



May 10, 2019

#5E27950-BG7

NMOCD District 1  
1625 N. French Drive  
Hobbs, New Mexico 88240

SUBJECT: Remediation Plan for the Getty 35 State Com #1 Release (1RP-5386), Lea County, New Mexico

To Whom it May Concern:

On behalf of Marathon Oil Permian LLC (Marathon), Souder, Miller & Associates (SMA) has prepared this Remediation Plan that describes the delineation and proposed remediation for a release of liquids related to oil and gas production activities at the Getty 35 State Com #1 site. The site is in Unit K, Section 35, Township 21S, Range 34E, Lea County, New Mexico, on State land. Figure 1 illustrates the vicinity and site location on an USGS 7.5 minute quadrangle map.

Table 1, summarizes information regarding the release.

| Table 1: Release Information and Closure Criteria |                          |                        |                          |
|---|--------------------------|------------------------|--------------------------|
| Name  | Getty 35 State Com #1    | Company                | Marathon Oil Permian LLC |
| API Number  | 30-025-25824             | Location               | 32.434336° -103.443405°  |
| Incident Number                                   | 1RP-5386                 |                        |                          |
| Estimated Date of Release                         | February 11, 2019        | Date Reported to NMOCD | February 11, 2019        |
| Land Owner  | State                    | Reported To            | NMOCD                    |
| Source of Release                                 | Illegal dump             |                        |                          |
| Released Volume                                   | Unknown                  | Released Material      | Produced Water           |
| Recovered Volume                                  | 0 bbls                   | Net Release            | Unknown                  |
| NMOCD Closure Criteria                            | >100 feet to groundwater |                        |                          |
| SMA Response Dates                                | March 15, 2019           |                        |                          |

## **1.0 Background**

On February 11, 2019, a release was discovered at the Getty 35 State Com #1 site due to illegal dumping of produced water. Initial response activities were conducted by Marathon, and included source elimination and site security, including the installation of game cameras. Figure 1 illustrates the vicinity and site location, Figures 2 and 3 illustrate the release location. The C-141 form is included in Appendix A.

## **2.0 Site Information and Closure Criteria**

The Getty 35 State Com #1 is located approximately 16 miles west of Eunice, New Mexico on State land at an elevation of approximately 3,676 feet above mean sea level (amsl).

Based upon NMOSE water well data (Appendix B), depth to groundwater in the area is estimated to be 111 feet below grade surface (bgs). There are no known water sources within ½-mile of the location, according to the New Mexico Office of the State Engineer (NMOSE) online water well database ([https://gis.ose.state.nm.us/gisapps/ose\\_pod\\_locations/](https://gis.ose.state.nm.us/gisapps/ose_pod_locations/); accessed 5/2/2019). The nearest significant watercourse is an unnamed draw, located approximately 3,800 feet to the northwest. Figure 2 illustrates the site with 200 and 300-foot radii to indicate that it does not lie within a sensitive area as described in 19.15.29.12.C(4) NMAC.

Based on the information presented herein, the applicable NMOCD Closure Criteria for this site is for groundwater depth of greater than 100 feet bgs. Unless a deferral is approved by NMOCD per 19.15.29.12.B.(2), the site will be restored to meet the standards of Table I of 19.15.29.12 NMAC. Table 2 demonstrates the Closure Criteria applicable to this location. Pertinent well data is attached in Appendix B.

## **3.0 Release Characterization Activities and Findings**

On March 15, 2019, SMA personnel arrived on site in response to the release associated with Getty 35 State Com #1. SMA mapped the visually impacted area and confirmed that it was contained entirely within the boundary of a legacy pit. Because of the presence of the legacy pit, no soil samples were collected at this time.

During a review of the Getty 35 State Com #1 site history it was discovered that the spud date was March 18, 1978, predating any of the NMOCD pit rules for pit closure regulation.

## **4.0 Proposed Soil Remediation Work Plan**

SMA proposes to remediate this release by performing a pit reclamation. The impacted area will be excavated to approximately one (1) foot bgs across the entire legacy pit. The area will then be covered with two (2) feet of clean soil. The lease road within the pit area will remain intact. Berms will be placed around the impacted area to ensure no further traffic has access to the reclaimed area.

Upon the completion of the reclamation, the release area will be reseeded for site stabilization.

Approximately 2300 cubic yards of contaminated soil is projected to be removed and replaced with 4600 cubic yards of clean backfill material. The contaminated soil will be transported for disposal at an NMOCD permitted disposal facility. Upon approval by NMOCD, the projected timeline for completion of remediation activities is approximately 90 days.

## **5.0 Scope and Limitations**

The scope of our services included: assessment sampling; verifying release stabilization, regulatory liaison, and preparing this remediation plan. All work has been performed in accordance with generally accepted professional environmental consulting practices for oil and gas releases in the Permian Basin in New Mexico.

If there are any questions regarding this report, please contact either Heather Patterson at 575-689-8801 or Shawna Chubbuck at 505-325-7535.

Submitted by:  
SOUDER, MILLER & ASSOCIATES

Reviewed by:



Ashley Maxwell  
Project Scientist



Shawna Chubbuck  
Senior Scientist

### **ATTACHMENTS:**

#### **Figures:**

Figure 1: Vicinity and Well Head Protection Map

Figure 2: Surface Water Radius Map

Figure 3: Site Map

#### **Tables:**

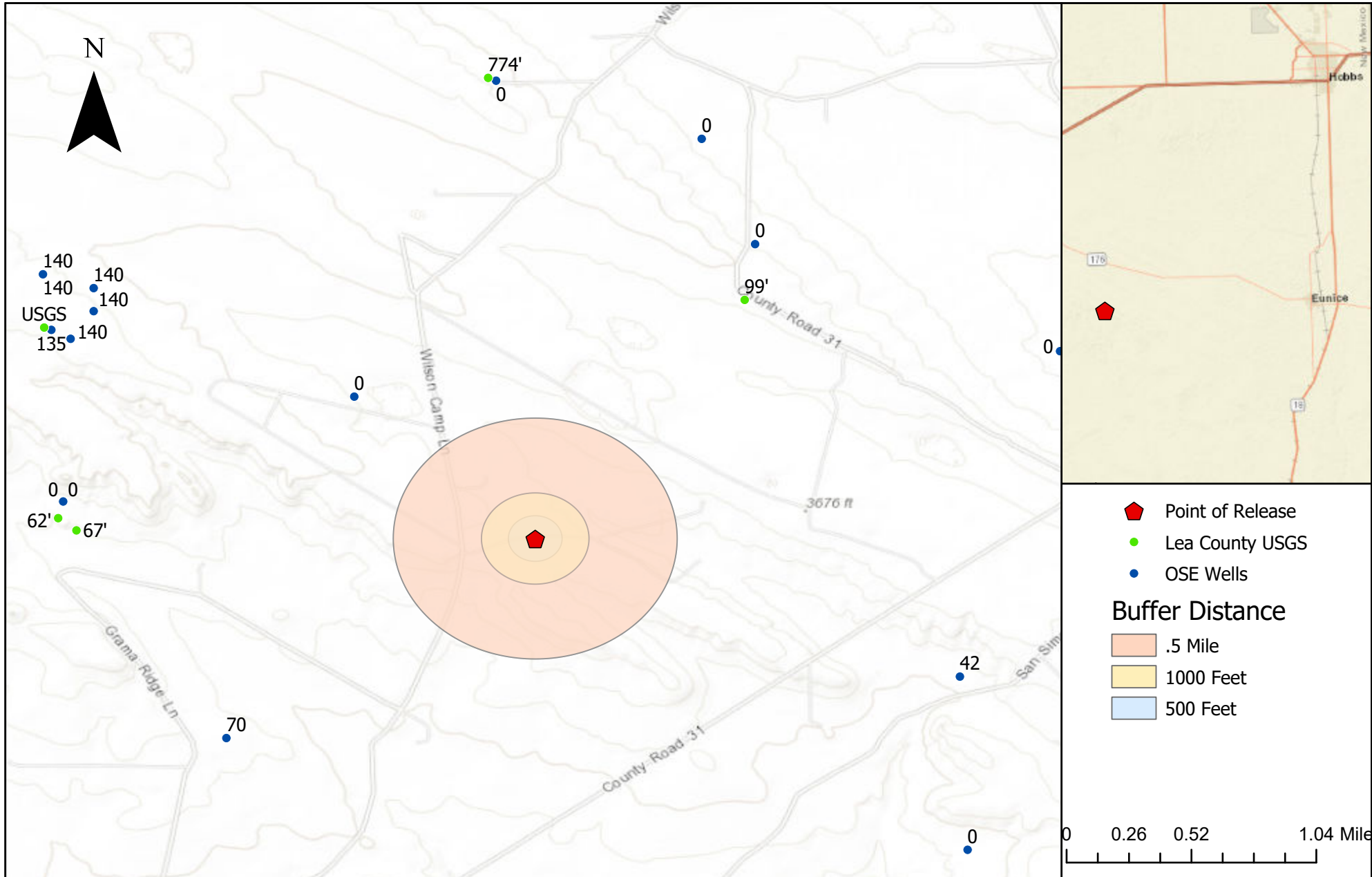
Table 2: NMOCD Closure Criteria Justification

#### **Appendices:**

Appendix A: Form C141

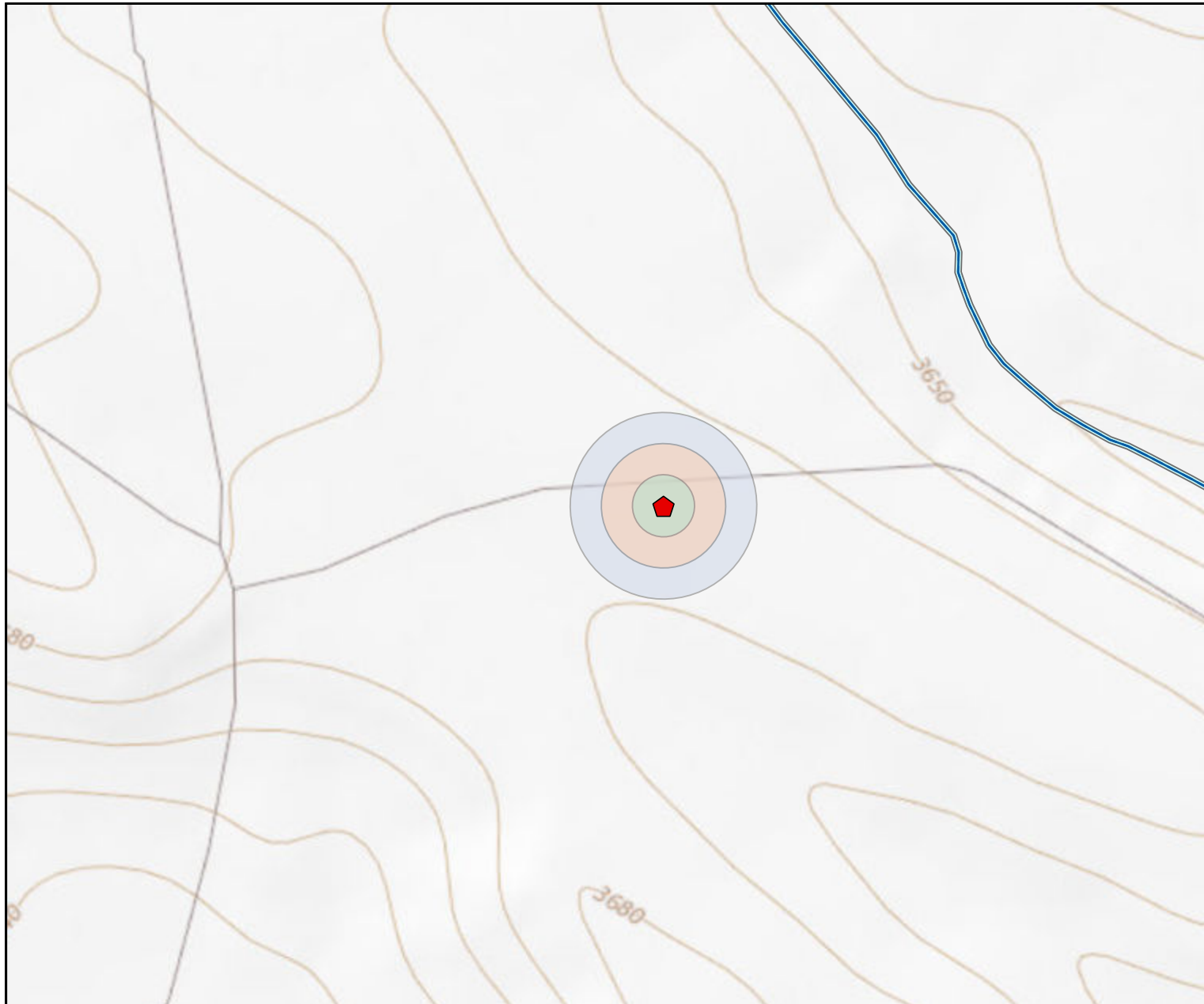
Appendix B: NMOSE Wells Report

# FIGURES



Regional Vicinity & Wellhead Protection Map  
 Getty 35 State Com #1-Marathon  
 Sec 35 T21S R34E, New Mexico




Figure 1



## Legend

-  Point of Release
-  Streams Canals
-  Rivers
-  NM Wetlands
-  Lakes Playas
-  FEMA Flood Zones 2011

## Buffer Distance

-  100 Feet
-  200 Feet
-  300 Feet



0 145 290 580 US Feet



Surface Water Protection Map  
 Getty 35 State Com #1- Marathon  
 Sec 35 T21S R34E, New Mexico

Figure 2

### Revisions

|           |             |              |
|-----------|-------------|--------------|
| By: _____ | Date: _____ | Descr: _____ |
| By: _____ | Date: _____ | Descr: _____ |

|          |                          |
|----------|--------------------------|
| Drawn    | <u>Heather Patterson</u> |
| Date     | <u>5/3/2019</u>          |
| Checked  | _____                    |
| Approved | _____                    |

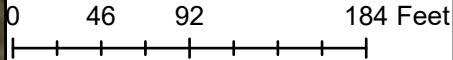


201 South Halaguena Street  
 Carlsbad, New Mexico 88221  
 (575) 689-7040  
 Serving the Southwest & Rocky Mountains





- Legend
- Legacy Pit
  - Release Area



Site and Sample location Map  
Getty 35 State Com #1- Marathon  
Sec 35 T21S R34E, New Mexico

Figure 3

P:\5-Marathon MSA 2019 (5E27950)\GIS\ARC\GIS\MARATHON\_MIT.aprx

Date Saved:  
5/3/2019

| Revisions |             |              |
|-----------|-------------|--------------|
| By: _____ | Date: _____ | Descr: _____ |
| By: _____ | Date: _____ | Descr: _____ |

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|          |                          |
|----------|--------------------------|
| Drawn    | <u>Heather Patterson</u> |
| Date     | <u>5/3/2019</u>          |
| Checked  | _____                    |
| Approved | _____                    |



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# TABLES



Table 2:  
NMOCD Closure Criteria

Marthon Oil Permian LLC  
Getty 35 State Com #1 (1RP-5386)

| Site Information (19.15.29.11.A(2, 3, and 4) NMAC)              |           | Source/Notes |
|---|-----------|--------------|
| Depth to Groundwater (feet bgs)                                 | 111       | NMOSE        |
| Horizontal Distance From All Water Sources Within 1/2 Mile (ft) | >1/2 mile | Figure 1     |
| Horizontal Distance to Nearest Significant Watercourse (ft)     | 3,800     | Figure 1     |

| Closure Criteria (19.15.29.12.B(4) and Table 1 NMAC)  |           |   |      |           |      |         |
|---|-----------|---|------|-----------|------|---------|
| Depth to Groundwater  |           | Closure Criteria (units in mg/kg)                             |      |           |      |         |
|   |           | Chloride *numerical limit or background, whichever is greater | TPH  | GRO + DRO | BTEX | Benzene |
| < 50' BGS   |           | 600   | 100  |           | 50   | 10      |
| 51' to 100'   |           | 10000   | 2500 | 1000      | 50   | 10      |
| >100'   |           | 20000   | 2500 | 1000      | 50   | 10      |
| Surface Water   | yes or no | if yes, then  |      |           |      |         |
| <300' from continuously flowing watercourse or other significant watercourse?   | No        | 600   | 100  |           | 50   | 10      |
| <200' from lakebed, sinkhole or playa lake?   | No        |   |      |           |      |         |
| Water Well or Water Source  |           |   |      |           |      |         |
| <500 feet from spring or a private, domestic fresh water well used by less than 5 households for domestic or stock watering purposes? | No        |   |      |           |      |         |
| <1000' from fresh water well or spring?   | No        |   |      |           |      |         |
| Human and Other Areas   |           |   |      |           |      |         |
| <300' from an occupied permanent residence, school, hospital, institution or church?  | No        |   |      |           |      |         |
| within incorporated municipal boundaries or within a defined municipal fresh water well field?  | No        |   |      |           |      |         |
| <100' from wetland?   | No        |   |      |           |      |         |
| within area overlying a subsurface mine   | No        |   |      |           |      |         |
| within an unstable area?  | No        |   |      |           |      |         |
| within a 100-year floodplain?   | No        |   |      |           |      |         |



# APPENDIX A

## FORM C141

District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
811 S. First St., Artesia, NM 88210  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico  
Energy Minerals and Natural  
Resources Department

Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

Form C-141  
Revised August 24, 2018  
Submit to appropriate OCD District office

|                |  |
|----------------|--|
| Incident ID    |  |
| District RP    |  |
| Facility ID    |  |
| Application ID |  |

## Release Notification

### Responsible Party

|                         |                              |
|-------------------------|------------------------------|
| Responsible Party       | OGRID                        |
| Contact Name            | Contact Telephone            |
| Contact email           | Incident # (assigned by OCD) |
| Contact mailing address |                              |

### Location of Release Source

Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
(NAD 83 in decimal degrees to 5 decimal places)

|                         |                      |
|-------------------------|----------------------|
| Site Name               | Site Type            |
| Date Release Discovered | API# (if applicable) |

| Unit Letter | Section | Township | Range | County |
|-------------|---------|----------|-------|--------|
|             |         |          |       |        |

Surface Owner: ☐ State ☐ Federal ☐ Tribal ☐ Private (Name: \_\_\_\_\_)

### Nature and Volume of Release

Material(s) Released (Select all that apply and attach calculations or specific justification for the volumes provided below)

|   |  |  |
|---|--|--|
| <input type="checkbox"/> Crude Oil        | Volume Released (bbls)   | Volume Recovered (bbls)                                  |
| <input type="checkbox"/> Produced Water   | Volume Released (bbls)   | Volume Recovered (bbls)                                  |
|   | Is the concentration of total dissolved solids (TDS) in the produced water >10,000 mg/l? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Condensate       | Volume Released (bbls)   | Volume Recovered (bbls)                                  |
| <input type="checkbox"/> Natural Gas      | Volume Released (Mcf)  | Volume Recovered (Mcf)                                   |
| <input type="checkbox"/> Other (describe) | Volume/Weight Released (provide units)   | Volume/Weight Recovered (provide units)                  |

Cause of Release

|                |  |
|----------------|--|
| Incident ID    |  |
| District RP    |  |
| Facility ID    |  |
| Application ID |  |

|  |  |
|--|--|
| Was this a major release as defined by 19.15.29.7(A) NMAC?<br><br><input type="checkbox"/> Yes <input type="checkbox"/> No | If YES, for what reason(s) does the responsible party consider this a major release? |
| If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)?               |  |

### Initial Response

*The responsible party must undertake the following actions immediately unless they could create a safety hazard that would result in injury*

|  |                  |
|--|------------------|
| <input type="checkbox"/> The source of the release has been stopped.<br><input type="checkbox"/> The impacted area has been secured to protect human health and the environment.<br><input type="checkbox"/> Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices.<br><input type="checkbox"/> All free liquids and recoverable materials have been removed and managed appropriately.   |                  |
| If all the actions described above have <u>not</u> been undertaken, explain why:   |                  |
| Per 19.15.29.8 B. (4) NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please attach a narrative of actions to date. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see 19.15.29.11(A)(5)(a) NMAC), please attach all information needed for closure evaluation.  |                  |
| I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations. |                  |
| Printed Name: _____  | Title: _____     |
| Signature: <u>Callie Karrigan</u>  | Date: _____      |
| email: _____   | Telephone: _____ |
| <b><u>OCD Only</u></b>   |                  |
| Received by: <u>Ana P. Ramirez</u>   | Date: _____      |

|                |               |
|----------------|---------------|
| Incident ID    | nAB1906557741 |
| District RP    | 1RP-5386      |
| Facility ID    |               |
| Application ID | pAB1906557512 |

Site Assessment/Characterization

This information must be provided to the appropriate district office no later than 90 days after the release discovery date.

|   |   |
|---|---|
| What is the shallowest depth to groundwater beneath the area affected by the release?   | <u>111</u> (ft bgs)   |
| Did this release impact groundwater or surface water?   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are the lateral extents of the release within 300 feet of a continuously flowing watercourse or any other significant watercourse?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are the lateral extents of the release within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are the lateral extents of the release within 300 feet of an occupied permanent residence, school, hospital, institution, or church?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are the lateral extents of the release within 500 horizontal feet of a spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are the lateral extents of the release within 1000 feet of any other fresh water well or spring?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are the lateral extents of the release within incorporated municipal boundaries or within a defined municipal fresh water well field?   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are the lateral extents of the release within 300 feet of a wetland?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are the lateral extents of the release overlying a subsurface mine?   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are the lateral extents of the release overlying an unstable area such as karst geology?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Are the lateral extents of the release within a 100-year floodplain?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Did the release impact areas <b>not</b> on an exploration, development, production, or storage site?  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

Attach a comprehensive report (electronic submittals in .pdf format are preferred) demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined. Refer to 19.15.29.11 NMAC for specifics.

**Characterization Report Checklist:** *Each of the following items must be included in the report.*

- ☒ Scaled site map showing impacted area, surface features, subsurface features, delineation points, and monitoring wells.
- ☐ Field data
- ☐ Data table of soil contaminant concentration data
- ☒ Depth to water determination
- ☒ Determination of water sources and significant watercourses within ½-mile of the lateral extents of the release
- ☐ Boring or excavation logs
- ☐ Photographs including date and GIS information
- ☒ Topographic/Aerial maps
- ☐ Laboratory data including chain of custody

If the site characterization report does not include completed efforts at remediation of the release, the report must include a proposed remediation plan. That plan must include the estimated volume of material to be remediated, the proposed remediation technique, proposed sampling plan and methods, anticipated timelines for beginning and completing the remediation. The closure criteria for a release are contained in Table 1 of 19.15.29.12 NMAC, however, use of the table is modified by site- and release-specific parameters.

|                |               |
|----------------|---------------|
| Incident ID    | nAB1906557741 |
| District RP    | 1RP-5386      |
| Facility ID    |               |
| Application ID | pAB1906557512 |

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Printed Name: \_\_Callie Karrigan\_\_\_\_ Title: \_\_\_\_HES Professional\_\_\_\_

Signature: \_\_\_\_Callie Karrigan\_\_\_\_ Date: \_\_\_\_5/9/2019\_\_\_\_

email: \_\_\_\_cnkarrigan@marathonoil.com\_\_\_\_ Telephone: \_\_\_\_575-297-0956\_\_\_\_

**OCD Only**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_



|                |               |
|----------------|---------------|
| Incident ID    | nAB1906557741 |
| District RP    | 1RP-5386      |
| Facility ID    |               |
| Application ID | pAB1906557512 |

## Remediation Plan

**Remediation Plan Checklist:** *Each of the following items must be included in the plan.*

- ☒ Detailed description of proposed remediation technique
- ☒ Scaled sitemap with GPS coordinates showing delineation points
- ☒ Estimated volume of material to be remediated
- ☒ Closure criteria is to Table 1 specifications subject to 19.15.29.12(C)(4) NMAC
- ☒ Proposed schedule for remediation (note if remediation plan timeline is more than 90 days OCD approval is required)

**Deferral Requests Only:** *Each of the following items must be confirmed as part of any request for deferral of remediation.*

- ☐ Contamination must be in areas immediately under or around production equipment where remediation could cause a major facility deconstruction.
- ☐ Extents of contamination must be fully delineated.
- ☐ Contamination does not cause an imminent risk to human health, the environment, or groundwater.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Printed Name: Callie Karrigan Title: HES Professional

Signature: Callie Karrigan Date: 5/9/2019

email: cnkarrigan@marathonoil.com Telephone: 575-297-0956

**OCD Only**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

☐ Approved ☐ Approved with Attached Conditions of Approval ☐ Denied ☐ Deferral Approved

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# APPENDIX B

## NMOSE WELLS REPORT



# New Mexico Office of the State Engineer

## Water Column/Average Depth to Water

(A CLW##### in the POD suffix indicates the POD has been replaced & no longer serves a water right file.)

(R=POD has been replaced, O=orphaned, C=the file is closed)

(quarters are 1=NW 2=NE 3=SW 4=SE)

(quarters are smallest to largest)

(NAD83 UTM in meters)

(In feet)

| POD Number                    | POD Sub-Code | basin | County | Q 64 | Q 16 | Q 4 | Sec | Tws | Rng | X      | Y        | Distance | Depth Well | Depth Water | Water Column |
|-------------------------------|--------------|-------|--------|------|------|-----|-----|-----|-----|--------|----------|----------|------------|-------------|--------------|
| <a href="#">CP 00944 POD1</a> | CP           | LE    |        | 3    | 1    | 03  | 22S | 34E |     | 644531 | 3588351  | 2224     | 109        | 70          | 39           |
| <a href="#">CP 00092 POD1</a> | CP           | LE    |        | 1    | 3    | 1   | 25  | 21S | 34E | 647479 | 3591694* | 2343     | 196        |             |              |
| <a href="#">CP 00934</a>      | CP           | LE    |        | 2    | 1    | 2   | 01  | 22S | 34E | 648682 | 3588822  | 2483     | 60         | 42          | 18           |
| <a href="#">CP 00933</a>      | CP           | LE    |        | 1    | 1    | 1   | 12  | 22S | 34E | 647541 | 3587246* | 2684     | 60         |             |              |
| <a href="#">CP 00588 POD1</a> | CP           | LE    |        | 3    | 2    | 33  | 21S | 34E |     | 643583 | 3589918* | 2769     | 89         |             |              |
| <a href="#">CP 00589 POD1</a> | CP           | LE    |        | 3    | 2    | 33  | 21S | 34E |     | 643583 | 3589918* | 2769     | 84         |             |              |
| <a href="#">CP 00599 POD1</a> | CP           | LE    |        | 1    | 1    | 12  | 22S | 34E |     | 647642 | 3587147* | 2818     | 62         | 50          | 12           |
| <a href="#">CP 01069 POD1</a> | CP           | LE    |        | 2    | 1    | 4   | 28  | 21S | 34E | 643738 | 3591191  | 3025     | 210        | 140         | 70           |
| <a href="#">CP 00380</a>      | CP           | LE    |        | 4    | 2    | 11  | 22S | 34E |     | 647245 | 3586739* | 3045     | 45         | 30          | 15           |
| <a href="#">CP 00596 POD1</a> | CP           | LE    |        | 4    | 2    | 11  | 22S | 34E |     | 647245 | 3586739* | 3045     | 50         |             |              |
| <a href="#">CP 00751</a>      | CP           | LE    |        | 4    | 2    | 11  | 22S | 34E |     | 647245 | 3586739* | 3045     |            | 45          |              |
| <a href="#">CP 01068 POD1</a> | CP           | LE    |        | 4    | 1    | 4   | 28  | 21S | 34E | 643610 | 3591005  | 3048     | 180        | 140         | 40           |
| <a href="#">CP 01066 POD1</a> | CP           | LE    |        | 4    | 3    | 2   | 28  | 21S | 34E | 643735 | 3591345  | 3109     | 210        | 140         | 70           |
| <a href="#">CP 00604</a>      | CP           | LE    |        | 1    | 4    | 4   | 01  | 22S | 34E | 648743 | 3587666* | 3114     | 135        |             |              |
| <a href="#">CP 00571 POD1</a> | CP           | LE    |        | 3    | 4    | 28  | 21S | 34E |     | 643500 | 3591063  | 3173     | 170        | 135         | 35           |

Average Depth to Water: **88 feet**

Minimum Depth: **30 feet**

Maximum Depth: **140 feet**

Record Count: 15

UTMNA83 Radius Search (in meters):

Easting (X): 646339.1

Northing (Y): 3589646.52

Radius: 3216

\*UTM location was derived from PLSS - see Help

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.