

Venegas, Victoria, EMNRD

From: Bratcher, Mike, EMNRD
Sent: Monday, March 9, 2020 7:30 AM
To: Guesnier, Joseph R; Venegas, Victoria, EMNRD; Rob Kirk; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD
Cc: blm_nm_cfo_spill@blm.gov; Loyd, Erin; Rob Kirk
Subject: RE: NDHR1918948878 CAZA EAGLE CLAW LINE @ FDHR1918948760

Mr. Guesnier,

Lease roads have never been considered "On Pad". There may be instances where remediation may not be required on certain road beds, and a variance request may be considered, but for the most part, remedial efforts will be required. Sorry for any confusion.

Thank you,

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

From: Guesnier, Joseph R <Joseph.Guesnier@terracon.com>
Sent: Friday, March 6, 2020 2:46 PM
To: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; Rob Kirk <rob.kirk@solarismidstream.com>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>
Cc: blm_nm_cfo_spill@blm.gov; Loyd, Erin <Erin.Loyd@terracon.com>; Rob Kirk <rob.kirk@solarismidstream.com>
Subject: [EXT] RE: NDHR1918948878 CAZA EAGLE CLAW LINE @ FDHR1918948760

Victoria,

I was advised by Mike Bratcher on a phone call in mid-September of 2019 that the portions of the release on the active lease road was considered (On Pad),
Please advise if this is not the case. If we close down this road to remediate the surface contaminate it would result in the isolation of multiple tank batteries and essentially the loss of substantial production operations.

We will have this amended remediation action plan ready for resubmittal pending your response.

Thank you,

Joseph Guesnier
Staff Scientist | Environmental

Terracon

5847 50th Street | Lubbock, Texas 79424
D (806) 300-0140 | M (806) 544-9276 | O (806) 589-6525
jrguesnier@terracon.com | terracon.com

From: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>
Sent: Friday, February 21, 2020 12:27 PM
To: Rob Kirk <rob.kirk@solarismidstream.com>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>
Cc: blm_nm_cfo_spill@blm.gov; Guesnier, Joseph R <Joseph.Guesnier@terracon.com>
Subject: NDHR1918948878 CAZA EAGLE CLAW LINE @ FDHR1918948760

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Mr. Kirk,

The OCD has denied the submitted Remediation Plan **NDHR1918948878** CAZA EAGLE CLAW LINE @ FDHR1918948760 for the following reasons:

- The Chloride concentration exceeded 600 mg/kg @ sample points HA-3 / HA-4 and per rule [19.15.29.11](#) A. (5) (c) NMAC, vertical delineation has not been completed.
- Horizontal delineation has not been completed. The edges -horizontal definition- of a liquid release must be determined. A visual footprint on the surface is not sufficient or adequate to assess the horizontal extent of the release. Lab data must be provided as evidence of delineation efforts.
- Background Data Evaluation. Please identify the background samples in the report (see page 15 of 77). Note, that there is no natural background level for TPH, BTEX or Benzene.
<http://www.emnrd.state.nm.us/OCD/documents/OCDInternalPolicy-SpillRuleClarifications.pdf>
- Since the release was not on an active pad or production facility, the top 4 feet of the entire release must meet the NMOCD Reclamation Standards by Rule [19.15.29.13](#).

The denied C-141 can be found in the online image file. Please review and make the required correction prior to resubmitting through the fee portal.

Thank you,

Victoria Venegas
State of New Mexico
Energy, Minerals, and Natural Resources
Oil Conservation Division
811 S. First St., Artesia NM 88210
(575) 748-1283
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.

Terracon provides environmental, facilities, geotechnical, and materials consulting engineering services delivered with responsiveness, resourcefulness, and reliability.

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