

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Tuesday, September 8, 2020 2:15 PM
To: 'Littrell, Kyle'; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD
Cc: 'rmann@slo.state.nm.us'; 'Baker, Adrian'; Ashley Ager
Subject: NVV2003155809 POKER LAKE UNIT 36 DTD STATE SWD #001 @ 30-015-45237
Attachments: (C-141 Closure) NVV2003155809 POKER LAKE UNIT 36 DTD STATE SWD #001 @ 30-015-45237.pdf

NVV2003155809 POKER LAKE UNIT 36 DTD STATE SWD #001 @ 30-015-45237

Mr. Littrell,

The OCD has denied the submitted Closure Report C-141 for incident # NVV2003155809 POKER LAKE UNIT 36 DTD STATE SWD #001 @ 30-015-45237 for the following reasons:

- The depth to groundwater has been incorrectly assessed; therefore, the remediation levels outlined in Table 1 of 19.15.29.12 NMAC have not been established. When nearby wells are used to determine depth to groundwater, the wells should be no further than ½ mile away from the site, data should be no more than 25 years old, and well construction information should be provided. If XTO believes that groundwater is > 100', a borehole will need to be drilled onsite and a copy of the driller's log must be provided.
- The responsible party may choose to remediate to the most stringent remediation levels listed in Table 1 in lieu of drilling to determine the depth to groundwater.
- The horizontal extent of the release has not been delineated. The edges -horizontal definition- of a liquid release must be determined. The only value for determination of horizontal impact are derived by either "background" value as determined appropriate to Rule 29, or, for chloride, 600 mg/Kg in soils.

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.

NOTE: This report was submitted on 08/04/2020 PO# FX11J-200804-C-1410, not on 06/26/2020 as is shown on the NMOCD - 60 Day Response Tracking email.

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.