

## Venegas, Victoria, EMNRD

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**From:** Venegas, Victoria, EMNRD  
**Sent:** Wednesday, April 29, 2020 3:34 PM  
**To:** 'Aaron Pachlhofer'; Hamlet, Robert, EMNRD; Bratcher, Mike, EMNRD; Eads, Cristina, EMNRD  
**Cc:** Mann, Ryan  
**Subject:** NCS2003132855 DENTON NO 5 SWD BATTERY @ 30-025-05226  
**Attachments:** (C-141 Final) NCS2003132855 DENTON NO 5 SWD BATTERY @ 30-025-05226.pdf

### NCS2003132855 DENTON NO 5 SWD BATTERY @ 30-025-05226

Mr. Pachlhofer,

The OCD has denied the submitted Closure Report C-141 for incident # NCS2003132855 DENTON NO 5 SWD BATTERY @ 30-025-05226 for the following reasons:

- The horizontal extent of the release has not been delineated. The edges -horizontal definition- of a liquid release must be determined. A visual footprint on the surface is not sufficient or adequate to assess the horizontal extent of the release. The only value for determination of horizontal impact are derived by either “background” value as determined appropriate to Rule 29, or, for chloride, 600 mg/Kg in soils. This is especially important for “on-pad” releases to ensure the release did not extend to the “off-pad”/pasture area.
- Delineation and confirmation samples will need to be collected and analyzed for all constituents listed in Table 1. Please see:

**Closure requirements.** *The responsible party must take the following action for any major or minor release containing liquids.*

- (1) *The responsible party must test the remediated areas for contamination with representative five-point composite samples from the walls and base, and individual grab samples from any wet or discolored areas. The samples must be analyzed for the constituents listed in Table I of 19.15.29.12 NMAC or constituents from other applicable remediation standards.*

Denied C-141 can be found in the online image file. Please review and make the required correction prior to resubmitting through the fee portal.

Thank you,

Victoria Venegas  
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.