

Venegas, Victoria, EMNRD

From: William Bryan Burns <wburns@burnettoil.com>
Sent: Thursday, June 18, 2020 7:00 AM
To: Venegas, Victoria, EMNRD; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD
Cc: CFO_Spill, BLM_NM
Subject: [EXT] RE: NAB1909539458 GISSLER B 3-3 TANK BATTERY @ FAB1909538882

Mrs. Venegas

I think there is some confusion. This is the submittal that we have corresponded over several times about. It is not a Closure Report it was a Remediation Plan. We have had a couple of denials of our remediation plan each asking for additional information. I went through them and spoke with you several times to make sure that I was supplying what was requested. The last denial wanted a copy of the lab reports, along with some other information that was obtained. That made the file too large to attach so I mailed it, and inserted a copy of the online receipt with it. * That is why there is no signed copy of the C141 Closure Report. *The remedial plan identifies the process we are using to remediate clearly and asks for a variance in time to complete as we had discussed. * There also was a Analytical table behind the remediation plan and before the lab reports.

I was contacted by Ramona Marcus about the payment without a file for it and I was worried that this process was going to lead to confusion. She indicated that she would scan it in once she received it. The on-line process really isn't my favorite it should be set up where it was clear what it was you are actually submitting for approval, and it should be set up to handle larger files if it's information that is going to be requested.

BRYAN BURNS
HSE AND SECURITY COORDINATOR

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WBURNS@BURNETTOIL.COM

From: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>
Sent: Wednesday, June 17, 2020 3:59 PM
To: William Bryan Burns <wburns@burnettoil.com>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>
Cc: CFO_Spill, BLM_NM <blm_nm_cfo_spill@blm.gov>
Subject: [EXTERNAL] NAB1909539458 GISSLER B 3-3 TANK BATTERY @ FAB1909538882

NAB1909539458 GISSLER B 3-3 TANK BATTERY @ FAB1909538882

Mr. Burns,

The OCD has denied the submitted Closure Report C-141 for incident # NAB1909539458 GISSLER B 3-3 TANK BATTERY @ FAB1909538882 for the following reasons:

- The rule requires -see **19.15.29.12.B.**- the responsible party to submit a closure report along with form C-141. Please include the corresponding C-141 page, signed and dated, in your next submittal.

- The rule requires -see **19.15.29.12.E (d)**- the responsible party to include a description of all remedial activities. Please include a summary of the remediation process, as detailed as possible, in your next submittal.
- We would greatly appreciate if you include a table in the report that contains the lab result for each sample. Although not required by the rule, a summary table makes the report easier to read and understand.

The Denied C-141 can be found in the online image file

<http://ocdimage.emnrd.state.nm.us/imaging/IncidentFileView.aspx?incident=nAB1909539458>

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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(575) 748-1283
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.

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