

From: [Hamlet, Robert, EMNRD](#)
To: ["Wade Dittrich"](#)
Cc: [Bratcher, Mike, EMNRD](#); [Eads, Cristina, EMNRD](#); ["CFO Spill, BLM NM"](#)
Subject: Remediation Conditional Approval - OXY - State 2 3 CTB - (Incident #NRM2008455073)
Date: Friday, November 6, 2020 12:08:00 PM
Attachments: [Remediation Conditional Approval - OXY - State 2 3 CTB \(Incident #NRM2008455073\).pdf](#)

Wade,

We have received your Workplan/Remediation Proposal for **Incident #NRM2008455073 State 2 3 CTB**, thank you. This Workplan/Remediation proposal is approved with the following conditions:

- 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 evidence of depth to ground water within a ½ mile radius of the site cannot be provided, impacted soils will need to meet Table 1 Closure Criteria for ground water at a depth of 50 feet or less.
- 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.
- Please continue to horizontally delineate sample points to 600 mg/kg for chlorides and TPH to 100 mg/kg on the outer edges/periphery and include sample points in your next report after closure criteria limits have been met. While vertical definition of contamination that may be acceptable is almost exclusively driven by depth to water, as determined, and as driven by Table I in rule, horizontal definition is different. The edges (horizontal definition) of a liquid release must be determined as well. The only value for determination of horizontal impact are derived by either "background" value as determined appropriate to Rule 29, or, for chloride, 600 mg/Kg in soils. This 600 mg/Kg value is discussed in detail in 19.15.29.13 D. (1).
- Without a proper depth to groundwater determination, soil sample points SP1 and SP2 will need to be vertically/horizontally delineated to 600 mg/kg for chlorides and 100 mg/kg for TPH. This would require SP1 to be excavated to 3' and SP2 excavated to 2'.

Please let me know if you have any further questions.

Regards,

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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.

