

From: [Eads, Cristina, EMNRD](#)
To: [Robbie Runnels](#)
Cc: [Mike EMNRD Bratcher \(mike.bratcher@state.nm.us\)](#); [Robert EMNRD Hamlet \(Robert.Hamlet@state.nm.us\)](#); [Victoria EMNRD Venegas \(Victoria.Venegas@state.nm.us\)](#); [CFO Spill, BLM NM](#)
Subject: NRM2017833698 NORTE 19 FED COM #1 @ 30-025-39160
Date: Wednesday, September 2, 2020 12:25:00 PM
Attachments: [image002.png](#)
[\(C-141 Deferral Request\) NRM2017833698.pdf](#)
[image003.png](#)

NRM2017833698 NORTE 19 FED COM #1 @ 30-025-39160

Robbie,

The OCD has denied the Site Characterization and Deferral Request C-141 for incident # NRM2017833698 for the following reasons:

- Questions regarding the site characterization and remediation of this release have been unanswered. The following questions should be clearly answered in an updated site characterization and deferral request or remediation plan report:
 1. At what depths were the samples collected? If the suffixes of the sample IDs for samples SP1-SP5 indicate depth in feet, additional sampling will be required for horizontal delineation.
 2. Were composite samples or grab samples collected?
 3. Was any contamination remediated? If so, please indicate where and in what manner remediation has taken place. If not, please return to the incident site and remediate contamination in all accessible areas. The division typically does not approve deferrals for entire incident sites, only points within the release immediately near production equipment where soils cannot be safely removed or treated.
- The depth to groundwater has not been adequately determined. 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.

Please include a data table when presenting contaminant concentrations data.

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. If you have any questions or believe this denial is in error, please contact me prior to submitting an additional C-141.

Thanks,

Cristina Eads

Environmental Bureau

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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.