

Venegas, Victoria, EMNRD

From: Bratcher, Mike, EMNRD
Sent: Wednesday, February 12, 2020 9:52 AM
To: Bradley Blevins; Venegas, Victoria, EMNRD
Cc: Hamlet, Robert, EMNRD; Clabe Pearson; Spencer Reed; Tommy Pearson
Subject: RE: [EXT] Jalmat Sands Unit Water Injection Battery 1RP-5771

Bradley,

We have made the operator and contractor aware of the water well falling within setback limits, making this remediation project subject to the more restrictive values listed in the spill rule.

Thank you,

Mike Bratcher
NMOCD NM South
811 South First Street
Artesia, NM 88210
575-748-1283 Ext 108

From: Bradley Blevins <bblevins5252@gmail.com>
Sent: Wednesday, February 12, 2020 8:57 AM
To: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>
Cc: Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Clabe Pearson <clabe@merchantlivestock.com>; Spencer Reed <spencer@merchantlivestock.com>; Tommy Pearson <tommy@merchantlivestock.com>
Subject: Re: [EXT] Jalmat Sands Unit Water Injection Battery 1RP-5771

Good Morning Victoria

I am following up on the email chain below. Has a decision been made regarding the Jalmat Sands Unit Water Injection Battery?

Bradley Blevins
Merchant Livestock Co
575-691-6120

On Tue, Feb 4, 2020 at 8:48 AM Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us> wrote:

Good morning Mr. Blevins,

We are working on your request. Please give us a couple of days and we will get back to you as soon as possible.

Thank you,

Victoria Venegas

EMNRD

OCD-District II

Artesia NM

Victoria.Venegas@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.

From: Bradley Blevins <bblevins5252@gmail.com>

Sent: Friday, January 31, 2020 3:21 PM

To: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>

Cc: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; Clabe Pearson <clabe@merchantlivestock.com>; Spencer Reed <spencer@merchantlivestock.com>; Tommy Pearson <tommy@merchantlivestock.com>

Subject: Re: [EXT] Jalmat Sands Unit Water Injection Battery 1RP-5771

Good Afternoon Victoria,

Thank you for taking the time to review the work plan submitted for 1RP-5771, we appreciate your time and efforts. I tried reaching out to you this afternoon to discuss a question I had on the rule, I did make contact with Mike Bratcher to discuss. Merchant Livestock continues to request the current remediation plan be denied for the following reason. Per the rule, 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 per [19.15.29.12](#). C. Remediation plan requirements (4), letter (c), (ii) within a 1000 feet of **any** fresh water well or spring. Merchant Livestock's fresh water well is approximately 675' from the battery/release area. If you have any questions please let me know. Please respond via email the NMOCD's decision on this inquiry.

Thank you,

Bradley Blevins

Merchant Livestock Co

575-691-6120

On Thu, Jan 30, 2020 at 7:39 AM Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us> wrote:

RE: [EXT] Jalmat Sands Unit Water Injection Battery 1RP-5771

Mr. Blevins,

At your request, we have completed an additional review of the work plan for Jalmat Sands Unit Water Injection Battery 1RP-5771. Regarding your areas of concern, we have determined that neither the domestic water well nor the active pond would affect the closure criteria for this site, according to NMAC 19.15.29.

- Our closure criteria, NMAC 19.15.29.C.4.(i), dictates that for a water well that is used by less than five households for domestic or stock watering purposes, the setback is 500 horizontal feet from the release point. The water well of your concern is at 890 feet from the release site.
- By NMAC 19.15.29.C.4.(ii), the setback for a lake or pond is 200 horizontal feet from the release point. The active pond you are referring to is more than 1000 feet from the release site.

At this time, OCD considers this site to have been fully delineated, and what they are proposing will comply with current OCD rules and regulations.

Regards,

Victoria Venegas

EMNRD

OCD-District II

Artesia NM

Victoria.Venegas@state.nm.us

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From: Bradley Blevins <bblevins5252@gmail.com>

Sent: Tuesday, January 28, 2020 3:31 PM

To: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>

Cc: Bradley Blevins <bblevins5252@gmail.com>; Clabe Pearson <clabe@merchantlivestock.com>; Spencer Reed <spencer@merchantlivestock.com>; Tommy Pearson <tommy@merchantlivestock.com>

Subject: [EXT] Jalmat Sands Unit Water Injection Battery 1RP-5771

Good Afternoon Ms. Venegas,

I am Bradley Blevins and I look after Merchant Livestock Co environmental concerns here on the ranch. During a recent review of documents on the OCD website I discovered the work plan for the Jalmat Sands Unit Water Injection Battery 1RP-5771 was denied and once again approved without proper delineation/remediation. Please find the attached google image identifying several areas of concern.

1. Red circle is within 890' of an active water well and cattle watering. (Down Gradient from Breitburns release)
2. Yellow circle is less than 1,000 ft to an active pond. The storm water runoff from the surrounding area (battery area included) drains to the pond seen in the google image.

As landowners, Merchant Livestock respectfully request the NMOCD complete an additional review of the work plan and surrounding area to ensure groundwater and surface waters are protected. If you have any questions please give me a call or I would be happy to meet you on location to discuss further.

Bradley Blevins

Merchant Livestock Co

575-691-6120