

## Venegas, Victoria, EMNRD

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**From:** Venegas, Victoria, EMNRD  
**Sent:** Tuesday, January 21, 2020 11:25 AM  
**To:** 'ggregson@marklshidlerinc.com'; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD  
**Cc:** Mann, Ryan  
**Subject:** STATE 23-1 23 1RP-5465  
**Attachments:** 13. (C-141 Remediation Plan) STATE 23-1 23 1RP-5465.pdf

### STATE 23-1 1RP-5465

Mr. Gregson;

OCD has received your Remediation Plan for STATE 23-1 1RP-5465, thank you. This Remediation Plan is approved with the following Conditions of Approval:

- The responsible party will collect confirmation samples per 19.15.29.12 D NMAC to include the sidewalls of the excavation . By Rule [19.15.29.12](#) D. CLOSURE REQUIREMENTS: ....”must test the remediated areas for contamination with representative five point composite samples from the walls and base...”

As we said in a previous correspondence, by Rule NMAC [19.15.29.12](#), for Remediation Plans and/or Closure Reports, the responsible party must submit a document -a single document- that includes:

1. Scaled site map diagram with sample points clearly marked
2. Photographs of the remediated site prior to backfill
3. Confirmation samples analytical results (lab tested)
4. Table containing analytical data
5. Description of excavation depths corresponding to analytical table
6. Depth to groundwater evaluation
7. Karst evaluation
8. FEMA National Flood map review
9. Signed and dated the corresponding part of form C-141

Finally, the Closure Report for **STATE 23-1 1RP-5465**, needs to be submitted via OCD’s fee portal:

<https://wwwapps.emnrd.state.nm.us/ocd/ocdpermitting/>

Regards,

*Victoria Venegas*  
EMNRD  
OCD-District II  
Artesia NM  
[Victoria.Venegas@state.nm.us](mailto:Victoria.Venegas@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.