

From: [Hamlet, Robert, EMNRD](#)
To: "Zach Robbins"
Subject: (Deferral Approval) NDHR1912732011 - APACHE WS Marshall
Date: Thursday, January 20, 2022 7:55:00 AM
Attachments: [Deferral Approval - Apache - WS Marshall - \(NDHR1912732011\).pdf](#)

Zach,

Apache's deferral requests to defer the remaining residual impacts within the tank battery earthen containment during any future major deconstruction/alteration and/or abandonment, whichever occurs first. The area requested for deferral is identified on the site map as "B20". The area has been delineated and documented in the report. At this time, OCD approves the request. The Deferral Request and C-141 will be accepted for record and marked accordingly. The release will remain open in OCD database files and reflect an open environmental issue.

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From: Zach Robbins <zach.robbs@rxsoil.solutions>
Sent: Wednesday, January 19, 2022 3:21 PM
To: Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>
Subject: Re: [EXTERNAL] nDHR1912732011 - APACHE WS Marshall - Rejected deferral request

As discussed, here is the most recent reporting.

On Wed, Jan 19, 2022 at 3:20 PM Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us> wrote:

Zach,

Do you know if wall/edge samples W3, W4, and W6 were resampled? All 3 were over the limit.

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From: Zach Robbins <zach.robbins@rxsoil.solutions>
Sent: Wednesday, January 19, 2022 1:25 PM
To: Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>
Subject: Re: [EXTERNAL] nDHR1912732011 - APACHE WS Marshall - Rejected deferral request

Hi Robert,

Thanks for the response. The sampling nomenclature from this request was based on the approved Remediation Plan along with Attached Conditions of Approval dated 09/01/2020 and approved 04/07/2021. We had an approved sampling plan that included B20 to full delineation and sampling of 200 sq. ft inside the berm.

Is this not sufficient, since we met all conditions of approval?

Feel free to give me a call if that is easier for you. Thanks in advance.

Best,
Zach

On Tue, Jan 11, 2022 at 4:12 PM Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us> wrote:

Zach,

The last thing I've got on the Apache WS Marshall incident rejection was "The deferral request is denied. A floor sample needs to be taken at the B18 location. Sample SP1 appears to match the previous sample location B-19. Additionally, wall/edge samples W3, W4, and W6 were over the limit and need to be resampled and included on the site map if they meet closure criteria. Sample SP2 appears to match the previous sample location W5. After these locations are resampled and included on the sitemap, upload updated deferral request for review".

If I remember correctly, there were sample points missing from the most recent site map. I had to go back to the February 4th, 2020 deferral request to piece it all together.

Anyway, let me know if you have any questions.

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From: zach.robbins@rxsoil.solutions <zach.robbins@rxsoil.solutions>
Sent: Tuesday, January 11, 2022 2:42 PM
To: Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>
Subject: [EXTERNAL] nDHR1912732011 – APACHE WS Marshall – Rejected deferral request

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Good afternoon Mr. Hamlet,

Apache submitted a deferral request prepared by us and asked us to follow up after the rejection.

In our approved work plan, there were several conditions of approval that we were able to meet. They were as follows:

“Soil sample location B20 must be fully delineated to <50’ Table 1 Standards (100 mg/kg TPH)”

Our sample from 5/20/21 showed TPH of 26.4 mg/kg at 2’ depth at location B20.

“Only sample points that require a major facility deconstruction will be available for deferral.”

B20 is the sample point requested and is right in the middle of the battery.

“Hydrocarbon contamination inside the berm will need to be significantly reduced for deferral approval”

Data from initial (remove outliers) to 5/20 (inside of the tank battery only), shows a statistically significant decrease with p-value of 0.025.

“Sampling of 200 ft² inside the berm will need to be conducted after bioremediation.”

The impacted area was 750 square feet (which encompasses where the “W” samples were pulled), requiring 4 sample locations (SP1, SP2, SP3, and B20 represented 750 square feet).

“Resubmit deferral request after accomplished”

Reported.

Are you able to provide clarity on how we should proceed? Please let me know if there is any additional information needed here.

Feel free to reach out via phone or text if easier.

Thanks in advance.

Best,
Zach

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