

## Hamlet, Robert, EMNRD

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**From:** Hamlet, Robert, EMNRD  
**Sent:** Monday, March 23, 2020 4:26 PM  
**To:** 'lklein@3bearllc.com'  
**Cc:** Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Eads, Cristina, EMNRD  
**Subject:** Closure-Deferral Denied - 3 Bear - Dark Canyon (Carlsbad 960 SWD) (Incident #NAB1929160071) (2RP-5675)  
**Attachments:** Closure-Deferral Denied - 3 Bear - Dark Canyon (Carlsbad 960 SWD).pdf

Elizabeth,

We have received your closure-deferral report and final C-141 for **Incident #NAB1929160071 Dark Canyon (Carlsbad 960 SWD)**, thank you. This closure-deferral is denied.

- Please include a C-141 Remediation Plan Page 5 on any future Deferral Request. The OCD cannot approve closure on a release until after the deferred sample points have been cleaned up and the contaminants removed.
- Based on the location of the release, underneath a tank battery and on an active well pad, deferral of soil sample locations: BS19-02, BS19-11, BS19-12, BS19-15, BS19-18, BS19-19, BS19-24, BS19-28, BS19-29, and BS19-37 is approved.
- Soil sample locations BS19-38, BS19-39, BS19-40, and BS19-41 are either on the service road or in the pasture. Both of these locations are considered to be in the pasture/off-pad and need to be delineated to 600 mg/kg for Chlorides and 100 mg/kg for TPH. All off-pad areas must contain a minimum of 4 feet non-waste containing uncontaminated, earthen material.
- Please, complete the delineation/excavation on the 4 soil sample locations in the pasture/off-pad and upload the updated deferral request including signed/dated C-141 Page 5 to the Payment Portal upon completion.

Please let me know if you have any further questions.

Thank you,

Robert J Hamlet  
State of New Mexico  
Energy, Minerals, and Natural Resources  
Oil Conservation Division  
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