

## Venegas, Victoria, EMNRD

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**From:** Venegas, Victoria, EMNRD  
**Sent:** Friday, April 10, 2020 2:19 PM  
**To:** 'martin@percussionpetroleum.com'; 'toby@percussionpetroleum.com'; Hamlet, Robert, EMNRD; Bratcher, Mike, EMNRD; Eads, Cristina, EMNRD  
**Cc:** 'ngladden@hungry-horse.com'; CFO\_Spill, BLM\_NM  
**Subject:** NAB1834651412 SOUTH BOYD FEDERAL #13H & #14H @ 30-015-44880 2RP-5101  
**Attachments:** (C-141 Final) NAB1834651412 SOUTH BOYD FEDERAL #13H & #14H @ 30-015-44880 2RP-5101.pdf

### **NAB1834651412 SOUTH BOYD FEDERAL #13H & #14H @ 30-015-44880 2RP-5101**

Mr. Martin,

The OCD has denied the submitted Closure Plan C-141 for incident # NAB1834651412 SOUTH BOYD FEDERAL #13H & #14H @ 30-015-44880 2RP-5101

for the following reasons:

- The closure criteria for this site have been incorrectly assess. The release occurred in a High Karst area, which is considered an unstable area in the spill rule and is subject to the most stringent cleanup levels in Table 1, *i.e.*, 600 mg/kg for Chloride, 100 mg/kg TPH, BTEX 50 mg/kg and Benzene 10 mg/kg. Additional remediation efforts are required to achieve the remedial goal for this site
- This site does not meet the criteria for apply for a deferral. Frack tanks are considered temporal structures and can be relocate in order to remediate the spill.

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.