

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Monday, August 24, 2020 11:05 AM
To: 'Baker, Larry'; Bratcher, Mike, EMNRD; Hamlet, Robert, EMNRD; Eads, Cristina, EMNRD
Subject: NRM2010834974 NEDU 206 @ 30-025-06522
Attachments: (Remediation Plan) NRM2010834974 NEDU 206 @ 30-025-06522.pdf

NRM2010834974 NEDU 206 @ 30-025-06522

Mr. Baker,

The OCD has denied the submitted Site Characterization/Remediation Plan C-141 for incident # NRM2010834974 NEDU 206 @ 30-025-06522 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 Apache believes that groundwater is > 50', a borehole will need to be drilled onsite and a copy of the driller's log must be provided. If Apache chooses not to drill a borehole to confirm the depth to groundwater, the site must be remediated to meet the Closure Criteria in Table 1 for groundwater at a depth of 50 feet or less.
- The alternative sampling plan is not approved. Please provide a detailed demonstration that the variance will provide equal or better protection of fresh water, public health and the environment.
- Apache's request to "*complete the remediation within one year of plan approval by NMOCD*" is denied. Please proceed by NMAC 19.15.12.E.(1).

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
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.