

From: [Yu, Olivia, EMNRD](#)
To: bcunningham@legacyp.com; [Tucker, Shelly](#)
Cc: [Hernandez, Christina, EMNRD](#)
Subject: Major release at Lea Unit #8D (30-025-02431)
Date: Monday, September 24, 2018 4:14:00 PM
Attachments: 1RP5201_initialnotif_3002502431.pdf

Mr. Cunningham:

Please note that NMOCD databases indicate Federal surface and minerals ownerships. BLM can verify.

Please be advised that

1. The initial portion of the C-141 form does not include the calculations to determine the release volume. Visual estimation is not sufficient nor adequate. Please submit measurements in volume estimation; including dimensions, soil parameters (porosity, texture, bulk density, etc), and dated, geo-referenced photo documentation verifying that the release has been contained.
2. Per 19.15.29.10 NMAC, a major release necessitates immediate notification to NMOCD Environmental Bureau chief, in addition to the District office.
3. Per 19.15.29.13 NMAC, regulations of corresponding agencies supersede NMOCD's.

The 1RP for this incident is

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|-------------|-----------|---|--------|--------------|--------------|-------------|-----------|
| 5201 | 9/24/2018 | A | Legacy | Lea Unit #8D | 30-025-02431 | 20S-34E-12B | 9/20/2018 |
|-------------|-----------|---|--------|--------------|--------------|-------------|-----------|

Please remember to include this 1RP identifier to all communications. Revised NMAC 19.15.29 was effective on August 14, 2018. Delineate and remediate per regulation. Mind the timelines for submittal of requisite information.

Please be advised that NMOCD recommends a completed site characterization/delineation report be reviewed or approved by NMOCD BEFORE any significant remediation work towards closure.

Thanks,

Olivia Yu
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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 ground water, 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, local laws and/or regulations.