

**From:** James Thompson  
**To:** [Yu, Olivia, EMNRD](#)  
**Cc:** [Oberding, Tomas, EMNRD](#)  
**Subject:** RE: RP# 3947 Midway SWD  
**Date:** Friday, March 17, 2017 10:19:55 AM

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Olivia,

Your assumptions of the analytical results are correct . The Xenco analytical were pre bioremediation. The bio remediation was a failure, as evidenced by the second analytical results. The impacted blowsand/peagravel material on top of the liner was then removed and disposed of.

I will work on and submit the closure report addressing the line items outlined in your previous email by the end of next week.

Thank you,

***James Thompson***

VP of Land and Business Development



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**From:** Yu, Olivia, EMNRD [mailto:[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)]  
**Sent:** Thursday, March 09, 2017 5:21 PM  
**To:** James Thompson <[JamesT@dakotares.com](mailto:JamesT@dakotares.com)>  
**Cc:** Oberding, Tomas, EMNRD <[Tomas.Oberding@state.nm.us](mailto:Tomas.Oberding@state.nm.us)>  
**Subject:** RP# 3947 Midway SWD

Dear Mr. Thompson:

Are these analytical lab results of the contaminated material after failed bioremediation and before backfill? Where were the 9 samples taken? Correct to assume that the samples sent to XENCO (not included in delineation report) were pre-bioremediation?

NMOCD request a closure report to address completed remediation actions in an aggregated packet.

This document needs to include

- 1) Reviewed initial C141
- 2) Approved delineation workplan
- 3) Scaled, preferably digital, map with release location, dimensions of release, and confirmation sample points demarcated.
- 4) Analytical laboratory analyses with chain of command of confirmation soil samples as stated on page 2 of the approved workplan dated October 30, 2015.
- 5) If available, photos of site pre and post-cleanup and liner integrity.
- 6) Final C-141 with statement of liner integrity.

Thanks,  
Olivia

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**From:** James Thompson [<mailto:JamesT@dakotares.com>]

**Sent:** Wednesday, February 1, 2017 3:30 PM

**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>

**Subject:** RE: RP# 3947 Midway SWD

Olivia,

Please see the attached original bioremediation plan approved by Kelli Jones in 2015. As you can see from the aerial photo (still present on Google Earth) the liner is exposed in the tank battery. The estimated 5 bbls of produced fluids mixed with the wind blown "sand" and pea gravel tank pad material on top of the liner.

There were no samples taken below gradient. The sample id notation of zero to four inches below the surface were poorly described. This notation would lead you to believe that the samples were taken below the liner inside of the tank battery, and that is simply not the case. These sample ID's should have been more accurately labeled as waste classification samples, as by this point, the failed insitu bioremediation project had evolved into a dig and haul.

I'll attempt to call you and explain.....

***James Thompson***

VP of Business Development



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**From:** Yu, Olivia, EMNRD [<mailto:Olivia.Yu@state.nm.us>]  
**Sent:** Wednesday, February 01, 2017 3:10 PM  
**To:** James Thompson <[JamesT@dakotares.com](mailto:JamesT@dakotares.com)>  
**Subject:** RE: RP# 3947 Midway SWD

Dear Mr. Thompson:

What is the depth of your liner? The lab results from over a year ago show levels of BTEX, TPH, and Chlorides well above permissible levels. Has the soil above the liner been replaced?

Thanks,  
Olivia

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**From:** James Thompson [<mailto:JamesT@dakotares.com>]  
**Sent:** Wednesday, February 1, 2017 12:31 PM  
**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>  
**Subject:** RE: RP# 3947 Midway SWD

Ms. Yu,

I am relatively new in this position at Dakota and was handed this project much the same way that you were, I will attempt to relay the facts as I understand them.

The spill was contained within a lined tank battery. All of the samples that were taken and labeled "soil" were indeed blow sand mixed with oil and produced water, but they were on top of the liner. The samples pulled from this site were intended to ensure the effectiveness of the approved bioremediation plan. When it was determined that the in situ remediation had failed, the mandate shifted to removal of the impacted "soil" from on top of the liner and haul it to the disposal facility.

To vertically delineate would mean compromising the liner that is intact at this point. Line items 2,3, and 4 can easily be addressed, but I am hoping that the above synopsis will allow us to forego any additional sampling.

Please advise...

*James Thompson*

VP of Business Development



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**From:** Yu, Olivia, EMNRD [<mailto:Olivia.Yu@state.nm.us>]  
**Sent:** Wednesday, February 01, 2017 12:26 PM  
**To:** James Thompson <[JamesT@dakotares.com](mailto:JamesT@dakotares.com)>  
**Cc:** Oberding, Tomas, EMNRD <[Tomas.Oberding@state.nm.us](mailto:Tomas.Oberding@state.nm.us)>  
**Subject:** RE: RP# 3947 Midway SWD

Dear Mr. Thompson:

NMOCD does not approve your closure report. Please address the following concerns:

1. Complete vertical and horizontal delineation to permissible BTEX, TPH, and Chloride levels with discrete soil sample locations.
  - a. Target chloride level is 250 mg/kg and maintained for 10 ft. below.
  - b. Analytical laboratory results show 8 sample locations. Where were they located?  
The work plan from 10/30/2015 only show 2 sample locations on the hand-drawn map.
2. Documentation of depth to groundwater (NM Office of State Engineer).
3. Digital map with dimensions of release area and soil sample locations.
4. Georeferenced and time-stamped photos.

Thanks,

Olivia Yu  
Environmental Specialist  
NMOCD- District I  
[Olivia.yu@state.nm.us](mailto:Olivia.yu@state.nm.us)  
575-393-6161 x 113

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**From:** James Thompson [<mailto:JamesT@dakotares.com>]  
**Sent:** Tuesday, January 31, 2017 3:25 PM  
**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>

**Subject:** FW: RP# 3947 Midway SWD

Ms. Yu,

I wanted to circle back and see if you could offer an update on RP#3947. Please let me know if you need any additional information.....

***James Thompson***

VP of Business Development



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**From:** James Thompson

**Sent:** Tuesday, January 24, 2017 3:48 PM

**To:** 'olivia.yu@state.nm.us' <[olivia.yu@state.nm.us](mailto:olivia.yu@state.nm.us)>

**Subject:** FW: RP# 3947 Midway SWD

Ms. Yu,

I was working with Tomas on RP#3947, and was unaware that this site had been handed off to you. Can you please update me on the status of this site?

Best Regards,

***James Thompson***

VP of Business Development



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**From:** James Thompson  
**Sent:** Tuesday, January 24, 2017 3:42 PM  
**To:** 'tomas.oberding@state.nm.us' <[tomas.oberding@state.nm.us](mailto:tomas.oberding@state.nm.us)>  
**Subject:** FW: RP# 3947 Midway SWD

Tomas,

I wanted to follow up with you and verify that these attachments reached you, and that you had everything that you needed from us to close the case. Please let me know if there is any additional information that is needed.

Best Regards,

***James Thompson***

VP of Business Development



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**From:** James Thompson  
**Sent:** Wednesday, December 14, 2016 8:26 AM  
**To:** 'tomas.oberding@state.nm.us' <[tomas.oberding@state.nm.us](mailto:tomas.oberding@state.nm.us)>  
**Subject:** RP# 3947 Midway SWD

Tomas,

I was finally able to get my hands on the analytical and some additional information. It seems that the bioremediation failed to clean the peagravel/blowsand/soil that was impacted inside of the firewall on top of the liner. The impacted soil/media (approx.. 12 yds<sup>3</sup>) was eventually hauled to Sundance Services in Eunice and disposed of.

Please let me know if this information and a subsequent sundry detailing the procedure will be

sufficient to close the site.

Best Regards,

***James Thompson***

VP of Business Development



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**From:** Coty Woolf [<mailto:coty.woolf@chargerservices.com>]

**Sent:** Wednesday, December 14, 2016 7:09 AM

**To:** James Thompson <[JamesT@dakotares.com](mailto:JamesT@dakotares.com)>

**Subject:** midway docs

James,

Please find attached the disposal docs and lab report for Dakota Midway site.

Regards,

Coty