

From: [Eads, Cristina, EMNRD](#)
To: ["Littrell, Kyle"](#)
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: NAB1907955404 REMUDA 25 OBSERVATION WELL #001 @ 30-015-45751
Date: Thursday, April 2, 2020 5:03:00 PM
Attachments: [\(C-141 Deferral Request\) nAB1907955404.pdf](#)
[image003.png](#)

Kyle,

The OCD has denied the submitted Deferral Request C-141 for incident # nAB1907955404 for the following reasons:

- United States Geological Survey (USGS) well 321717103561001 is over ½ mile away from the site, and the most recent data from this well is from 2003 and indicates the groundwater level was at 50.24' below ground surface. This data would indicate the measured groundwater level was at less than the minimum required depth to use Table I Closure Criteria for groundwater at a depth of 51' to 100'. If evidence of ground water at a depth of = 51' in a nearer location to the site cannot be provided, impacted soils will need to meet Table 1 Closure Criteria for groundwater at a depth of 50 feet or less.

Given XTO meets the condition above and provides XTO's safety policy for working near pipelines and active wells, the deferral request will be approved.

The Denied C-141 can be found in the online image file. Please review and make the required correction prior to resubmitting through 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

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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.