

From: [Eads, Cristina, EMNRD](#)
To: ["bcunningham@legacyp.com"](#)
Cc: [Mike EMNRD Bratcher \(mike.bratcher@state.nm.us\)](#); [Robert EMNRD Hamlet \(Robert.Hamlet@state.nm.us\)](#); [Victoria EMNRD Venegas \(Victoria.Venegas@state.nm.us\)](#)
Subject: Hamon Federal Com A #2H Ref. No. 1RP-5394
Date: Wednesday, December 11, 2019 2:48:00 PM

Mr. Cunningham,

The OCD has received your delineation report and deferral request for **1RP-5394 Hamon Federal Com #2H**, thank you. The deferral request is denied for the following:

- The depth to ground water has not been adequately determined.
--I was unable to find any wells/well information within a half-mile radius of the site. Evidence of depth to ground water should be included in the report, including well construction information.

As the analytical data meets Closure Criteria for Soils Impacted by a Release for ground water at 51-100 feet bgs, Legacy will need to drill a borehole on site to 55' bgs and leave it open for at least 72 hours. If there is no evidence of ground water after 72 hours, the OCD will accept the evidence in the closure report with a copy of the driller's log.

If Legacy chooses not to drill a borehole to confirm depth to ground water, the impacted area will need to be fully delineated to meet closure criteria for water at a depth of <50'.

For further clarifications regarding the implementation of the spill rule, visit the OCD website: <http://www.emnrd.state.nm.us/OCD/documents/OCDInternalPolicy-SpillRuleClarifications.pdf>

Cristina Eads

Environmental Bureau

EMNRD – Oil Conservation Division

1220 South St. Francis Drive

Santa Fe, New Mexico 87505

505.476.3084

email: Cristina.Eads@state.nm.us

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.

District I
1625 N. French Dr., Hobbs, NM 88240
Phone:(575) 393-6161 Fax:(575) 393-0720
District II
811 S. First St., Artesia, NM 88210
Phone:(575) 748-1283 Fax:(575) 748-9720
District III
1000 Rio Brazos Rd., Aztec, NM 87410
Phone:(505) 334-6178 Fax:(505) 334-6170
District IV
1220 S. St Francis Dr., Santa Fe, NM 87505
Phone:(505) 476-3470 Fax:(505) 476-3462

State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

CONDITIONS

Action 391959

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Operator: Avant Operating, LLC 1515 Wynkoop Street Denver, CO 80202	OGRID: 330396
	Action Number: 391959
	Action Type: [IM-SD] Incident File Support Doc (ENV) (IM-BNF)

CONDITIONS

Created By	Condition	Condition Date
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