

## Hamlet, Robert, EMNRD

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**From:** Hamlet, Robert, EMNRD  
**Sent:** Monday, September 16, 2019 8:58 AM  
**To:** 'dmoughon@advanceenergypartners.com'  
**Cc:** 'andrew@rthicksconsult.com'; Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Billings, Bradford, EMNRD; Griswold, Jim, EMNRD  
**Subject:** Deferral Approval - Advance Energy - Tomahawk SWD Facility - (1RP-5575) 6-12-2019  
**Attachments:** Deferral Approval - Advance Energy - Tomahawk SWD Facility - (1RP-5575) 9.16.19.pdf

Debbie,

R.T. Hicks Consultant's deferral request for the 1RP-5575, requests per 19.15.29.12.C(2) *If contamination is located in areas immediately under or around production equipment such as production tanks, wellheads and pipelines where remediation could cause a major facility deconstruction, the remediation, restoration and reclamation may be deferred with division written approval until the equipment is removed during other operations, or when the well or facility is plugged or abandoned, whichever comes first.* The areas requested for deferral are identified on the site map as soil samples "G-13" and "G-14" collected from the final excavation extent. The areas have been delineated and documented in the report. At this time, OCD approves this request. The Final Report C-141 will be accepted for record and marked accordingly. The release will remain open in OCD database files and reflect an open environmental issue.

Thank you,

Robert J Hamlet  
State of New Mexico  
Energy, Minerals, and Natural Resources  
Oil Conservation Division  
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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.