

## Venegas, Victoria, EMNRD

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**From:** Venegas, Victoria, EMNRD  
**Sent:** Monday, June 8, 2020 8:12 AM  
**To:** 'Davis, Amanda'; Hamlet, Robert, EMNRD; Bratcher, Mike, EMNRD; Eads, Cristina, EMNRD  
**Cc:** 'CFO\_Spill, BLM\_NM'; DeHoyos, Kendra  
**Subject:** NAB1916435152 COTTON DRAW 10 FEDERAL COM #002H @ 30-015-39230 2RP-5481  
**Attachments:** (C-141 Final) NAB1916435152 COTTON DRAW 10 FEDERAL COM #002H @ 30-015-39230 2RP-5481.pdf

### **NAB1916435152 COTTON DRAW 10 FEDERAL COM #002H @ 30-015-39230 2RP-5481**

Ms. Davis,

The OCD has denied the submitted Closure Report C-141 for incidents # NAB1916435152 COTTON DRAW 10 FEDERAL COM #002H @ 30-015-39230 2RP-5481 for the following reasons:

- The Depth to groundwater has been incorrectly assessed. 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 Devon believes that groundwater is > 100', a borehole will need to be drilled onsite and a copy of the driller's log must be provided. Vertical delineation, which is driven by depth to water, is incomplete because the depth to groundwater has not been established.
- The horizontal extent of the release has not been delineated. The edges -horizontal definition- of a liquid release must be determined. A visual footprint on the surface is not sufficient or adequate to assess the horizontal extent of the release. The only value for determination of horizontal impact are derived by either "background" value as determined appropriate to Rule 29, or, for chloride, 600 mg/Kg in soils. This is especially important for "on-pad" releases to ensure the release did not extend to the "off-pad"/pasture area.

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.

Thank you,

Victoria Venegas  
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.