

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Thursday, July 9, 2020 2:27 PM
To: Fields, Jon; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD
Cc: 'Ashley Maxwell'; 'Mendez, Brenda'
Subject: NRM2006951654 58481 WQU PIPELINE @ H-20-22S-26E 0N 0E
Attachments: (C-141 Final) NRM2006951654 58481 WQU PIPELINE @ H-20-22S-26E 0N 0E.pdf

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Mr. Fields,

The OCD has denied the submitted Closure Report C-141 for incident # NRM2006951654 58481 WQU PIPELINE @ H-20-22S-26E 0N 0E for the following reasons:

- The report states: *"SMA used an alternate sampling plan that was generated using Visual Sample Plan (VSP) software in which an algorithm was used to calculate the number and location of samples that would be statistically viable to comprehensively analyze the impacted area. A total of seven (7) confirmation samples (BS1-BS7) were collected and sent for laboratory analysis"*.
- The release occurred in a critical karst occurrence potential area. The release itself occurred in a tributary that flows directly to a significant watercourse. The release is located within a 100-year floodplain. The sampling protocol was not previously approved by the Division and is not sufficient or adequate for this critical area. The overspray zone in Figure 3A spans an area of approximately 36 800 square feet and requires samples be taken every 200 square feet.
- Operators may request a variance for any requirement of 19.15.29 NMAC. The variance request must include a detailed statement explaining the need for a variance and a detailed written demonstration that the variance will provide equal or better protection of fresh water, public health and the environment.

The 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.