

Incident ID	NDHR1912143128
District RP	1RP-5446
Facility ID	fDHR1912142203
Application ID	pDHR1912142630

Remediation Plan**4KEK3-190725-C-1410****Remediation Plan Checklist:** *Each of the following items must be included in the plan.*

- ☐ Detailed description of proposed remediation technique
☐ Scaled sitemap with GPS coordinates showing delineation points
☐ Estimated volume of material to be remediated
☐ Closure criteria is to Table 1 specifications subject to 19.15.29.12(C)(4) NMAC
☐ Proposed schedule for remediation (note if remediation plan timeline is more than 90 days OCD approval is required)

Deferral Requests Only: *Each of the following items must be confirmed as part of any request for deferral of remediation.*

- ☒ Contamination must be in areas immediately under or around production equipment where remediation could cause a major facility deconstruction.
☐ Extents of contamination must be fully delineated. *Unable to achieve full vertical delineation at this facility due to safety concerns associated with subsurface lines and vessels in the immediate vicinity of the release location.*
☒ Contamination does not cause an imminent risk to human health, the environment, or groundwater. *Although, full vertical delineation was infeasible, soil sampling strongly indicated decreasing concentrations of constituents of concern with depth. BTEX was below regulatory limits at all sample points. Chloride was vertically delineated. And TPH decreased with depth to only 177-ppm at the 12'bgs location associated with the source of the release.*

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Printed Name: Shelby Pennington Title: Environmental Coordinator
 Signature: *Shelby Pennington* Date: 7/25/19
 email: shelby_pennington@xtoenergy.com Telephone: 281-723-9353

OCD Only

Received by: Victoria Venegas Date: 07/25/2019

☐ Approved
 ☐ Approved with Attached Conditions of Approval
 ☒ Denied
 ☐ Deferral Approved

Signature: *Victoria Venegas* Date: 10/23/2019

This Deferral Request is DENIED due to the following:

- The release has not been fully delineated. By Rule NMAC 19.15.29.12.: "The DEFERRAL may be granted so long as the contamination is fully delineated and does not cause an imminent risk to human health, the environment or ground water".
- This site is subject to the most stringent closure levels in Table 1. The Depth to groundwater is 46 feet bgs. The TPH concentration at HDP2 @6"bgs is approximately 10 000 mg/kg, which is an unacceptably high value. By rule, the sample point HDP2 must be delineated to 100 mg/kg for TPH.
- Further delineation is required @SB1.

More remediation efforts are needed. OCD requests this site to be fully delineated. The samples must be under the limit to verify the spill has been vertically delineated before we can approve a deferral.