

Hamlet, Robert, EMNRD

From: Hamlet, Robert, EMNRD
Sent: Monday, July 13, 2020 3:26 PM
To: DeHoyos, Kendra
Cc: Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Eads, Cristina, EMNRD; Mann, Ryan
Subject: Closure Denied - Devon - Townsend St #5 - (Incident #NCH1827850988) (1RP-5222)
Attachments: Closure Denied - Devon - Townsend St #5.pdf

Kendra,

We have received your closure report and final C-141 for **Incident #NCH1827850988 Townsend St #5**, thank you. This closure is denied.

- The report says, "The nearest active well to the site is a New Mexico Office of the State Engineer (NM OSE)-identified well located approximately 900 feet southeast of Townsend (New Mexico Office of the State Engineer, New Mexico Water Rights Reporting System, 2019). Depth to groundwater at this well is 46 feet below ground surface (bgs)". A deferral cannot be granted on a release if the depth to water is <50' depth to groundwater. At that point, a hydrovac/shovel would need to be used to safely remove the contaminated soil. The release will need to be remediated to the strictest closure criteria limits (600 mg/kg, Chlorides, 100 mg/kg TPH, etc.).
- If you feel the depth to groundwater is >50', a shallow borehole can be drilled to 51' 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.
- In the future, there are a couple mandatory things that need to be accomplished for a deferral. All sample points, except the requested sample points for deferral, must have contaminated soil removed before a deferral request is uploaded to the payment portal. The only remediation that should remain are the sample points that are being requested for deferral. Also, specify exactly which sample points you are asking for a deferral on and the reason the contaminants can't be removed.

Please let me know if you have any further questions.

Regards,

Robert J Hamlet
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