From: <u>Eads, Cristina, EMNRD</u>
To: <u>"savarello@mspartners.com"</u>

Cc: Bratcher, Mike, EMNRD; Robert EMNRD Hamlet (Robert.Hamlet@state.nm.us); "rmann@slo.state.nm.us"

Subject: NRM2003036134 STATE N BATTERY @ F-10-17S-34E ON 0E

 Date:
 Wednesday, October 28, 2020 4:42:00 PM

 Attachments:
 (C-141 Remediation) NRM2003036134.pdf

image002.png

NRM2003036134 STATE N BATTERY @ F-10-17S-34E ON 0E

Samantha,

The OCD has denied the submitted Site Characterization and Remediation Plan C-141 for incident # NRM2003036134 for the following reasons:

- The following items required to be submitted with the remediation plan were not included:
 - Data table of soil contaminant concentration
 - Laboratory data including chain of custody
 - Estimated volume of material to be remediated/where remediation will take place
- The depth to groundwater has not been adequately determined. When nearby wells are used to determine depth to groundwater, the wells should be no further than ½ mile away from the site, and data should be no more than 25 years old, and well construction information should 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. There are 2 USGS wells (325115103314701 and 325051103311201) ~ 0.5 miles away from the site that indicate groundwater may be at a depth between 51-100′.

The Denied C-141 can be found in the online image file. Please review and make the required correction prior to resubmitting though the fee portal. If you have any questions or believe this denial is in error, please contact me prior to submitting an additional C-141.

Cristina Eads

Environmental Bureau

EMNRD – Oil Conservation Division
5200 Oakland Avenue NE, Suite 100

Albuquerque, New Mexico 87113
505.670-5601

email: <u>Cristina.Eads@state.nm.us</u>



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.