

Hamlet, Robert, EMNRD

From: Hamlet, Robert, EMNRD
Sent: Wednesday, May 20, 2020 10:54 AM
To: Bob Allen
Cc: Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Eads, Cristina, EMNRD; rmann@slo.state.nm.us; 'Thomas Haigood'
Subject: Closure Denied - Maverick - Humble Yates Battery - (Incident #NAB1912635236) (2RP-5384)
Attachments: Closure Denied - Maverick - Humble Yates Battery.pdf

James,

We have received your closure report and final C-141 for **Incident #NAB1912635236 Humble Yates Battery**, thank you. This closure is denied.

- The report says, "The interior of the bermed area was hand excavated and all impacted soil stockpiled for disposal". If you are trying to close the spill, please include 1 floor sample in each quarter of the battery (4 Total) that are under the closure criteria limit for >100' depth to groundwater. One floor sample for the entire battery is insufficient. The floor samples will need to be under the limit of 1000 mg/kg for (GRO + DRO). The one "Bottom" sample that was taken was over the limit at 2400 mg/kg for (GRO + DRO).
- The 2 boreholes vertically delineate the release in the battery. If you feel that excavating the floor deeper in certain areas is unsafe due to equipment in and around tanks, pipelines, and electrical lines, please include the necessary floor sample locations in a deferral request.
- We need a **scaled** site map diagram clearly outlining **all** sample points for the entire release, not just the battery.
- Depth to water of >100' requires delineation of less than 1000 mg/kg for (GRO + DRO). Sample locations "North SW", "South SW", "West SW", and "Bottom" are all over the limit of 1000 mg/kg for (GRO + DRO). Please delineate these sample locations until they are under the limit. If you believe a certain area will require a deferral, please make sure that it has been fully delineated and the sample point is included in the request.
- A deferral request can be submitted after the release has been fully delineated horizontally and vertically. **The OCD will not close a release, where contaminants are left in place.** A formal deferral request is required if you are looking to complete remediation during any future major well pad construction/alteration or final plugging and abandonment, whichever occurs first. Please remove as much of the contaminated soil with shovels and a hydrovac before requesting a deferral.
- A deferral request requires a signed/dated C-141 Remediation Plan (Page 5) that can be marked up if you decide to go that route.
- If you would like to go the closure route, please make sure the side walls and floor samples in the battery meet closure criteria for >100' depth to groundwater and have been completely delineated and excavated.
- Please upload the future report to the payment portal, when completed.

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
811 S. First St., Artesia NM 88210
(575) 748-1283
Robert.Hamlet@state.nm.us

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.