

Hamlet, Robert, EMNRD

From: Hamlet, Robert, EMNRD
Sent: Tuesday, December 10, 2019 8:24 AM
To: Castro, Isaac (MRO); 'Ashley Maxwell'
Cc: Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Eads, Cristina, EMNRD; 'Mann, Ryan'
Subject: Remediation Denied - Marathon - Getty 35 State Com #1 - (1RP-5386) 2-11-2019
Attachments: Remediation Denied - Marathon - Getty 35 State Com #1 - (1RP-5386) 12.10.19.pdf

Isaac and Ashley,

We have received your Workplan/Remediation Proposal for **1RP-5386 Getty 35 State Com #1**, thank you. This Workplan/Remediation proposal is denied.

After reviewing multiple sources, it looks like the depth to groundwater in this area is probably around 75'. There are no wells within a 1/2 radius of the well location over 100' depth to groundwater. If you feel the depth to groundwater is >100', a shallow borehole can be drilled to 105' allowing for verification of the depth. If water is not visible after reaching bottom-hole and waiting 72 hours, the OCD will accept this as evidence. We would just need a copy of the driller's log.

The following part of the spill rule requires that a spill of unknown quantity and depth to water of 50'-100' be remediated to 600 mg/kg for chlorides.

(c) In addition to Subparagraph (b) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC, if the release occurred outside of a lined containment area and is in an area where depth to ground water is greater than 50 feet and less than or equal to 100 feet, the responsible party must delineate the vertical extent of the release to the greater of **600 mg/kg chloride or background chloride level**, if:

- (i) the release contains produced water that exceeds 10,000 mg/l of chloride (if the responsible party contends the fluid is less than 10,000 mg/l, the responsible party must provide current sample results to the division); and
- (ii) the release is of an **unknown quantity** or results in greater than 200 barrels of unrecovered produced water.

Please sample the entire spill area and excavate until a limit of 600 mg/kg has been reached. The old pit probably won't have a liner, but if it does pull it up and sample underneath it in the release area.

Please let me know if you have any further questions.

Regards,

Robert J Hamlet
State of New Mexico
Energy, Minerals, and Natural Resources

Oil Conservation Division
811 S. First St., Artesia NM 88210
(575) 748-1283
Robert.Hamlet@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.