

## Venegas, Victoria, EMNRD

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**From:** Venegas, Victoria, EMNRD  
**Sent:** Thursday, March 12, 2020 11:54 AM  
**To:** Fields, Jon; Spore, Christopher; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD; Bratcher, Mike, EMNRD  
**Cc:** 'Mann, Ryan'; 'Beaux Jennings'; 'Liz Scaggs'  
**Subject:** NRM1928237767 THISTLE 44 STATION @ FRM1928236955  
**Attachments:** (C-141 Final) NRM1928237767 THISTLE 44 STATION @ FRM1928236955.pdf

### NRM1928237767 THISTLE 44 STATION @ FRM1928236955

Mr. Fields,

The OCD has denied the submitted Closure Report C-141 for incident # **NRM1928237767** THISTLE 44 STATION @ FRM1928236955 for the following reasons:

- Sample CS-11 is over limit for TPH, BTEX and Benzene.
- Sample CS-12 is over limit for TPH and BTEX.
- Sample CS-13 is over limit for TPH. A closure report cannot be approved if contaminated soil is still in place. TPH concentration for samples CS-11 and CS-12 is extremely high. If rock refusal interferes with the remediation process, use a back-hoe/track-hoe to remove the rock. If the rock is immovable and target depth cannot be reached, use a hydrovac to clean the contaminated soil off of the rock surface and outline specific locations and steps taken on the Closure Report. Provide photos of the excavation.
- Per Rule 19.15.29.12. D. (1) *The responsible party must test the remediated areas for contamination with representative five-point composite samples from the walls and base, and individual grab samples from any wet or discolored areas.* Additional remediation efforts are required for this site. All samples must be under the closure criteria for this site.

The Denied C-141 can be found in the online image file. Please review and make the required correction prior to resubmitting through the fee portal.

Thank you,

Victoria Venegas  
State of New Mexico  
Energy, Minerals, and Natural Resources  
Oil Conservation Division  
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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.