

**From:** [Tucker, Shelly](#)  
**To:** [Yu, Olivia, EMNRD](#)  
**Cc:** [Adrian Baker](#); [James Amos](#); [Tony Cooper](#)  
**Subject:** Re: [EXTERNAL] RE: [EXT] RE: Backfill Request - Closure Request EK 30 BS2 Federal Com 1H\_1RP-5019  
**Date:** Tuesday, November 13, 2018 9:52:41 AM  
**Attachments:** image001.png  
image003.png  
image013.png  
image015.png  
image016.png  
image016.png

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**BLM has reviewed and accepts your request for closure.**

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

*Shelly J Tucker*

Environmental Protection Specialist  
O&G Spill/Release Coordinator

575.234.5905 - Direct  
575.361.0084 - Cellular  
575.234.6235 - Emergency Spill Number

[stucker@blm.gov](mailto:stucker@blm.gov)

**Bureau of Land Management**

620 E. Greene St  
Carlsbad, NM 88220

The **BLM acceptance/approval does not** relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that may pose a threat to groundwater, surface water, human health or the environment or if the location fails to reclaim properly. **In such an event a site does not achieve successful restoration, or future issues with contaminants are encountered, the operator will be asked to address these issues until they are fully mitigated and the location is successfully reclaimed.** In addition, BLM approval does not relieve the operator of responsibility for compliance with any other federal, state or local laws/regulations.

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**NOTE: LPC Timing Stipulations - from March 1st through June 15th. Please plan remedial activities accordingly. Check for African Rue...treat (before it gets out of control).**

On Fri, Oct 19, 2018 at 2:38 PM Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)> wrote:

Mr. Cooper:

The available information indicates **OPERATOR** has met the requirements of 19.15.29 NMAC and no further corrective action is required. NMOCD considers **1RP-5019** closed. However, this determination by the Oil Conservation Division does not relieve Operator of responsibility should future information indicate a threat to ground water, surface water, human health, or the environment. Furthermore, it does not relieve Operator of

responsibility for compliance with any federal, state, or local laws and/or regulations.

BLM approval required. BLM may have additional concerns or stipulations.

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:** Adrian Baker <[abaker@ltenv.com](mailto:abaker@ltenv.com)>

**Sent:** Friday, October 19, 2018 10:58 AM

**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>; [jamos@blm.gov](mailto:jamos@blm.gov); [stucker@blm.gov](mailto:stucker@blm.gov)

**Cc:** Tony Cooper <[Tony.Cooper@McElvain.com](mailto:Tony.Cooper@McElvain.com)>

**Subject:** [EXT] RE: Backfill Request - Closure Request EK 30 BS2 Federal Com 1H\_1RP-5019

Olivia,

Attached are the two samples you have requested with the COC/lab analytical data and the gps coordinates for each sample location. I hope that you find this is sufficient additional

data to approve closure of this site.

Thank you!

*Adrian Baker*

Project Geologist

(432) 894-5641 cell

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**From:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>  
**Sent:** Tuesday, August 28, 2018 1:03 PM  
**To:** Adrian Baker <[abaker@ltenv.com](mailto:abaker@ltenv.com)>; [jamos@blm.gov](mailto:jamos@blm.gov); [stucker@blm.gov](mailto:stucker@blm.gov)  
**Cc:** Tony Cooper <[Tony.Cooper@McElvain.com](mailto:Tony.Cooper@McElvain.com)>  
**Subject:** RE: Backfill Request - Closure Request EK 30 BS2 Federal Com 1H\_1RP-5019

Ms. Baker:

Thank you for the responses. Please note that the conditions of approval, regarding the delineation/remediation plan for 1RP-5019, were stated in the email dated May 14, 2018. Please be advised that sample locations to complete release characterization may differ from confirmation sample locations to verify that remediation activity addressed the release.

Nevertheless, to resolve 1RP-5019, NMOCD will grant backfill approval provided that in advance of backfilling, two additional samples are collected to complete release characterization. Locations are marked on the attached image: 1 representative of overspray area and 1 to document a potential pooling location in the drainage track.

For closure, please submit the laboratory analyses with chain of custody for these 2 samples and a scaled map with tabulated data and GPS coordinates. For this release only, since the final C-141 form was previously submitted on June 28, 2018, the final C-141 form is still valid.

Like approval from BLM required. BLM may have other concerns or stipulations.

FYI:

1. revised NMAC 19.15.29 is in effect as of August 14, 2018.  
<http://164.64.110.134/parts/title19/19.015.0029.html>
2. For all future releases, please use the C-141 from August 24, 2018. Older versions will not be accepted.

<http://www.emnrd.state.nm.us/OCD/forms.html>

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:** Adrian Baker <[abaker@ltenv.com](mailto:abaker@ltenv.com)>

**Sent:** Monday, August 27, 2018 9:04 AM

**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>; [jamos@blm.gov](mailto:jamos@blm.gov); [stucker@blm.gov](mailto:stucker@blm.gov)

**Cc:** Tony Cooper <[Tony.Cooper@McElvain.com](mailto:Tony.Cooper@McElvain.com)>

**Subject:** RE: Backfill Request - Closure Request EK 30 BS2 Federal Com 1H\_1RP-5019

Olivia,

You're welcome! Below is the answer to the questions you asked about 1RP-5019...

1. The originally marked release area differed from the excavation area. Please overlay the release area outline with the excavated area. Are there field data for the Southwest tail of the release?

We added the original release area and field screening data in the southwest corner to the attached figure.

2. The original proposed delineation plan indicated sample locations that differed from the presented data. These proposed delineation sample locations were presumably based on field assessment of the most heavily impacted, pooling spots. Correct?

The proposed delineation sample locations were based on visual observation during the initial assessment. The sample locations changed after excavation activities occurred and the extent of impacts were determined via visual assessment and field screening. During our excavation activities we determined that the 10 confirmation soil samples selected better represent confirmation of remediation/excavation activities and delineation of the extent of the release.

3. In particular, were sidewall confirmation samples taken at the Southeastern edge of the release area, at the edge of the well pad and behind the frac tanks?

Excavation depth was no greater than 1.75' and in many places only 0.5' or less of soil were scraped. We collected samples from the deepest portion of the excavation near the well pad. SS-1, SS-10, SS-2 are located at the southeastern corner, at the edge of the well pad and behind the frac tanks, respectively. The current site is different than the aerial image on our figure. There is now a tank battery containment on the edge of the caliche pad and there was no actual excavation sidewall there, only minor scraping.

Thank you,

Adrian Baker

Project Geologist



COMPLIANCE / ENGINEERING / REMEDIATION

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

**Sent:** Tuesday, August 7, 2018 11:13 AM

**To:** Adrian Baker <[abaker@ltenv.com](mailto:abaker@ltenv.com)>; [jamos@blm.gov](mailto:jamos@blm.gov); [stucker@blm.gov](mailto:stucker@blm.gov)  
**Cc:** Tony Cooper <[Tony.Cooper@McElvain.com](mailto:Tony.Cooper@McElvain.com)>  
**Subject:** RE: Backfill Request - Closure Request EK 30 BS2 Federal Com 1H\_1RP-5019

Good morning Ms. Baker:

Thank you for the reminder. Several questions regarding the delineation/remediation/closure report for 1RP-5019:

1. The originally marked release area differed from the excavation area. Please overlay the release area outline with the excavated area. Are there field data for the Southwest tail of the release?
2. The original proposed delineation plan indicated sample locations that differed from the presented data. These proposed delineation sample locations were presumably based on field assessment of the most heavily impacted, pooling spots. Correct?
3. In particular, were sidewall confirmation samples taken at the Southeastern edge of the release area, at the edge of the well pad and behind the frac tanks?

Thanks,

Olivia

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**From:** Adrian Baker <[abaker@ltenv.com](mailto:abaker@ltenv.com)>  
**Sent:** Tuesday, August 7, 2018 9:02 AM  
**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>; [jamos@blm.gov](mailto:jamos@blm.gov); [stucker@blm.gov](mailto:stucker@blm.gov)  
**Cc:** Tony Cooper <[Tony.Cooper@McElvain.com](mailto:Tony.Cooper@McElvain.com)>  
**Subject:** RE: Backfill Request - Closure Request EK 30 BS2 Federal Com 1H\_1RP-5019

Hello all,

My client was inquiring about status of this closure request? Any update would be greatly appreciated.

Thank you

Adrian Baker

Project Geologist

LTE\_Hrz\_Tag\_Green\_plus\_25th\_Logo



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those of the author and not necessarily of LTE. Thank you.

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**From:** Adrian Baker

**Sent:** Thursday, June 28, 2018 12:46 PM

**To:** Yu, Olivia, EMNRD <[Olivia.Yu@state.nm.us](mailto:Olivia.Yu@state.nm.us)>; [jamos@blm.gov](mailto:jamos@blm.gov); [stucker@blm.gov](mailto:stucker@blm.gov)

**Cc:** Tony Cooper <[Tony.Cooper@McElvain.com](mailto:Tony.Cooper@McElvain.com)>

**Subject:** Backfill Request - Closure Request EK 30 BS2 Federal Com 1H\_1RP-5019

Hello all,

On behalf of McElvain Energy Inc., I have attached a closure request for the EK 30 BS2 Federal Com 1H/1RP-5019 for your review.

Thank you

Adrian Baker

Project Geologist

LTE\_Hrz\_Tag\_Green\_plus\_25th\_Logo



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