

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Thursday, December 19, 2019 2:30 PM
To: Mgant@lucid-energy.com; Bratcher, Mike, EMNRD
Cc: EMNRD-OCD-District1spills; CFO_Spill, BLM_NM
Subject: JUNIPER 10" LINE RELEASE 2RP-5566
Attachments: (C-141 Final) Denied Juniper Pipeline_Lucid 2RP-5566 Closure Plan.pdf

JUNIPER 10" LINE RELEASE 2RP-5566

Mr. Grant,

OCD has received your closure request and final C-141 for JUNIPER 10" LINE RELEASE **2RP-5566**, thank you. This closure request is denied for the following:

- The depth to groundwater has not been correctly assessed. The OCD does not accept average values as acceptable criteria to establish remediation levels. Also, there are no wells within a ½ mile radius of the release source. Per rule 19.15.29.11 (A)(2) NMAC: "The responsible party must determine the depth to groundwater where the release occurred." If Lucid believes that DGW >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. Only after establishing the depth to groundwater, can we define the closure criteria for this site. If Lucid chooses not to drill a borehole to confirm depth to groundwater, the entire site should be remediated to closure criteria for DGW ≤ 50'.

Also, please do not include the field screening results in your closure report. By rule NMAC 19.15.29.12.E (1) include only laboratory results for confirmatory samples. All samples must be tested for the all components listed in NMAC 19.15.29.12.E Table 1. Do not include concentration values of fluorides, bromides, magnesium, sulfates etc. They are completely irrelevant and make your report harder to read and understand. We appreciate your cooperation in this regard.

Finally, 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,

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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.