

## Hamlet, Robert, EMNRD

**From:** Hamlet, Robert, EMNRD  
**Sent:** Tuesday, April 2, 2019 11:19 AM  
**To:** 'Adrian Baker'  
**Cc:** Littrell, Kyle; Ashley Ager; Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; 'jamos@blm.gov'; 'caweaver@blm.gov'; 'McKinney, Deborah'  
**Subject:** Remediation Plan Denied (High Karst) - XTO - JRU #3 Battery (2RP-4991) 9-18-2018

Adrian,

OCD currently considers High Karst areas as “an unstable area” for rule compliance purposes. It is used in this manner in other OCD rules as well (Part 17, Part 34, and possibly others). Below is the relevant portion of the spill rule (Part 29): 19.15.29.12 C.(4)

*(4) If a release occurs within the following areas, the responsible party must treat the release as if it occurred less than 50 feet to ground water in Table I of 19.15.29.12 NMAC:*

*(a) within (i) 300 feet of any continuously flowing watercourse or any other significant watercourse, or (ii) 200 feet of any lakebed, sinkhole or playa lake (measured from the ordinary high-water mark); 19.15.29 NMAC 5*

*(b) within 300 feet from an occupied permanent residence, school, hospital, institution or church;*

*(c) within (i) 500 feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, or (ii) 1000 feet of any fresh water well or spring;*

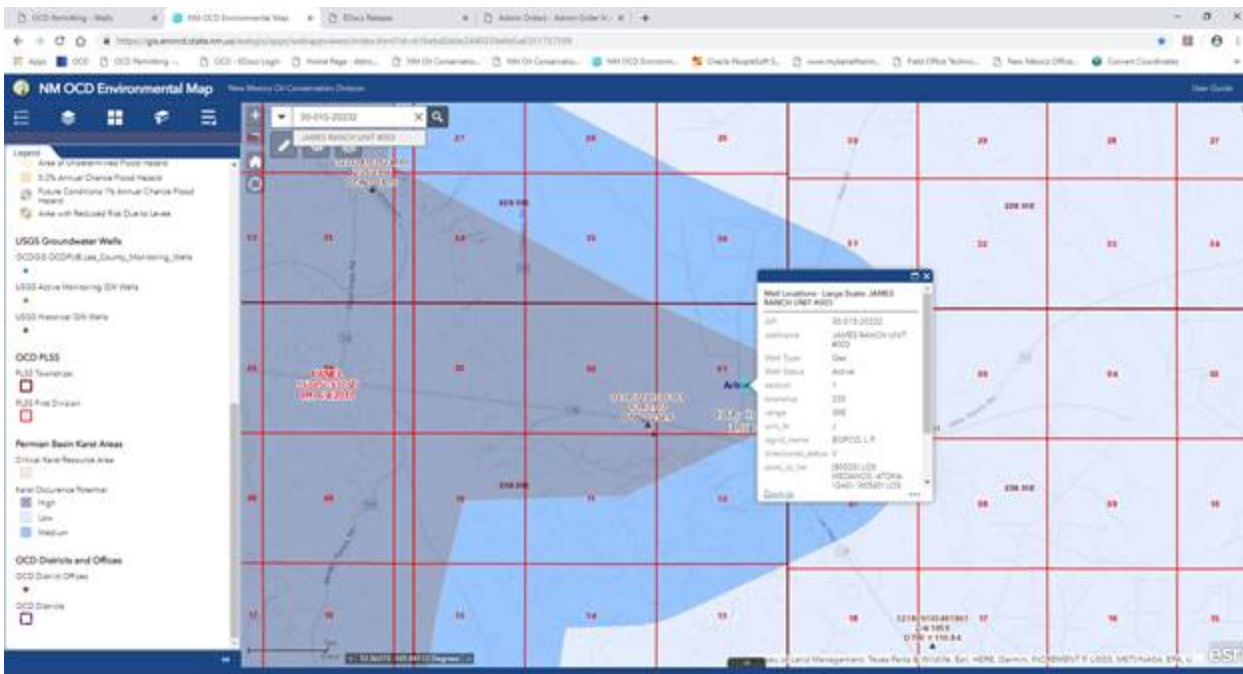
*(d) within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to Section 3-27-3 NMSA 1978 as amended, unless the municipality specifically approves;*

*(e) within 300 feet of a wetland;*

*(f) within the area overlying a subsurface mine;*

*(g) within an unstable area; or*

*(h) within a 100-year floodplain*



Please make the necessary changes to the SA/RP and resend approval request.

Thank you,

Robert J Hamlet  
State of New Mexico  
Energy, Minerals, and Natural Resources  
Oil Conservation Division  
811 S. First St., Artesia NM 88210  
(575) 840-5963  
[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@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 groundwater, 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, or local laws and/or regulations.

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**From:** Adrian Baker <[abaker@ltenv.com](mailto:abaker@ltenv.com)>  
**Sent:** Tuesday, March 26, 2019 9:52 AM  
**To:** Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; Hamlet, Robert, EMNRD <[Robert.Hamlet@state.nm.us](mailto:Robert.Hamlet@state.nm.us)>; Venegas, Victoria, EMNRD <[Victoria.Venegas@state.nm.us](mailto:Victoria.Venegas@state.nm.us)>  
**Cc:** Littrell, Kyle <[Kyle\\_Littrell@xtoenergy.com](mailto:Kyle_Littrell@xtoenergy.com)>; Ashley Ager <[aager@ltenv.com](mailto:aager@ltenv.com)>  
**Subject:** [EXT] RE: Remediation Plan and Deferral Request - JRU #3 - 2RP-4991

Mike,

Attached is the Remediation Plan and Deferral Request - JRU #3 - 2RP-4991. The Remediation Plan and Deferral Request was initially submitted to you on 12/17/2018. This email just serves as a reminder of the submitted report.

*Adrian Baker*  
Project Geologist/Office Manager  
(432) 894-5641 cell

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**From:** Adrian Baker  
**Sent:** Monday, December 17, 2018 9:34 AM  
**To:** 'Bratcher, Mike, EMNRD' <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; 'Tucker, Shelly' <[stucker@blm.gov](mailto:stucker@blm.gov)>  
**Cc:** 'Littrell, Kyle' <[Kyle\\_Littrell@xtoenergy.com](mailto:Kyle_Littrell@xtoenergy.com)>; Ashley Ager <[aager@ltenv.com](mailto:aager@ltenv.com)>  
**Subject:** Remediation Plan and Deferral Request - JRU #3 - 2RP-4991

All,

Please see the attached remediation plan and deferral request for one release at the JRU #3/2RP-4991. If you have any questions, please do not hesitate to contact myself or Kyle Littrell at XTO.

Thank you,

Adrian Baker  
Project Geologist/Office Manager



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