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**Subject:** Closure Denial - nRM1929060324  
**Date:** Monday, March 2, 2020 11:22:00 AM  
**Attachments:** [\(C-141 Closure Denied\) -nRM1929060324.pdf](#)

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To whom it may concern:

The OCD has denied the submitted Closure Report C-141 for incident # nRM1929060324 for the following reasons:

- Documents to support evidence of depth to ground water have not been provided. The rule states "The responsible party must determine the depth to ground water where the release occurred. If the exact depth to ground water is unknown, the responsible party must provide a reasonable determination of probable ground water depth using data generated by numeric models, cathodic well lithology, water well data, published information or other tools as approved by the appropriate division district office. If the party uses water well data, the responsible party must provide all pertinent well information." ( 19.15.29.11 (2) NMAC). The OCD will recognize well data from wells within a ½ mile distance from the incident site as sufficient evidence.
- If evidence of ground water within a ½ mile radius of the site cannot be provided, impacted soils will need to meet Table 1 Closure Criteria for ground water at a depth of 50 feet or less. This will require remediation of the TT-1 area.

The denied C-141 can be found in the online image data base. Please review and make the required correction prior to resubmitting through the fee portal.

Please let me know if you have any questions.

Thanks,

**Cristina Eads**

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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.**