

## Guye, Gerry, EMNRD

**From:** Guye, Gerry, EMNRD  
**Sent:** Thursday, December 06, 2007 3:44 PM  
**To:** 'mastres@aol.com'  
**Subject:** C-141 on Burnham GB SA #4

This office is in receipt of your C-141 on the oil, at this facility.

The inspection revealed some historical spill in addition to the recent release. The quantities indicated more than 5 bbls had been allowed to release, which was not indicated on your C-141, this requires notification to the Division, and Remediation. In addition to hauling and disposal of the contaminated soil a complete delineation of the area, with samples, must be accomplished.

NMOCD Rule 19.15.3.116 states in part ... "The responsible person must complete **division approved corrective action** for releases which endanger public health or the environment. Releases will be addressed in accordance with a remediation plan submitted to and approved by the division or with an abatement plan submitted in accordance with Section 19 of 19.15.1 NMAC."

Information and tools for proper corrective action may be found in the Environmental Handbook on our web site [www.emnrd.state.nm.us/ocd](http://www.emnrd.state.nm.us/ocd) under the heading publications.

Remediation requirements may be subject to other federal, state and local laws or regulations.

Within 30 days, **on or before January 5, 2008**, completion of a remediation work plan should be finalized and submitted to the Division, summarizing all actions taken or to be taken to mitigate environmental damage related to the leak, spill or release, for approval.

Please be advised that NMOCD acceptance and/or approval of documents or work plans does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance and/or approval of documents or work plans do not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

If I may be of further service or if you have any questions please feel free to contact me.

Sincerely,

**Gerry Guye**  
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