

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Monday, July 27, 2020 12:09 PM
To: Ike Tavarez; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD
Cc: 'Brittany Esparza'; CFO_Spill, BLM_NM; 'natalie@energystaffingllc.com'
Subject: NAB1928851161 BISCUIT HILLS SWD #001 @ 30-015-28142
Attachments: (C-141 Closure) NAB1928851161 BISCUIT HILLS SWD #001 @ 30-015-28142.pdf

NAB1928851161 BISCUIT HILLS SWD #001 @ 30-015-28142

Mr. Tavarez,

The OCD has denied the submitted Closure Report C-141 for incident # NAB1928851161 BISCUIT HILLS SWD #001 @ 30-015-28142 for the following reasons:

- The sampling protocol used in this remediation process was not previously approved by the Division and is not sufficient or adequate for this site. Only three confirmation composite samples were taken for a release spanning an area of approximately of 1685 square feet. Confirmation samples must be taken every 200 square feet per rule 19.15.29.12.D.(c). Operators may request a variance for any requirement of 19.15.29 NMAC. The variance request must include a detailed statement explaining the need for a variance and a detailed written demonstration that the variance will provide equal or better protection of fresh water, public health and the environment.
- Final confirmation sidewall samples should be 600 mg/kg or background for chlorides on and off pad, regardless of the depth to water. Surface to 4' below ground surface sidewall need to comply with the strictest closure criteria limits. The sidewall samples below 4' would revert back to Table 1 in the Spill Rule.
- The scaled final sampling diagram showing the three areas where the three composite samples and sidewall samples were taken, was not included in the report.

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.