

## Venegas, Victoria, EMNRD

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**From:** Venegas, Victoria, EMNRD  
**Sent:** Wednesday, July 8, 2020 11:43 AM  
**To:** 'Zach Robbins'; 'mymerch@penrocoil.com'; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD  
**Cc:** 'nick@pogoresources.com'  
**Subject:** NRM1927360423 BAGLEY SWD @ S-34-11S-33E 0N 0E

### **NRM1927360423 BAGLEY SWD @ S-34-11S-33E 0N 0E**

Mr. Robbins,

OCD approves the variance request from RXSoil for incident # NRM1927360423 to leave soil in place @ sample points ES10 and TP. RXSoil can proceed to backfill the open excavation. In your next submittal, please provide letters from Lea County Road Department and Lea County Electric Co. clarifying their safety protocols that prevents RXSoil from excavating around the aforementioned sample points.

Thank you,

Victoria Venegas  
State of New Mexico  
Energy, Minerals, and Natural Resources  
Oil Conservation Division  
811 S. First St., Artesia NM 88210  
(575) 748-1283  
[Victoria.Venegas@state.nm.us](mailto:Victoria.Venegas@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.