

From: Naranjo, Mark
To: [Yu, Olivia, EMNRD](#); [Heather Patterson](#); [Kerry Egan](#)
Cc: [Austin Weyant](#); [Ruben Molina](#); [Griswold, Jim, EMNRD](#)
Subject: RE: Lucid Presidente Pipeline
Date: Monday, January 29, 2018 1:19:35 PM
Attachments: image001.png

NMSLO grants backfill approval.

Mark Naranjo
Assistant Division Director
Field Operations Division
575.623.4979 Office
575.626.2678 Cell
575.623.9200 Fax
New Mexico State Land Office
1001 S. Atkinson
Roswell, NM 88203
MNaranjo@slo.state.nm.us
NMStatelands.org

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From: Yu, Olivia, EMNRD [mailto:Olivia.Yu@state.nm.us]
Sent: Monday, January 29, 2018 8:48 AM
To: Heather Patterson <heather.patterson@soudermiller.com>; Kerry Egan <KEgan@lucid-energy.com>; Naranjo, Mark <MNaranjo@slo.state.nm.us>
Cc: Austin Weyant <austin.veyant@soudermiller.com>; Ruben Molina <RMolina@lucid-energy.com>; Griswold, Jim, EMNRD <Jim.Griswold@state.nm.us>
Subject: RE: Lucid Presidente Pipeline

Good morning Ms. Patterson:

Your voicemail was received this morning, January 29, 2018. Please note that backfill approval for 1RP-4874 was given on January 16, 2018.

After discussion with Jim Griswold, several comments:

- NMOCD understands that stockpiled excavated soil for backfilling purposes does not denote

that the soil was blended. In general, 'clean' stockpiled soil for backfilling must be laboratory tested every 50 cubic yards for verification.

- For future reference, the methodology of composite sample collection must be explicitly elucidated, otherwise the assumption is of the general definition.

A separate email will be send regarding closure for 1RP-4874, once NMSLO approves of the backfill request.

Thanks,
Olivia

From: Yu, Olivia, EMNRD
Sent: Tuesday, January 16, 2018 4:45 PM
To: Heather Patterson <heather.patterson@soudermiller.com>; Kerry Egan <KEgan@lucid-energy.com>; Naranjo, Mark <MNaranjo@slo.state.nm.us>
Cc: Austin Weyant <austin.weyant@soudermiller.com>; Ruben Molina <RMolina@lucid-energy.com>; Griswold, Jim, EMNRD <Jim.Griswold@state.nm.us>
Subject: RE: Lucid Presidente Pipeline

Ms. Patterson:

The shaded gray rows are hardly visible on my screen. It would be advisable to provide a legend, explicitly indicating the abbreviations and such distinctions, beneath the tables for clarity.

Jim Griswold and I will confer with a response at another time regarding several of the points below.

Thanks,
Olivia

From: Heather Patterson [<mailto:heather.patterson@soudermiller.com>]
Sent: Tuesday, January 16, 2018 2:49 PM
To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>; Kerry Egan <KEgan@lucid-energy.com>; Naranjo, Mark <MNaranjo@slo.state.nm.us>
Cc: Austin Weyant <austin.weyant@soudermiller.com>; Ruben Molina <RMolina@lucid-energy.com>; Griswold, Jim, EMNRD <Jim.Griswold@state.nm.us>
Subject: RE: Lucid Presidente Pipeline

Ms. Yu,

1. **Table 3 has spill pile two highlighted and the words "disposal" in the in the Action column. The overburden is considered the soil that is excavated in order to repair the pipeline, not the soil that is impacted by the release. It is from further down the pipeline (in this case the west side) from the release point (east side). Each spill pile is approximately 10-12 yards. Each composite was a five point composite taken from soils *inside* the pile, not soils that had been exposed to sun and heat.**

2. **Sure thing.**
3. **Neither SMA nor Lucid has requested or suggested blending. We do not blend dirty material with clean material, and we are well aware that NMOCD has not historically approved of soil blending. For future reference, please provide NMOCD's written policy on dilution of contaminants "blending".**
4. **I'm sorry if my explanation was not clear. As per NRCS, a discreet sample is collected from each soil horizon, then these discreet samples are composited together to form one sidewall sample. SMA always pulls from any stained soils at each soil horizon, and pulls from the location closest to the release point. See EPA's Guidance for Choosing a Sampling Design for Environmental Data Collection, EPA QA/G-5S (USEPA 2000c).**

--HMP

From: Yu, Olivia, EMNRD [<mailto:Olivia.Yu@state.nm.us>]

Sent: Tuesday, January 16, 2018 1:45 PM

To: Heather Patterson <heather.patterson@soudermiller.com>; Kerry Egan <KEgan@lucid-energy.com>; Naranjo, Mark <MNaranjo@slo.state.nm.us>

Cc: Austin Weyant <austin.veyant@soudermiller.com>; Ruben Molina <RMolina@lucid-energy.com>; Griswold, Jim, EMNRD <Jim.Griswold@state.nm.us>

Subject: RE: Lucid Presidente Pipeline

Ms. Patterson:

Thank you for the photo. Discrepancies in the submitted information for 1RP-4874 necessitate clarification.

1. Neither Table 3 nor the submitted reports indicate which spill pile was considered clean and which was for disposal. NMOCD has no information regarding how soil segregation was completed. One composite each taken from spill pile 1 and 2 represents how many cubic yard of material?
2. The email dated December 6, 2017, requesting backfill did mention which spill pile was for disposal and which to use for backfill. However, as the backfill request was not in the same email thread, that email was overlooked. For tracking purposes and to facilitate review, NMOCD requests that emails pertaining to the same 1RP be kept in the same thread.
3. Please be advised that NMOCD does not approve of blended stockpiled soil for backfill unless specifically requested and approved with additional sampling stipulations.
4. The delineation workplan and closure report both include Table 3 and text which stated that sidewall samples are composites. If incorrect, amend and submit the data for the discrete samples for each soil horizon.

Olivia

From: Heather Patterson [<mailto:heather.patterson@soudermiller.com>]

Sent: Tuesday, January 16, 2018 11:16 AM

To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>; Kerry Egan <KEgan@lucid-energy.com>; Naranjo, Mark <MNaranjo@slo.state.nm.us>

Cc: Austin Weyant <austin.veyant@soudermiller.com>; Ruben Molina <RMolina@lucid-energy.com>; Griswold, Jim, EMNRD <Jim.Griswold@state.nm.us>

Subject: RE: Lucid Presidente Pipeline

Ms. Yu,

Here are the answers to your questions below:

1. As outlined in table 3 (sent both during our backfill request on 12/6/2017 and in the closure report sent on 1/10/2018) and answered in the below email chain (12/11/2017 question 3), we plan to dispose of spill pile #2 and use spill pile #1 as backfill. As outlined in the table, spill pile #1 meets all RRAL's for site ranking of zero.
2. SMA sidewall samples always follow NRCS soil sampling guidelines in which one discreet sample is taken from each soil horizon. In this case there were two clear soil horizons, about 4 feet of sandy loam, and then unconsolidated caliche.
3. A Photo of the open excavation is attached.

I have attached to closure report again so you can review that all three constituents have been tested at an accredited laboratory, and also for Mr. Naranjo's review.

Thank you,

Heather Patterson

Staff Scientist

Souder, Miller & Associates

Engineering ♦ Environmental ♦ Surveying

201 Halagueno St

Carlsbad, NM 88220

www.soudermiller.com

(575)200-5343 (mobile)



From: Yu, Olivia, EMNRD [<mailto:Olivia.Yu@state.nm.us>]

Sent: Tuesday, January 16, 2018 8:50 AM

To: Kerry Egan <KEgan@lucid-energy.com>; Naranjo, Mark <MNaranjo@slo.state.nm.us>

Cc: Austin Weyant <austin.veyant@soudermiller.com>; Ruben Molina <RMolina@lucid-energy.com>; Heather Patterson <heather.patterson@soudermiller.com>

Subject: RE: Lucid Presidente Pipeline

Dear Mr. Egan:

NMOCD will approve of backfilling for 1RP-4874. Please clarify these concerns before closure is granted:

1. Were all soil from the excavation (45 ft. L x 15 ft. W x 11 ft. D) disposed at a NMOCD approved landfill or was a portion reserved with the purpose for backfilling?
2. At what depth were sidewall samples taken?
3. Provide photo documentation for delineation and remediation activities.

Also, please be advised that all confirmation samples- bottom and sidewalls- must be tested for BTEX, TPH extended, and chlorides. For 1RP-4874, due to the prompt response, field data for chlorides will be accepted in place of laboratory analysis.

Like approval from NMSLO required. For the interim, please submit delineation and closure reports to Mark Naranjo for review.

Thanks,
Olivia

From: Kerry Egan [<mailto:KEgan@lucid-energy.com>]
Sent: Monday, January 15, 2018 12:24 PM
To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>
Cc: Austin Weyant <austin.weyant@soudermiller.com>; Ruben Molina <RMolina@lucid-energy.com>; Heather Patterson <heather.patterson@soudermiller.com>; agroves@slo.state.nm.us
Subject: RE: Lucid Presidente Pipeline

Ms. Yu,

I wanted to follow up with you regarding the remediation project referenced below. I'm requesting a determination on the backfill and closure request as soon as possible. The excavation has been open for sometime now, and the continued presence of the open excavation poses several liability and safety concerns. The grazee on the state land has continued to voice his concerns to Lucid regarding the excavation. Additionally, EOG Resources has a produced water line exposed and elevated in the excavation. The longer this line hangs exposed in the excavation the greater the risk of damage or failure occurring to that and greatly worsening the situation.

Please let us know if there are any remaining concerns you have with the work we've done. If not please provide confirmation on our backfill and closure requests.

Respectfully,

Kerry Egan
Environmental Compliance Coordinator



326 W. Quay
Artesia, NM Office: (575) 810-6021 | Cell: (575) 513-8988
KEgan@lucid-energy.com | www.lucid-energy.com

***Please note the updated email address and numbers.*

From: Heather Patterson [<mailto:heather.patterson@soudermiller.com>]
Sent: Wednesday, January 10, 2018 3:49 PM
To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>; agroves@slo.state.nm.us
Cc: Austin Weyant <austin.weyant@soudermiller.com>; Kerry Egan <KEgan@lucid-energy.com>;
Ruben Molina <RMolina@lucid-energy.com>
Subject: RE: Lucid Presidente Pipeline

Ms. Yu,

Please find the attached closure report for the Lucid Energy, Presidente Pipeline release.

We also requested a backfill approval on this location last month, which we have yet to receive an answer on. I would be happy to answer any further questions you might have on this project, feel free to call or email me anytime.

Thank you,

Heather Patterson
Staff Scientist
Souder, Miller & Associates
Engineering t Environmental t Surveying
201 Halagueno St
Carlsbad, NM 88220
www.soudermiller.com
(575)200-5343 (mobile)



From: Heather Patterson
Sent: Monday, December 11, 2017 9:58 AM
To: 'Yu, Olivia, EMNRD' <Olivia.Yu@state.nm.us>; agroves@slo.state.nm.us
Cc: Austin Weyant <austin.weyant@soudermiller.com>; Kerry Egan <KEgan@lucid-energy.com>;
Ruben Molina <RMolina@lucid-energy.com>
Subject: RE: Lucid Presidente Pipeline

Ms. Yu,

Thank you for your quick response. Here are the answers to your questions:

1. We did not perform an across the bottom, five-point composite, but rather I grabbed one sample from either side of the pipe at the release point. The two points were really very close to each other. I composited these two samples to ensure I was clean on BOTH sides of the pipeline.

2. Both spill piles are located next to the excavation on the North side within the pipeline ROW.
3. There are many reasons to sample your spill piles. Namely for waste management purposes. Also, when crews repair a pipeline, they must excavate much more soil (clean overburden) than just the impacted soils. We try to isolate the clean overburden from the impacted soils so as not to unnecessarily dispose of non-impacted soils. Sampling ensures everything we keep is well below RRALs.
4. The soil was not placed on plastic as the liquid loss was minimal and there were no saturated soils. This excavation was performed late at night, and given that this was primarily a natural gas release and the chance of leaching was low, preference was given to NOT disturbing the surrounding vegetation. Placing a liner at this location would have meant going outside the ROW and clearing a large area of vegetation, which would have resulted in greater damage. Subsequent sampling confirmed that a liner was not necessary.

I hope this adequately answers your questions, but if not, give me a call anytime.

Thank you,

Heather Patterson

Staff Scientist

Souder, Miller & Associates

Engineering ♦ Environmental ♦ Surveying

201 Halagueno St

Carlsbad, NM 88220

www.soudermiller.com

(575)200-5343 (mobile)

From: Yu, Olivia, EMNRD [<mailto:Olivia.Yu@state.nm.us>]

Sent: Friday, December 8, 2017 4:10 PM

To: Heather Patterson <heather.patterson@soudermiller.com>; agroves@slo.state.nm.us

Cc: Austin Weyant <austin.veyant@soudermiller.com>; Kerry Egan <KEgan@lucid-energy.com>;

Ruben Molina <RMolina@lucid-energy.com>

Subject: RE: Lucid Presidente Pipeline

Ms. Patterson:

Please address these concerns regarding the delineation for 1RP-4874:

1. Please be advised that NMOCD does not accept composite samples for delineation or remediation.
2. Figure 2 does not indicate the locations of SP1 and SP2.
3. Is there a rationale for sampling stockpiles?
4. Were the stockpiled soil on bermed plastic liner?

Thanks,

Olivia Yu
Environmental Specialist
NMOCD, District I
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.

From: Heather Patterson [<mailto:heather.patterson@soudermiller.com>]
Sent: Friday, November 17, 2017 12:55 PM
To: Yu, Olivia, EMNRD <Olivia.Yu@state.nm.us>; agroves@slo.state.nm.us
Cc: Austin Weyant <austin.veyant@soudermiller.com>; Kerry Egan <KEgan@lucid-energy.com>;
Ruben Molina <RMolina@lucid-energy.com>
Subject: Lucid Presidente Pipeline

Good Afternoon,

Attached is the Delineation Plan for the Lucid Presidente Pipeline. Once the site is fully delineated we will send a work plan that includes the revegetation plan to meet NMSLO requirements.

Thank you,

Heather Patterson
Staff Scientist
Souder, Miller & Associates
Engineering ♦ Environmental ♦ Surveying
201 Halagueno St
Carlsbad, NM 88220
www.soudermiller.com
(575)200-5343 (mobile)



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