

From: Velez, Nelson, EMNRD
Sent: Wednesday, July 13, 2022 4:36 PM
To: Michael Gant
Subject: Rattlesnake SWD Pump Station - Incident #: NRM1929839706 Application ID: 111129

This email is applicable toward the approved closure for the aforementioned incident and for the intention of any future reportable releases where Lucid Energy Delaware, LLC (Lucid) is the responsible party.

The following are notes of the final closure review;

1. **No supporting data presented for:**
 - a. lateral extents of the release if within 300 feet of a continuously flowing watercourse or any other significant watercourse - (topographic scale too small in Figure 1 to make determination)
 - b. lateral extents of the release if within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark) - (topographic scale too small in Figure 1 to make determination)
 - c. lateral extents of the release if within 300 feet of an occupied permanent residence, school, hospital, institution, or church
 - d. lateral extents of the release if within 500 horizontal feet of a spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes
 - e. the lateral extents of the release if within 1000 feet of any other fresh water well or spring
 - f. lateral extents of the release if within incorporated municipal boundaries or within a defined municipal fresh water well field
 - g. lateral extents of the release if within 300 feet of a wetland
 - h. lateral extents of the release if overlying a subsurface mine
 - i. lateral extents of the release if within a 100-year floodplain
2. No data table summary of soil contaminant concentration provided. Although not required by rule, is beneficial in understanding the closure requested
3. **Photos deficient; no data presented for:** date/time and/or GIS information for the photographs collected, no informational description(s) for imagery content
4. **No field or lab data correlation to Figure 1 or Figure 4**

Information presented in the final report was satisfactory for closure approval. This determination was mainly based on the bore hole advanced in determining depth to water within 50 feet from surface grade, sampling results from the bore hole advancements, and the sidewall samples collected from the excavation conducted.

OCD will evaluate future incidents based on site specific details but will hold Lucid accountable to fulfill its obligation in meeting the applicable requirements within Part 29 or Part 30 if pertinent. Therefore, any future reportable incident must adhere to the required application of 19.15.29.11 NMAC and 19.15.29.12 NMAC for OCD to render final closure. Failure in doing so may result in denial of the closure request.

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Hrs.: 7:00–11:00 am & 12:00–3:30 pm Mon.–Thur.
7:00–11:00 am & 12:00–4:00 pm Fri.