

Hamlet, Robert, EMNRD

From: Hamlet, Robert, EMNRD
Sent: Friday, August 14, 2020 10:27 AM
To: 'ngladden@hungry-horse.com'; 'ddominguez@hungry-horse.com'
Cc: Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Eads, Cristina, EMNRD; CFO_Spill, BLM_NM
Subject: Closure Denied - Spur - Twelve Pack Fed Com LBB #4H - (Incident #NRM1931853815) (2RP-5695)
Attachments: Closure Denied - Spur - Twelve Pack Fed Com LBB #4H.pdf

Daniel,

We have received your closure report and final C-141 for **Incident #NRM1931853815 Twelve Pack Fed Com LBB #4H**, thank you. This closure is denied.

- When nearby wells are used to determine depth to groundwater, the wells should be no further than ½ mile away from the site, and data should be no more than 25 years old, and well construction information should be provided. If evidence of depth to ground water within a ½ mile radius of the site cannot be provided, impacted soils will need to meet Table 1 Closure Criteria for ground water at a depth of 50 feet or less.
- If you feel the depth to groundwater is >50', a shallow borehole can be drilled to 51' allowing for verification of the depth. If water is not visible after reaching bottom-hole and waiting 72 hours, the OCD will accept this as evidence. We would just need a copy of the driller's log.
- Most of the clean samples were located 4'-6' below ground surface. The report says, " It was agreed between Spur Energy and Hungry Horse, LLC that 6" bgs would be excavated from the impacted area". The OCD requires that excavation occur down to the first clean sample point. Micro-Blaze was applied, which may only clean up the top few inches depending on the amount applied. Closure criteria sampling will need to show samples tested for **all components** in Table 1 of the OCD Spill Rule. The OCD cannot accept field screening results from Petro FLAG Analyzer Systems, PID Meters, and Ground Conductivity Meters for closure criteria sampling determination. Sampling in 1 foot increments makes it easier and more cost effective in figuring out what depth to excavate to. The lack of BTEX and TPH data down to 4'-6', where the clean samples occurred is insufficient and will need to be addressed with additional lab analytical verified sampling.
- The release area has not been vertically delineated. Sample point SP3 was excavated down to 14 feet and had a TPH value of 3940 mg/kg. If the deepest sample point is still over closure criteria standards, it's not vertically delineated.
- Please upload new remediation/closure report after additional delineation and sampling has occurred.

Please let me know if you have any further questions.

Regards,

Robert J Hamlet
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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.