

**From:** [Yu, Olivia, EMNRD](#)  
**To:** "Michael Burton"; Laura Flores; [agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)  
**Cc:** [Hickert, Aaron](#); [TButters@lennenergy.com](mailto:TButters@lennenergy.com); [Haines, Jeff](#)  
**Bcc:** [Oberding, Tomas, EMNRD](#)  
**Subject:** RE: Linn - CMU #038 (1R-2772, 1R-3390) Closure Report  
**Date:** Friday, April 28, 2017 8:45:00 AM

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Good morning Mr. Burton:

As per our phone conversation yesterday, the closure report for 1RP-2772 is DENIED. A separate closure report will be submitted after approval and completion of additional vertical delineation and/or confirmation of the status of the groundwater remediation plan as stipulated in the email from January 27, 2012. According to NMOCD records, there has been no further action pursuant to this 1RP-2772 since that date. Like approval from SLO is required for all delineation and remediation plans. Please confirm.

Thanks,

Olivia Yu  
Environmental Specialist  
NMOCD, District I  
[Olivia.yu@state.nm.us](mailto:Olivia.yu@state.nm.us)  
575-393-6161 x113

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 ground water, 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, local laws and/or regulations.

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**From:** Michael Burton [mailto:[mburton@diversifiedfsi.com](mailto:mburton@diversifiedfsi.com)]  
**Sent:** Thursday, April 27, 2017 8:53 AM  
**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>; Laura Flores <[lflores@diversifiedfsi.com](mailto:lflores@diversifiedfsi.com)>; [agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)  
**Cc:** [Hickert, Aaron <AHickert@lennenergy.com>](mailto:AHickert@lennenergy.com); [TButters@lennenergy.com](mailto:TButters@lennenergy.com); [Haines, Jeff <JHaines@lennenergy.com>](mailto:Haines, Jeff <JHaines@lennenergy.com>)  
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Olivia,

The second release covered the entire area of the first release. The majority of the spill was on the location with a small amount in the pasture. This work was approved before the SLO was involved with the cleanups in the area. We also seeded the small pasture impacted area with LPC seed.

**Mike Burton**

**DFSI****Environmental Operations Director****Customer Relations**

575-390-5454 cell

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**From:** Yu, Olivia, EMNRD [<mailto:Olivia.Yu@state.nm.us>]**Sent:** Thursday, April 27, 2017 8:36 AM**To:** Laura Flores <[lflores@diversifiedfsi.com](mailto:lflores@diversifiedfsi.com)>; [agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)**Cc:** Michael Burton <[mburton@diversifiedfsi.com](mailto:mburton@diversifiedfsi.com)>; Hickert, Aaron <[AHickert@linenergy.com](mailto:AHickert@linenergy.com)>; [TButters@linenergy.com](mailto:TButters@linenergy.com); Haines, Jeff <[JHaines@linenergy.com](mailto:JHaines@linenergy.com)>**Subject:** RE: Linn - CMU #038 (1R-2772, 1R-3390) Closure Report

Dear Ms. Flores:

NMOCD and NMSLO do not agree that these 2 RPs can be combined in one closure report. A closure report for 1RP-3390 was sent on April 18, 2017. A separate report is required for 1RP-2772 because 1) the release is in a different area of the same facility and 2) the delineation workplan does not appear to be approved by NMOCD. Please provide NMOCD written documentation of approval for the delineation and remediation plan. The last communication on January 27, 2012 indicated that a groundwater monitoring plan was required for 1RP-2772.

Also, a SLO approved seed mix is required for all releases on State land. Please include this in both closure reports. Like approval is required from NMOCD and NMSLO.

Olivia Yu  
Environmental Specialist  
NMOCD, District I  
[Olivia.yu@state.nm.us](mailto:Olivia.yu@state.nm.us)  
575-393-6161 x113

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**From:** Laura Flores [<mailto:lflores@diversifiedfsi.com>]**Sent:** Thursday, April 27, 2017 7:43 AM

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

**Cc:** Michael Burton <[mburton@diversifiedfsi.com](mailto:mburton@diversifiedfsi.com)>; Hickert, Aaron <[AHickert@linenergy.com](mailto:AHickert@linenergy.com)>;  
[TButters@linenergy.com](mailto:TButters@linenergy.com); Haines, Jeff <[JHaines@linenergy.com](mailto:JHaines@linenergy.com)>

**Subject:** Linn - CMU #038 (1R-2772, 1R-3390) Closure Report

Ms. Yu,

Attached is the Closure Request for the CMU #038 (1R-2772, 1R-3390) site.

Please let me know if you have any questions or require additional information.

Thank you,

Laura Flores

Report Writer

Environmental Department

Diversified Field Service, Inc.

206 W Snyder | Hobbs, NM 88240

Phone: 575.964.8394 | Fax: 575.964.8396