

## Venegas, Victoria, EMNRD

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**From:** Venegas, Victoria, EMNRD  
**Sent:** Tuesday, September 29, 2020 4:36 PM  
**To:** 'Bynum, Tom (Contract)'; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD  
**Cc:** CFO\_Spill, BLM\_NM; 'chris@pimaoil.com'  
**Subject:** NRM2019546745 SIRIUS 17 FEDERAL 3H BATTERY  
**Attachments:** (C-141 Closure) NRM2019546745 SIRIUS 17 FEDERAL 3H BATTERY.pdf

### NRM2019546745 SIRIUS 17 FEDERAL 3H BATTERY

Mr. Bynum,

The OCD has denied the submitted Closure Report C-141 for incident # NRM2019546745 SIRIUS 17 FEDERAL 3H BATTERY for the following reasons:

- Depth to groundwater at this site has not been adequately assessed. When nearby wells are used to determine depth to groundwater, the wells should be no further than ½ mile away from the site, data should be no more than 25 years old, and well construction information should be provided: <http://www.emnrd.state.nm.us/OCD/documents/OCDInternalPolicy-SpillRuleClarifications.pdf>. If evidence of ground water within a ½ mile radius of the site cannot be provided, the responsible party may choose to remediate to the most stringent levels listed in Table 1 in lieu of drilling to determine the depth to groundwater.
- Sidewalls on the edge of the release need to be delineated to 600 mg/kg for chlorides and 100 mg/kg for TPH for the spill to be horizontally delineated.

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.