

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Friday, January 3, 2020 3:57 PM
To: 'David Cain'; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD
Cc: Mann, Ryan; Monte Bell
Subject: State 20B Battery Longfellow Energy LP 2RP-5158
Attachments: 29. (C-141 Remediation Plan) Deferral Denied Remediation Deferral Request Longfellow Energy -State 20B Battery 2RP-5158.pdf

State 20B Battery Longfellow Energy LP 2RP-5158

Mr. Cain,

OCD has received your Deferral Request for State 20B Battery Longfellow Energy LP 2RP-5158, thank you. This deferral is DENIED for the following:

- The release has not been fully delineated. On page 77, Table 1, concentration values for TPH and GRO+DRO are over limit @Sample point SB-LS20-04, 5-6. By Rule NMAC 19.15.29.12.: "The DEFERRAL may be granted so long as the contamination is fully delineated and does not cause an imminent risk to human health, the environment or ground water"
- OCD requests this site be fully delineated to closure standards in Table I of 19.15.29. All samples must be under the limit to verify the spill has been vertically delineated before we can approve a deferral. Lab data needs to be provided as evidence of delineation efforts.

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.