

Hamlet, Robert, EMNRD

From: Hamlet, Robert, EMNRD
Sent: Monday, June 1, 2020 9:14 AM
To: 'Aaron Pachlhofer'
Cc: Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Eads, Cristina, EMNRD
Subject: RE: Fasken Denton No.3 SWD spill on May 25, 2020 - Variance 2

Aaron,

We have received your variance request for the Denton #3 SWD spill, thank you.

- The variance request for 500 ft² closure criteria composite sample size is approved.
- The variance request for only four soil samples that will be screened for BTEX/TPH is denied. The rule says, "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". This requires all samples to be tested for Chlorides, TPH, BTEX, and Benzene. This release is relatively close to 50' depth to groundwater and will need to follow the rule and test for constituents listed in Table 1.

Please let me know if you have any further questions.

Regards,

Robert J Hamlet
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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.

From: Aaron Pachlhofer <aaronp@forl.com>
Sent: Friday, May 29, 2020 2:14 PM
To: Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>
Cc: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>
Subject: [EXT] Fasken Denton No.3 SWD spill on May 25, 2020 - Variance 2

Robert,

Fasken would like to request a variance:

- Reduce BTEX/TPH laboratory analyses to 4 samples requested for laboratory analysis.

Notes: This was a produced water release, crude oil is not expected to be present in concentrations above the 19.15.29 TABLE I, 50 to 100 foot concentrations. The primary constituent of concern are chlorides, but crude oil residues are potentially present in produced water. The location of the spill was between the SWD battery (where as much oil possible is recovered from produced water) and the injection well, thus crude oil had been removed from produced water at the battery. Fasken has not observed any oil staining in the release area but it is important to ensure that no oil residue is present. Therefore Fasken proposes to request BTEX/TPH analysis for four of the soil samples that will be collected (approx. 25% of samples if Variance 1 is approved). If BTEX/TPH is present in any samples above the 19.15.29 TABLE I, 50 to 100 foot concentrations, BTEX/TPH will be requested for the remaining samples collected.

Equal protection: At a minimum this provides equal protection to the release area because crude oil is tested for through laboratory analysis, despite that it is not expected to be present since the spilled produced water was after the separation process at the SWD battery. As noted above if BTEX TPH is present above TABLE I concentrations, all samples remaining samples will have BTEX/TPH analysis requested from the laboratory.

Site specific information:

No receptors in the general area – there are no homes or occupied structures, surface water, domestic water wells, etc within ½ mile of the release

The area is mapped as low karst potential (all of Lea county is low karst)

Depth to groundwater – the depth of groundwater is approximately is approximately 63 to 66 feet below ground surface. These depths are from three monitoring wells that Fasken installed at the SWD battery in 2010. The wells were last gauged and sampled in March 2020. The wells range 175 feet to 250 feet from the release area. I will submit the drillers report for the wells when I upload the C-141 through the fee portal. If you need it now, I should be able to provide it. If these data are not sufficient, there are many other water wells within ½ mile of the release that have data that the OCD accepts.

If there are any questions or clarifications needed, please let me know ASAP,



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