

Hamlet, Robert, EMNRD

From: Hamlet, Robert, EMNRD
Sent: Friday, December 20, 2019 1:15 PM
To: 'Amber L Groves'
Cc: Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Eads, Cristina, EMNRD; Mann, Ryan
Subject: Closure Denied - Plains Pipeline - Former EK Queen Station Historical - (1RP-5593) 6-20-2019
Attachments: Closure Denied - Plains Pipeline - Former EK Queen Station Historical - (1RP-5593) 12.20.19.pdf

Amber,

We have received your closure report and final C-141 for **1RP-5593 Former EK Queen Station Historical**, thank you. This closure is denied.

The OCD is under the assumption this former station has been reclaimed and is now pasture area. All off pad areas must contain a minimum of 4 feet non-waste containing uncontaminated, earthen material with chloride concentrations less than 600 mg/kg and 100 mg/kg for TPH. In the pasture area, 4 feet below the ground surface, soil contamination limits revert back to Table 1 "Closure Criteria for Soils Impacted by a Release" included in the spill rule

<http://164.64.110.134/parts/title19/19.015.0029.html>

The OCD will need to see analytical results for the 4 feet below ground surface to verify TPH is under the limit of 100 mg/kg for TPH. One point of confusion, the report says, "Impacted soil in the area characterized by sample points HA-1 and HA-2 was excavated to a depth of twelve (12) feet", but the analytical table only have 2 feet below surface for HA-1 and 10 feet below surface for HA-2. Please include the missing analytical data in the table to verify the limits have been met.

For additional guidance, the OCD has put some clarifications on the implementation of the Spill Rule on our website:

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

Please let me know if you have any further questions.

Thank you,

Robert J Hamlet
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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.