

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Tuesday, July 28, 2020 3:16 PM
To: 'William Bryan Burns'; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD
Cc: CFO_Spill, BLM_NM
Subject: NAB1909539458 GISSLER B 3-3 TANK BATTERY @ FAB1909538882 2RP-5333
Attachments: (C-141 Remediation) NAB1909539458 GISSLER B 3-3 TANK BATTERY @ FAB1909538882 2RP-5333.pdf

NAB1909539458 GISSLER B 3-3 TANK BATTERY @ FAB1909538882 2RP-5333

Mr. Burns,

The OCD has approved the Site Characterization and Remediation Plan for incident # NAB1909539458 GISSLER B 3-3 TANK BATTERY @ FAB1909538882 2RP-5333 with the following conditions of approval:

- Final five-point composite confirmation samples, should be collected at a frequency of no more than one sample per 200 square feet, including the overspray area.
- Confirmation samples must be analyzed for the constituents listed in Table 1 of 19.15.29.12. NMAC.
- Final confirmation sidewall samples should be 600 mg/kg or background for chlorides on and off pad, regardless of the depth to water. Surface to 4' below ground surface sidewall need to comply with the strictest closure criteria limits. This is especially important for "on-pad" releases to ensure the release did not extend to the "off-pad"/pasture area. The sidewall samples below 4' would revert back to Table 1 in the Spill Rule.
- The Division grants Burnett Oil an additional 180 days to perform on-site bioremediation. When this time period expires, Burnett Oil must submit an updated site characterization report, to monitor the progress of the bioremediation process. The report must be submitted to the Division through the OCD fee portal.

The signed C-141 can be found in the online image data base under the incident #

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.