

Hamlet, Robert, EMNRD

From: Hamlet, Robert, EMNRD
Sent: Friday, September 20, 2019 9:28 AM
To: 'G.Fejervary@conocophillips.com'
Cc: Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Billings, Bradford, EMNRD; Griswold, Jim, EMNRD; jamos@blm.gov
Subject: Deferral Denied - ConocoPhillips - Elvis Battery -(1RP-5578)
Attachments: Deferral Denied - ConocoPhillips -Elvis Battery - (1RP-5578) 9.19.19.pdf

Gustavo,

We have received your Deferral Request for **1RP-5578 Elvis Battery**, thank you. This Deferral Request is denied. Please make sure C-141 pages 3-5 are filled out and signed at resubmission. The entire spill must be delineated through soil sampling. Perform a grab sample plan of the remediation area, where each composite sample is not representative of more than 200 ft². The entire spill area will not be deferred. If the target depth cannot be reached, use a hydrovac to clean the contaminated soil off of the equipment/pipelines. Soil sample areas that cannot be excavated, will need to be outlined in the deferral request.

Please review and resubmit including all documentation as required.

Please submit:

1. Scaled site map diagram
2. Site Photos
3. Site Assessment/Delineation summary (horizontal and vertical)
4. Delineation sample analytical results (lab tested)
5. Table containing analytical data
6. Description of proposed excavation depths corresponding to analytical table
7. Depth to groundwater evaluation, including fluid level data from New Mexico Office of the State Engineer or other documented evidence
8. Karst evaluation, here is the link to the [CFO GIS data](#)
9. FEMA National Flood map review.
10. Signed and dated C-141 (Pages 3-5)

This report is very incomplete. I suggest contacting a third party contractor to formulate your proposal.

If you need assistance, the current spill rule may be viewed here: <http://164.64.110.134/parts/title19/19.015.0029.html>

Please let me know if you have any further questions.

Regards,

Robert J Hamlet
State of New Mexico
Energy, Minerals, and Natural Resources
Oil Conservation Division
811 S. First St., Artesia NM 88210
(575) 748-1283

Robert.Hamlet@state.nm.us

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 groundwater, 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, or local laws and/or regulations.