

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Monday, March 16, 2020 9:08 AM
To: 'joseph.vargo@nglep.com'; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD
Subject: NRM1927632000 STRIKER 6 SWD #1 @ 30-025-44291 1RP-5727
Attachments: (C-141 Final) NRM1927632000 STRIKER 6 SWD #1 @ 30-025-44291 1RP-5727.pdf

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Mr. Vargo,

The OCD has denied the submitted Closure Report for incident # **NRM1927632000 STRIKER 6 SWD #1 @ 30-025-44291 1RP-5727** for the following reasons:

The report is incomplete and does not meet the requirements of the spill rule. Per Rule NMAC 19.15.29.12, for Remediation Plans and/or Closure Reports, the responsible party must submit a document that includes:

- Scaled site map diagram with all sample points clearly marked. Please see [19.15.29.12.D. Closure Requirements](#): “Each sample should not represent more than 200 square feet unless a sampling plan has already been submitted to and approved by the division.”
- **Table containing analytical data of samples tested for all the constituents listed in Table 1.** Per Rule [19.15.29.12.D. Closure Requirements](#): “The responsible party must test the remediated areas for contamination with representative five-point composite samples from the walls and base, and individual grab samples from any wet or discolored areas. The samples must be analyzed for the constituents listed in Table I of 19.15.29.12 NMAC or constituents from other applicable remediation standards”. Please, provide laboratory data, including chain of custody.
- The Depth to Groundwater has been incorrectly assessed. There are no water wells within a ½ mile radius of the release source. Per rule [19.15.29.11](#) (A)(2) NMAC: “The responsible party must determine the depth to ground water where the release occurred”. If NGL Water Solutions believes that Groundwater is >100’, a borehole will need to be drilled onsite at 105’ and leave it open for at least 72 hours. If there is no evidence of water after 72 hours, the OCD will accept this as evidence. We will need a copy of the driller’s log. If NGL Water Solutions Permian LLC chooses not to drill a borehole to confirm depth to groundwater, this site should be remediate using the closure criteria for DGW ≤ 50” (see Table 1 of the Spill Rule).
- Photographs of the remediated site prior to backfill.
- Karst evaluation.
- FEMA National Flood map for this site.

If you need assistance, the current spill rule may be viewed here: <http://164.64.110.134/parts/title19/19.015.0029.html>

For further clarifications regarding the implementation of the spill rule, visit the OCD web site:

<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.

Victoria Venegas
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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.