section 14, T24S, R28E in Eddy County. Currently at the Tiger Facility, Matador is using bird nesting as a deterrent. Under rule 34 pertaining to bird deterrent we are requesting a variance to supplement the netting for audio bird deterrent that have worked really well on other facilities in SENM. Please let me know if you have any questions or concerns

Thank you,

BRIAN KUH
Consultant – Water Management

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