

## Venegas, Victoria, EMNRD

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**From:** Venegas, Victoria, EMNRD  
**Sent:** Tuesday, December 10, 2019 4:16 PM  
**To:** 'Rob Kirk'; Bratcher, Mike, EMNRD  
**Cc:** Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD; blm\_nm\_cfo\_spill@blm.gov; 'Guesnier, Joseph R'; 'Loyd, Erin'  
**Subject:** Zeus SWD Flowback Line (NMOCD Reference #: 1RP-5561)  
**Attachments:** (C-141 Remediation Plan) Solaris Water Midstream Zeus SWD 1RP-5561.pdf

### Zeus SWD Flowback Line (NMOCD Reference #: 1RP-5561)

Mr. Kirk,

The OCD has received your Release Investigation and Remedial Action Plan for Zeus SWD Flowback Line Produced Water Release (1RP-5561), thank you. This Remediation Plan is denied for the following:

- The Depth to Groundwater has been incorrectly assessed. There are no wells within a ½ mile radius of the release source. The OCD cannot accept the DWG of a well (CP-01701-POD1) that is over 1.5 miles from the release site. Per rule 19.15.29.11 (A)(2) NMAC: "The responsible party must determine the depth to ground water where the release occurred". If Solaris believes that Groundwater is >100', a borehole will need to be drilled onsite at 105' and leave it open for at least 72 hours. If there is no evidence of water after 72 hours, the OCD will accept this as evidence. We will need a copy of the driller's log.

For further clarifications regarding the implementation of the spill rule, visit the OCD website:

<http://www.emnrd.state.nm.us/OCD/documents/OCDInternalPolicy-SpillRuleClarifications.pdf>

Regards,

Victoria Venegas  
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OCD-District II  
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*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.*