

From: [Hamlet, Robert, EMNRD](#)
To: "Amber L Groves"
Cc: [Bratcher, Mike, EMNRD](#); [Eads, Cristina, EMNRD](#); "[CFO Spill, BLM NM](#)"
Subject: Deferral Denied - Plains Pipeline - COG Craig St #3H - (Incident #NVV2003536983)
Date: Thursday, November 19, 2020 9:00:00 AM
Attachments: [Deferral Denied - Plains Pipeline - COG Craig St #3H - \(Incident #NVV2003536983\).pdf](#)

Amber,

We have received your Deferral Request for **Incident #NVV2003536983 COG Craig St #3H**, thank you. The Deferral request is denied.

Before we can approve a deferral the spill must be fully delineated. As you stated in your report, "the NMOCD restoration and cleanup levels for soils impacted by hydrocarbons with high karst topography is 100 mg/Kg for TPH". It appears that Brad Billings has approved a variance to "Excavate to 3 feet, deemed safe, relative to infrastructure is Approved". Removal of the contaminated soil over 100 mg/kg will need to be accomplished after the site is cleared for additional work.

- The report says, "Due to limited accessibility, the site was excavated to a maximum depth of three (3) ft bgs at which point limestone rock was encountered thus preventing further vertical hand excavation of site. Vertical delineation is in agreement with Brad Billings variance approval at this time. Although, horizontal delineation has not been accomplished. Please continue to horizontally delineate sample points to 100 mg/kg for TPH 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. Generally, the top one foot sample suffices for immediate horizontal evaluation and deeper contamination would likely be identified during actual remediation. Due to the high karst, conduct sampling away from the LACT unit in North, South, and Easterly direction until the surface delineation samples are below 100 mg/kg for TPH. Please, include the horizontal delineation samples in your revised deferral report.

Please, let me know if you have any questions.

Thank you,

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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.