

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Tuesday, August 18, 2020 10:16 AM
To: 'Daniel Dominguez'; rmann@slo.state.nm.us
Cc: Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD; Carmen Pitt
Subject: RE: NCH1903360398 COLE STATE #016 @ 30-025-37721 1RP-5316

NCH1903360398 COLE STATE #016 @ 30-025-37721 1RP-5316

Mr. Dominguez,

Yes, you are correct, 41 additional five-points composite samples meet the requirement of the rule that confirmation samples must be collected every 200 square feet. See 19.15.29.12.D.(1). Note that the responsible party **must** notify the Division 48 hours before the sampling event as required by rule, 19.15.29.12.D.(a). Send all inspection and sampling notifications to OCD.enviro@state.nm.us. Please note that if no OCD representative is onsite at the notified time, continue per 19.15.29 NMAC. In the event that the time and dates change it is the operators responsibility to communicate to the OCD to reschedule the sampling/inspection event or request a variance for the sampling notification requirements.

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

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.

From: Daniel Dominguez <ddominguez@hungry-horse.com>
Sent: Tuesday, August 18, 2020 9:18 AM
To: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>; rmann@slo.state.nm.us
Cc: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Hamlet, Robert, EMNRD <Robert.Hamlet@state.nm.us>; Eads, Cristina, EMNRD <Cristina.Eads@state.nm.us>; Carmen Pitt <cpitt@grizzlyenergyllc.com>
Subject: [EXT] RE: NCH1903360398 COLE STATE #016 @ 30-025-37721 1RP-5316

Ms. Venegas,

We are collecting the needed confirmation samples from the site today. We need samples from the release area only correct? The release area totaled 9,500 sq. ft. and we have seven samples from the area already, we only need 41 more samples to represent 200 sq. ft. areas. Am I correct?

Respectfully,

Daniel Dominguez

Sr. Project Manager
Hungry Horse, LLC
(mobile) 575-441-2504
[ddominguez@hungry-horse.com](mailto:d Dominguez@hungry-horse.com)

From: Venegas, Victoria, EMNRD <Victoria.Venegas@state.nm.us>
Sent: Monday, August 17, 2020 4:10 PM
To: cpitt@grizzlyenergyllc.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: Mann, Ryan <rmann@slo.state.nm.us>; Daniel Dominguez <ddominguez@hungry-horse.com>
Subject: NCH1903360398 COLE STATE #016 @ 30-025-37721 1RP-5316

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Mr. Pitt,

The OCD has denied the submitted Closure Request C-141 for incident # NCH1903360398 COLE STATE #016 @ 30-025-37721 1RP-5316 for the following reasons:

- More confirmation samples need to be collected from the remediation site. Please see [19.15.29.12](#) D.(1). Unless approved prior to submitting a closure report, composite samples are expected to be collected representing an area of no more than 200 square feet.
- Operators may request a variance for any requirement of 19.15.29 NMAC. The variance request must include a detailed statement explaining the need for a variance and a detailed written demonstration that the variance will provide equal or better protection of fresh water, public health and the environment

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
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Energy, Minerals, and Natural Resources
Oil Conservation Division
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Victoria.Venegas@state.nm.us

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