

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Thursday, February 20, 2020 11:49 AM
To: 'Zach Robbins'; 'nick@pogoresources.com'; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD; Bratcher, Mike, EMNRD
Subject: NRM1927360423 BAGLEY SWD @ S-34-11S-33E 1RP-5716

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Mr. Robbins,

The OCD has denied the submitted Remediation Plan **NRM1927360423 BAGLEY SWD @ S-34-11S-33E 1RP-5716** for the following reasons:

- The Remediation Plan package is incomplete. Page 5 of form C-141 is missing. Please include signed/dated Page 5 of form C-141 in the report and resubmit it.
- The release was in the pasture. Chloride concentration exceeded 600 mg/kg and per rule 19.15.29.11 A. (5) (c) NMAC, vertical delineation has not been completed.
- Horizontal delineation has not been completed. Per rule 19.15.29.11 NMAC ... *Field screening and assessment techniques are acceptable (headspace, titration, electrical conductivity [include algorithm for validation purposes], electromagnetics, etc.), but the sampling procedures must be clearly defined. The responsible party must submit copies of field notes attributable to field sampling...* Please include copies of the field notes in the report. If RX Soil chooses not to include field notes, laboratory data should be provided as evidence of delineation efforts.

Please, review and make the required corrections prior to resubmitting through the fee portal

Thank you,

Victoria Venegas
State of New Mexico
Energy, Minerals, and Natural Resources
Oil Conservation Division
811 S. First St., Artesia NM 88210
(575) 748-1283
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.