

## Hamlet, Robert, EMNRD

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**From:** Hamlet, Robert, EMNRD  
**Sent:** Tuesday, June 2, 2020 10:01 AM  
**To:** Bob Allen; 'Bynum, Tom (Contract)'  
**Cc:** Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Eads, Cristina, EMNRD; CFO\_Spill, BLM\_NM  
**Subject:** Remediation Denied - Devon - Todd 22 Fed #2 Battery - (Incident #NAB1909832421) (2RP-5341)  
**Attachments:** Remediation Denied - Devon - Todd 22 Fed #2 Battery.pdf

Bob,

We have received your Workplan/Remediation Proposal for **Incident #NAB1909832421 Todd 22 Fed #2 Battery**, thank you. This Workplan/Remediation proposal is denied.

- 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. If evidence of depth to ground water within a ½ mile radius of the site cannot be provided, impacted soils will need to meet Table 1 Closure Criteria for ground water at a depth of 50 feet or less.
- The Chevron Texaco map is not accurate in some places and cannot be used as a standalone source for depth to groundwater determination.
- If you feel the depth to groundwater is >100', a shallow borehole can be drilled to 101' allowing for verification of the depth. If water is not visible after reaching bottom-hole and waiting 72 hours, the OCD will accept this as evidence. We would just need a copy of the driller's log.

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.