

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Thursday, September 10, 2020 3:00 PM
To: 'marvin.soriwei@conocophillips.com'; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD
Cc: 'christian.llull@tetrattech.com'; 'CFO_Spill, BLM_NM'
Subject: NDHR1917849099 ELVIS TANK BATTERY 1RP-5578
Attachments: (C-141 Remediation Plan) NDHR1917849099 ELVIS TANK BATTERY 1RP-5578.pdf

NDHR1917849099 ELVIS TANK BATTERY 1RP-5578

Mr. Soriwei,

The OCD has denied the submitted Deferral Request C-141 for incident # NDHR1917849099 ELVIS TANK BATTERY 1RP-5578 for the following reasons:

- The reported release footprint was contained within the earthen berm of the tank battery. The containment berm has a liner at an approximate depth of 0.5 feet bgs. Per rule 19.15.29.11.A.(5)(a): If the release occurred within a lined containment area, the responsible party must demonstrate liner integrity after affected material is removed and the affected area of the liner is exposed.
- If the responsible party is unable to demonstrate liner integrity, the release must be delineated/remediated following the closure criteria for this site.
- The Depth to groundwater has 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:
<http://www.emnrd.state.nm.us/OCD/documents/OCDInternalPolicy-SpillRuleClarifications.pdf>.

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.

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.