

## Hamlet, Robert, EMNRD

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**From:** Hamlet, Robert, EMNRD  
**Sent:** Monday, June 1, 2020 2:52 PM  
**To:** Zachary LaCount  
**Cc:** Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Eads, Cristina, EMNRD; CFO\_Spill, BLM\_NM  
**Subject:** Deferral Denied - Mewbourne - Red Hills Water Recycle Facility - (Incident #NDHR1918652622) (1RP-5604)  
**Attachments:** Deferral Denied - Mewbourne - Red Hills Water Recycle Facility.pdf

Zachary,

We have received your Remediation Plan/Deferral Request for **Incident #NDHR1918652622 Red Hills Water Recycle Facility**, thank you. This Remediation Plan/Deferral Request is denied.

- The report says, "The legal description of the release site is Unit Letter "M" (SW/SW) of Section 15, Township 26 South of Range 32 East, in Eddy County, New Mexico". The release is actually in Lea County, New Mexico.
- The OCD cannot approve a deferral for a spill off pad in the pasture. 19.15.29.12 Remediation and Closure (2): States, "The responsible party shall restore the impacted surface area of a release occurring on a developed well pad, central tank battery, drilling site, compressor site or other exploration, development, production or storage sites to meet the standards of Table I of 19.15.29.12 NMAC or other applicable remediation standards and restore and reclaim the area pursuant to 19.15.29.13 NMAC. Please sample the proposed deferral area and safely excavate using a hydrovac and/or shovel to remove contaminated soil. Include the sample results and excavation depths in your updated remediation/closure report. The impacted area that is on the pipeline right-of-way will need to be fully delineated and reclaimed.
- Please upload new Remediation/Closure report to the Payment Portal after accomplished.

Please let me know if you have any further questions.

Regards,

Robert J Hamlet  
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.