

AP - 32

**GENERAL  
CORRESPONDENCE**

**YEAR(S):**  
2004-2000



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

**Mark E. Fesmire, P.E.**

Director

**Oil Conservation Division**

October 6, 2004

Mr. Larry G. Sugano  
Tipperary Corporation  
633 Seventeenth St., Suite 1550  
Denver, Colorado 80202

**RE: ABATEMENT PLAN AP-32  
COLLIER #1 PIT SITE  
LEA COUNTY, NEW MEXICO**

Dear Mr. Sugano:

The New Mexico Oil Conservation Division (OCD) has reviewed Tipperary Corporation's (TC) March 10, 2004 "STAGE 1 INVESTIGATION REPORT AND STAGE 2 ABATEMENT PROPOSAL, COLLIER #1 PIT, SECTION 9F-T11S-R33E, LEA COUNTY, NM". This document contains the results of TC's Stage 1 investigation of the extent of ground water contamination related to former unlined pit at TC's Collier #1 site located in Unit F of Section 9, Township 11 South, Range 33 East, Lea County, New Mexico. The document also contains a Stage 2 Abatement Plan Proposal for remediation of contaminated ground water.

Before the OCD can complete a technical review of the Stage 2 proposal, the OCD requires that:

1. TC issue by October 21, 2004 the enclosed Stage 2 notice of publication in the Lovington Leader and Albuquerque Journal pursuant to OCD Rule 19.G.(2).
2. Prior to issuing public notice, TC shall issue written notice of the Stage 2 proposal pursuant to OCD Rule 19.G.(1). A listing of "those persons, as identified by the Director, who have requested notification" pursuant to OCD Rule 19.G.(1)(d) can be found at [www.emnrd.state.nm.us/ocd/Bureaus/environm.htm](http://www.emnrd.state.nm.us/ocd/Bureaus/environm.htm).
3. TC provide the OCD with proof of publication and proof of written notice by November 5, 2004. Proof of notice shall include a map of the surface owners of record within one (1) mile of the perimeter of the site and shall identify compliance with each of the provisions of OCD Rule 19.G.

If you have any questions, please contact Bill Olson at (505) 476-3491.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger C. Anderson". The signature is fluid and cursive, with a large initial "R" and "A".

Roger C. Anderson  
Environmental Bureau Chief

RCA/wco

xc: Chris Williams, OCD Hobbs District Office  
Mike Griffin, Whole Earth Environmental, Inc.

## **NOTICE OF PUBLICATION**

### **STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION**

Notice is hereby given that pursuant to New Mexico Oil Conservation Division Regulations, the following Stage 1 Abatement Plan Proposal has been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Dr., Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

Tipperary Corporation, Larry Sugano, Vice President, Telephone (303) 293-9379, 633 Seventeenth Street, Suite 1550, Denver, Colorado 80202, has submitted a Stage 2 Abatement Plan Proposal for the Collier #1 Site located in Unit F of Section 9, Township 11 South, Range 33 East, NMPM, Lea County, New Mexico. Tipperary Corporation formerly operated an unlined emergency pit at the site. Benzene, chloride and total dissolved solids contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 2 Abatement Plan Proposal addresses methods for remediation of the site including remediation of contaminated ground water; site maintenance activities; a monitoring and sampling plan for ground water; preparation of regular remediation reports; and, a schedule for implementation of all remediation and monitoring activities.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The Stage 1 Abatement Plan Proposal may be viewed at the above address or at the Oil Conservation Division Hobbs District Office, 1625 N. French Drive, Hobbs, New Mexico 87240, Telephone (505) 393-6161 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on the proposed Stage 1 Abatement Plan Proposal, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which written comments may be submitted.



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

**Lori Wrotenberg**

Director

Oil Conservation Division

April 21, 2003

Mr. Larry G. Sugano  
Tipperary Corporation  
633 Seventeenth St., Suite 1550  
Denver, Colorado 80202

**RE: TATUM PIT CLOSURE PROJECT  
LEA COUNTY, NEW MEXICO**

Dear Mr. Sugano:

The New Mexico Oil Conservation Division (OCD) has reviewed Tipperary Corporation's (TC) February 12, 2003 "PROGRESS REPORT FOR YEAR 2002, TATUM PIT CLOSURE PROJECT, LEA COUNTY, NEW MEXICO". This document contains the results of TC's 2002 ground water quality monitoring and additional investigations of the extent of ground water contamination at the Bell State "A" (Case #1R260), Gulf State #1 (Case #1R262), Iva Com #1 (Case #1R263), Mabel Com #1 (Case #1R264), Sohio State #1 (Case # 1R267), Sohio State "A" (Case #1R268), State NBF #1 (Case #1R269) and ~~Collier #1 (Case # AP-32)~~ sites west of Tatum, New Mexico.

The OCD has the following comments and requirements concerning the above referenced documents:

1. The reports do not include a contoured ground water potentiometric map of each site, for each sampling event, showing the direction and magnitude of the hydraulic gradient. The OCD has required this information for all monitoring reports as a condition of approval of previous work plans. Please provide such a map for each site from the last monitoring event in calendar year 2002. In future reports, for each sampling event, TC shall include a contoured ground water potentiometric map of each site showing the direction and magnitude of the hydraulic gradient.
2. A review of site data shows that, at most of the sites, chloride and total dissolved solids (TDS) have been observed in ground water downgradient of the pits in concentrations in excess of New Mexico Water Quality Control Commission (WQCC) standards. Therefore, the OCD requires that all future ground water samples from each monitor well, during each sampling event, also be analyzed for concentrations of TDS and major cations and anions using EPA approved methods and quality assurance/quality control procedures.

Larry G. Sugano  
April 21, 2003  
Page 2

3. The reports note that phase-separated hydrocarbons (PSH) are present in some monitor wells, however, the OCD cannot evaluate the effectiveness of the recovery systems since the amount of PSH in each monitor or recovery well is not reported. In future reports please include tables showing the thickness of PSH, measured to the nearest 0.01 of a foot, in each monitor and recovery well during all past and present monitoring events.
4. A review of the analytical data shows that the lateral and/or downgradient extent of ground water contamination in excess of WQCC standards has still not been completely defined at the Bell State "A", Sohio State #1, Sohio State "A", and State NBF #1 sites. The OCD requires that TC submit work plans to complete the investigation of the extent of ground water contamination at these sites. The work plans shall include:
  - a. A map of each site showing proposed monitor well locations to accomplish the above task.
  - b. Proposed monitor well construction details.
  - c. A proposed ground water sampling plan.
  - d. A schedule for implementation of the plan and submission of an investigation report.

Please submit the information and work plans required in above items 1 and 4 to the OCD Santa Fe Office by June 21, 2003 with a copy provided to the OCD Hobbs District Office.

The investigation actions at the Collier #1 site are being conducted under an abatement plan pursuant to OCD Rule 19. The Stage 1 investigation proposal for the site is currently within a public comment period. The OCD reserves comment on the Collier #1 site until the public comment period for the Stage 1 investigation proposal has been completed.

If you have any questions, please call me at (505) 476-3491.

Sincerely,



William C. Olson  
Hydrologist  
Environmental Bureau

xc: Chris Williams, OCD Hobbs District Office  
Mike Griffin, Whole Earth Environmental, Inc.



**Whole Earth Environmental, Inc.**

19606 San Gabriel Houston, Tx. 77084

Tel: 281.492.7077 Fax: 281.646.8996

whearth@iamerica.net

**RECEIVED**

**APR 15 2003**

April 10, 2003

Bill Olson  
NMOCD  
1220 South St. Francis Dr.  
Sante Fe, NM 87505

ENVIRONMENTAL BUREAU  
OIL CONSERVATION DIVISION

Dear Bill:

Enclosed, please find copies of the Certified Mail and public notices associated with the Tipperary Collier # 1 Abatement Plan discussed a couple of weeks ago. Please let me know if you need anything further.

Warmest personal regards,

Mike Griffin  
President  
Whole Earth Environmental, Inc.

Cc: Larry Sugano / Tipperary Corporation

# Affidavit of Publication

STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF LEA )

Joyce Clemens being first duly sworn on oath deposes and says that she is Advertising Director of **THE LOVINGTON DAILY LEADER**, a daily newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled

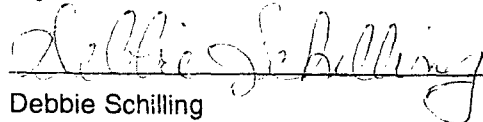
## Legal Notice

was published in a regular and entire issue of **THE LOVINGTON DAILY LEADER** and not in any supplement thereof, for one (1) day, beginning with the issue of March 28, 2003 and ending with the issue of March 28, 2003.

And that the cost of publishing said notice is the sum of \$ 49.96 which sum has been (Paid) as Court Costs.



Subscribed and sworn to before me this 3rd day of April 2003



Debbie Schilling

Notary Public, Lea County, New Mexico  
My Commission Expires June 22, 2006

## LEGAL NOTICE NOTICE OF PUBLICATION STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Oil Conservation Division Regulations, the following Stage 1 Abatement Plan Proposal has been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Dr., Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

Tipperary Corporation, Larry Sugano, Vice President, Telephone (303) 293-9379, 633 Seventeenth Street, Suite 1550, Denver, Colorado 80202, has submitted a State 1 Abatement Plan Proposal for the Collier #1 Site located in Unit F of Section 9, Township 11 South, Range 33 East, NMPM, Lea County, New Mexico. Tipperary Corporation formerly operated an unlined emergency pit at the site. Benzene, chloride and total dissolved solids contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The State 1 Abatement

Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements; calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; a monitoring and sampling plan for soils and ground water; preparation of reports; and, a schedule for implementation of all investigation and monitoring activities.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The State 1 Abatement Plan Proposal may be viewed at the above address or at the Oil Conservation Division Hobbs District Office, 1625 N. French Drive, Hobbs, New Mexico 87240, Telephone (505) 393-6161 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on the proposed State 1 Abatement Plan Proposal, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which written comments may be submitted. Published in the Lovington Daily Leader March 28, 2003.



STATE OF NEW MEXICO  
County of Bernalillo SS

Bill Tafoya, being duly sworn, declares and says that he is Classified Advertising Manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 31 day of March, 2003, and the subsequent consecutive publications on \_\_\_\_\_, 2003.

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this day of Mar. 31 of 2003.

PRICE

37.25

Statement to come at end of month.

ACCOUNT NUMBER

C80023

CLA-22-A (R-1/93)

NOTICE OF PUBLICATION

STATE OF NEW MEXICO  
ENERGY, MINERALS AND  
NATURAL RESOURCES  
DEPARTMENT  
OIL CONSERVATION DIVISION

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Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The Stage 1 Abatement Plan Proposal may be viewed at the above address or at the Oil Conservation Division Hobbs District Office, 1625 N. French Drive, Hobbs, New Mexico 87240, Telephone (505) 393-6161 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on the proposed Stage 1 Abatement Plan Proposal, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which written comments may be submitted. Journal: March 31, 2003



OFFICIAL SEAL  
Samantha Weis

NOTARY PUBLIC  
STATE OF NEW MEXICO

My Commission Expires 10/24

*Samantha Weis*

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Peance Trust  
Roy F. Peance, Trustee  
1717 Jackson, Blvd.  
Pecos, Tx. 79722

## 2. Article Number

(Transfer from service label)

7002 0510 0002 4111 4732

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X *Marsha Peance* ☐ Agent  
☐ Addressee

## B. Received by (Printed Name)

*Marsha Peance*

## C. Date of Delivery

*4-2-03*

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

## 3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Carl Lane Johnson  
P.O. Box 917  
Tatum, NM 88267

## 2. Article Number

(Transfer from service label)

7002 2030 0000 0376 4055

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X *Carl Lane Johnson* ☐ Agent  
☐ Addressee

## B. Received by (Printed Name)

*Carl Lane Johnson*

## C. Date of Delivery

*4-4-03*

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

## 3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

AP-32

**Olson, William**

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**From:** Mike Griffin [whearth@iAmerica.net]

**Sent:** Thursday, March 27, 2003 2:14 PM

**To:** Bill Olson

**Subject:** Collier # 1 Legal Notices

Bill:

I finally managed to get the abstract information for the Collier # 1 from Elliott & Waldron in Lovington yesterday. I sent the notices to the papers today & will have the certified letters out tomorrow morning.

Sorry for the delay.

Thanks for your flexibility.

Mike Griffin

3/31/2003



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

**Lori Wrotenbery**

Director

**Oil Conservation Division**

February 21, 2003

Mr. Larry G. Sugano  
Tipperary Corporation  
633 Seventeenth St., Suite 1550  
Denver, Colorado 80202

**RE: ABATEMENT PLAN AP-32  
COLLIER #1 PIT SITE  
LEA COUNTY, NEW MEXICO**

Dear Mr. Sugano:

The New Mexico Oil Conservation Division (OCD) has reviewed Tipperary Corporation's (TC) June 28, 2003 "ABATEMENT PLAN, COLLIER #1 PIT, SECTION 9F-T11S-R33E, LEA COUNTY, NM". This document contains TC's Stage 1 Abatement Plan Proposal for investigation of ground water contamination related to former unlined pit at TC's Collier #1 site located in Unit F of Section 9, Township 11 South, Range 33 East, Lea County, New Mexico.

The OCD has determined that the above-referenced Stage 1 Abatement Plan Proposal is administratively complete. Before the OCD can complete a technical review of the Stage 1 proposal, the OCD requires that:

1. TC issue by March 10, 2003 the enclosed Stage 1 notice of publication in the Lovington Leader and Albuquerque Journal pursuant to OCD Rule 19.G.(2).
2. Prior to issuing public notice, BMG shall issue written notice of the Stage 1 proposal pursuant to OCD Rule 19.G.(1). A listing of "those persons, as identified by the Director, who have requested notification" pursuant to OCD Rule 19.G(1)(d) can be found at [www.emnrd.state.nm.us/oed/Bureaus/envirom.htm](http://www.emnrd.state.nm.us/oed/Bureaus/envirom.htm).
3. TC provide the OCD with proof of publication and proof of written notice by March 25, 2003. Proof of notice shall include a map of the surface owners of record within one (1) mile of the perimeter of the site and shall identify compliance with each of the provisions of OCD Rule 19.G.

If you have any questions, please contact Bill Olson at (505) 476-3491.

Sincerely,

A handwritten signature in dark ink, appearing to read "Roger C. Anderson". The signature is fluid and cursive, with a large initial "R" and "A".

Roger C. Anderson  
Environmental Bureau Chief

RCA/wco

xc: Chris Williams, OCD Hobbs District Office  
Mike Griffin, Whole Earth Environmental, Inc.

## **NOTICE OF PUBLICATION**

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Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The Stage 1 Abatement Plan Proposal may be viewed at the above address or at the Oil Conservation Division Hobbs District Office, 1625 N. French Drive, Hobbs, New Mexico 87240, Telephone (505) 393-6161 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on the proposed Stage 1 Abatement Plan Proposal, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which written comments may be submitted.



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor

Betty Rivera

Cabinet Secretary

Lori Wrotenbery

Director

Oil Conservation Division

April 29, 2002

**CERTIFIED MAIL**

**RETURN RECEIPT NO. 7001-1940-0004-3929-7198**

Mr. Larry G. Sugano  
Tipperary Corporation  
633 Seventeenth St., Suite 1550  
Denver, Colorado 80202

**RE: ABATEMENT PLAN AP-32  
COLLIER #1 PIT SITE  
LEA COUNTY, NEW MEXICO**

Dear Mr. Sugano:

The New Mexico Oil Conservation Division (OCD) has reviewed Tipperary Corporation's (TC) December 21, 2001 "COLLIER #1 PIT CLOSURE, SECTION 9F-T11S-R33E, LEA COUNTY, NM". This document contains the results of TC's installation of monitor wells to investigate the extent of contamination at TC's Collier #1 pit site located in Unit F of Section 9, Township 11 South, Range 33 East, Lea County, New Mexico. The document also proposes to conduct additional ground water monitoring of the existing monitoring wells in order to prepare an abatement plan.

The proposal to conduct quarterly ground water monitoring of the existing wells is approved on the condition that ground water from all monitor wells be purged, sampled and analyzed for benzene, toluene, ethylbenzene and xylene (BTEX), total dissolved solids (TDS), and major cations and anions using EPA approved methods and quality assurance/quality control (QA/QC) procedures.

A review of the information provided shows that ground water underlying the pit is contaminated with benzene, total dissolved solids and chloride in excess of the New Mexico Water Quality Control Commission (WQCC) standards and that the lateral and vertical extent of ground water contamination has not been completely determined. Since the contamination was discovered after March 15, 1997 and the contamination will take longer than one year to remediate, the investigation and remediation must be conducted pursuant to OCD Rule 19. Therefore, the OCD requires that TC submit to the OCD by June 29, 2002 a Stage 1 investigation proposal to complete the definition of the lateral and vertical extent of ground water contamination pursuant to OCD Rule 19.E.1. and OCD Rule 19.E.3. The investigation work conducted to date can be incorporated into the Stage 1 investigation proposal. Please submit an extra copy of the proposal to the OCD Hobbs District Office.

If you have any questions, please contact Bill Olson at (505) 476-3491.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger C. Anderson", with a long horizontal flourish extending to the right.

Roger C. Anderson  
Environmental Bureau Chief

RCA/wco

xc: Chris Williams, OCD Hobbs District Office  
Mike Griffin, Whole Earth Environmental, Inc.



**Olson, William**

**From:** Mike Griffin [SMTP:whearth@iamerica.net]  
**Sent:** Wednesday, August 08, 2001 6:31 AM  
**To:** bill olson  
**Cc:** larry sugano  
**Subject:** Tipperary Collier # 1 Status

Bill:

We are continuing our investigation of the above site to include drilling a new monitor well tomorrow (August 9). We've drilled a 4" recovery / monitor well at the pit edge and a second well down gradient to the first. Based on the lab results, we need yet another well to define the lateral extent of the plume.

We expect to have all of the results to you by the end of the month.

Thanks for your continued interest in the project.

Mike Griffin  
Whole Earth Environmental, Inc.

**Olson, William**

**From:** Mike Griffin [SMTP:whearth@iamerica.net]  
**Sent:** Wednesday, December 06, 2000 3:59 PM  
**To:** wolson@state.nm.us  
**Cc:** larry sugano  
**Subject:** Collier # 1 Protocol Amendment

Bill: To confirm our telecon of earlier today, we have now excavated a test hole at the Collier # 1 site to a depth of 51' bgl and still have TPH concentrations in excess of those approved under our submitted protocol:

PR-56A. It is now our plan to re-fill the test hole with clean topsoil and to create an artificial bottom to the liner at a depth of 33' bgl. The average TPH concentrations at this level are 1-2,000 ppm. We will take side wall tests in accordance with the protocol.

**Olson, William**

**From:** Whole Earth Environmental [SMTP:whearth@iamerica.net]  
**Sent:** Friday, November 17, 2000 11:04 AM  
**To:** Bill Olson  
**Subject:** Tipperary Collier # 1 Revised Protocol

Bill:

I've taken your advise and am foregoing the drilling of an investigatory well at the Tipperary Collier # 1 site. Instead, we will simply begin excavation in hopes of finding a quick bottom to the thing.

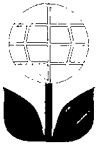
We are hoping to get started on this and an adjacent George O'Brien site beginning November 27<sup>th</sup>. Though I know you are really backed up, I would sincerely appreciate a quick review of the attached protocol.

Thanks in advance.



PR-56A Tipperary  
Collier.doc

Mike Griffin



**PR-56A**

---

**Remediation Protocol  
Tipperary Corporation  
Collier # 1**

---

**1.0 Purpose**

This protocol is to provide a detailed outline of the steps to be employed in the remediation of a spill area located west of Tatum, New Mexico.

**2.0 Scope**

This protocol is site specific for the Tipperary remediation project.

**3.0 Preliminary**

Prior to any field operations, Whole Earth Environmental shall conduct the following activities:

**3.1 Client Review**

3.1.1 Whole Earth shall meet with cognizant personnel within Tipperary to review this protocol and make any requested modifications or alterations.

3.1.2 Changes to this protocol will be documented and submitted for final review by Tipperary prior to the initiation of actual field work.

**4.0 Safety**

4.1 Prior to work on the site, Whole Earth shall obtain the location and phone numbers of the nearest emergency medical treatment facility. We will review all safety related issues with the appropriate Tipperary personnel, sub-contractors and exchange phone numbers.

4.2 A tailgate safety meeting shall be held and documented each day. All sub-contractors must attend and sign the daily log-in sheet.

4.3 Anyone allowed on to location must be wearing sleeved shirts, steel toed boots, and long pants. Each vehicle must be equipped with two way communication capabilities.

4.4 Prior to any excavation, New Mexico One Call will be notified. The One Call notification number will be included within the closure report. If lines are discovered within the area to be excavated they shall be marked with pin flags on either side of the line at maximum five foot intervals.

## **5.0 Remediation Procedure**

5.1 All soils containing a TPH concentration >100 ppm, and all soils containing a benzene concentration >10ppm or a total BTEX concentration >50ppm will be excavated and placed immediately adjacent to the excavation. The side walls and bottom of the excavation will be field tested for TPH and BTEX concentrations in accordance with WEQP-06 and WEQP-19.

5.2 The Hobbs branch of the OCD will be notified to witness the final confirmation sampling of the side walls and bottom of the excavation. Samples will be collected in accordance with WEQP-77 and analyzed for TPH and BTEX.

5.3 The excavated soils will be mixed and blended with sub-strait materials to achieve a maximum concentration of 1,000 ppm TPH, 10 ppm benzene and 50 ppm total BTEX concentration. A confirmation composite sample will be collected and analyzed in accordance with 7.1 of this protocol.

## **6.0 Liner**

6.1 Upon approval by the NMOCDD, Whole Earth will install a 20 mil polyethylene liner within the excavation. The liner will extend up the side walls to a point within 5' of the ground surface. The excavated soils will be replaced within the liner at concentrations not to exceed those described in paragraph 7.3 of this protocol.

6.2 An additional polyethylene top cover will be erected atop the excavation and overlapped with the bowl liner to insure that no surface water will infiltrate the main plume area. The top liner should be slightly domed to accommodate subsidence and to direct a drainage path away from the main plume. The top of the liner shall be at least 3' below ground level.

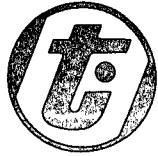
## **7.0 Closure Report**

7.1 At the conclusion of the project, Whole Earth shall prepare a closure report which contains the following minimum information:

- Photographs of the location prior to remediation

- Photographs of the location at time of final closure

- Plat map showing sampling locations
- All pre-closure contaminant concentrations
- Contaminant concentrations at the conclusion of the project
- Copies of this protocol and all testing procedures
- Copies of each days tailgate safety meeting
- Copies of daily calibration logs for each instrument
- Independent split sample laboratory analyses
- MSDS sheets of the liner
- A hydrogeological survey map indicating the depth and direction of the groundwater and locations of the recovery and monitor wells



**Tipperary**  
CORPORATION

633 Seventeenth Street  
Suite 1550  
Denver, Colorado 80202

NOV - 8 2000

October 3, 2000

VIA OVERNIGHT MAIL

Ms. Donna Williams  
New Mexico Oil Conservation Division  
District I  
1625 French Drive  
Hobbs, NM 88240

**RE: Collier #1  
Sec 9F-T11S-R33E  
Lea County, NM**

Dear Ms. Williams:

We are in receipt of your letter dated September 22, 2000 concerning the possible unlined pit at the subject location. The letter indicated that Tipperary did not respond to the December 9, 1999 correspondence. Our records show that a response was mailed to your office on January 31, 2000. Please see a copy attached for your files. We concluded the pit at the Collier #1 location was closed over 30 years ago under Order R-3221 (6).

For your approval, please find enclosed our protocol prepared by Whole Earth Environmental in response to your requirement that Tipperary define the vertical migration of this possible unlined pit. If this protocol is acceptable, please notify our office so we can schedule the field work.

In your letter, you cited Rule 19 NMAC. Would you please send us a copy of this rule for our files? Please call me at 303.293.9379 if you have any questions.

Very truly yours,

Larry G. Sugano  
Vice President - Engineering

Enclosures



The figure consists of two maps. The left map shows the Iberian Peninsula and surrounding regions, with the study area highlighted in red. The right map shows a detailed view of the study area, with the study area highlighted in red.

[illegible]





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**Remediation Protocol  
Tipperary Corporation  
Collier # 1**

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**1.0 Purpose**

This protocol is to provide a detailed outline of the steps to be employed in the remediation of a spill area located west of Tatum, New Mexico.

**2.0 Scope**

This protocol is site specific for the Tipperary remediation project.

**3.0 Preliminary**

Prior to any field operations, Whole Earth Environmental shall conduct the following activities:

**3.1 Client Review**

3.1.1 Whole Earth shall meet with cognizant personnel within Tipperary to review this protocol and make any requested modifications or alterations.

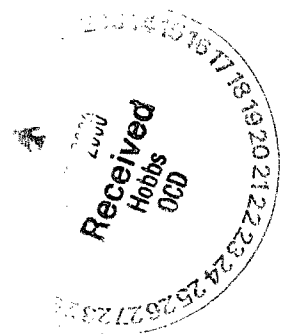
3.1.2 Changes to this protocol will be documented and submitted for final review by Tipperary prior to the initiation of actual field work.

**4.0 Safety**

**4.1** Prior to work on the site, Whole Earth shall obtain the location and phone numbers of the nearest emergency medical treatment facility. We will review all safety related issues with the appropriate Tipperary personnel, sub-contractors and exchange phone numbers.

**4.2** A tailgate safety meeting shall be held and documented each day. All sub-contractors must attend and sign the daily log-in sheet.

**4.3** Anyone allowed on to location must be wearing sleeved shirts, steel toed boots, and long pants. Each vehicle must be equipped with two way communication capabilities.



4.4 Prior to any excavation, New Mexico One Call will be notified. The One Call notification number will be included within the closure report. If lines are discovered within the area to be excavated they shall be marked with pin flags on either side of the line at maximum five foot intervals.

## **5.0 Groundwater Investigation**

5.1 A 2" investigation well will be drilled at the southeast corner of the site. If free product is encountered within the well bore, the well will be reamed to a four inch diameter and developed and cased as a recovery well. If no free product is found, the well bore will be temporarily cased 2" and used as a monitor well. If the laboratory analysis of the water indicates that BTEX concentrations are within NMWQCC standards, the well will be plugged and grouted to surface. If the BTEX concentrations within the well bore are in excess of NMWQCC standards, an additional delineation well will be drilled at a minimum distance of 300' down gradient from the initial monitor well. Well construction will be in accordance with NMOCD instructions.

5.2 A windmill will be erected over the recovery well. The free phase product will be pumped to surface and directed to an above ground storage tank for subsequent removal for re-processing. The storage tank will be netted to insure that it poses no risk to wildlife.

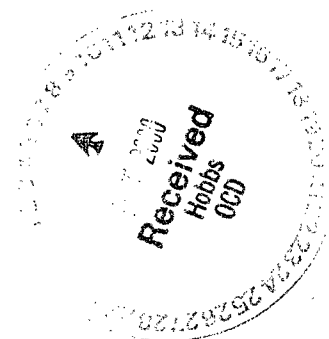
## **6.0 Modeling**

6.1 The bottom hole benzene concentrations and the depth to ground water will be determined and included within a VADSAT contaminant migration model. The modeled results should project that no benzene concentrations exceeding NMWQCC standards of 10 ppb shall be allowed to impact the ground water within a 100 year model span.

6.2 The modeled results will be submitted to the Hobbs District and Sante Fe office of the NMOCD prior to any materials being re-deposited within the excavation.

## **7.0 Remediation Procedure**

7.1 All soils containing a TPH concentration >1,000 ppm, and all soils containing a benzene concentration >10ppm or a total BTEX concentration >50ppm will be excavated and placed immediately adjacent to the excavation. The side walls and bottom of the excavation will be field tested for TPH and BTEX concentrations in accordance with WEQP-06 and WEQP-19.



7.2 The Hobbs branch of the OCD will be notified to witness the final confirmation sampling of the side walls and bottom of the excavation. Samples will be collected in accordance with WEQP-77 and analyzed for TPH and BTEX.

7.3 The excavated soils will be mixed and blended with sub-strait materials to achieve a maximum concentration of 5,000 ppm TPH, 10 ppm benzene and 50 ppm total BTEX concentration. A confirmation composite sample will be collected and analyzed in accordance with 7.1 of this protocol.

## **8.0 Liner**

8.1 Upon approval by the NMOCD, Whole Earth will install a 20 mil polyethylene liner within the excavation. The liner will extend up the side walls to a point within 5' of the ground surface. The excavated soils will be replaced within the liner at concentrations not to exceed those described in paragraph 7.3 of this protocol.

8.2 An additional polyethylene top cover will be erected atop the excavation and overlapped with the bowl liner to insure that no surface water will infiltrate the main plume area. The top liner should be slightly domed to accommodate subsidence and to direct a drainage path away from the main plume. The top of the liner shall be at least 3' below ground level.

## **9.0 Monitoring**

9.1 The investigation well will be initially sampled for the presence and concentrations of BTEX and chlorides. Sample collection will be in accordance with WEQP-76. If this sampling indicates concentrations in excess of NMWQCC standards, the well will be additionally sampled for PAH's, major cation and anions, and RCRA 8 metals.

9.2 If necessary, all wells will be sampled on a quarterly basis for the presence and concentration of BTEX. After four consecutive quarters in which the BTEX concentrations within the source and monitor wells show BTEX concentrations in accordance with NMWQCC standards, the wells will be re-analyzed for RCRA 8 metals, criteria PAH's, chlorides and major cations and anions. If the test results show concentrations within acceptable NMWQCC standards, Tipperary will request final site closure. Once approved, the recovery and monitor wells will be grouted to surface and the site re-contoured to match background topography.

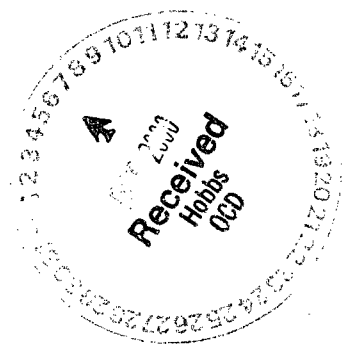


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**10.0 Closure Report**

**10.1** At the conclusion of the project, Whole Earth shall prepare a closure report which contains the following minimum information:

- Photographs of the location prior to remediation
- Photographs of the location at time of final closure
- Plat map showing sampling locations
- All pre-closure contaminant concentrations
- Contaminant concentrations at the conclusion of the project
- Copies of this protocol and all testing procedures
- Copies of each days tailgate safety meeting
- Copies of daily calibration logs for each instrument
- Independent split sample laboratory analyses
- Copies of the VADSAT contaminate migration model
- MSDS sheets of the liner
- Construction details of the monitor and recovery wells
- A hydrogeological survey map indicating the depth and direction of the groundwater and locations of the recovery and monitor wells







**Tipperary**  
CORPORATION

633 Seventeenth Street  
Suite 1550  
Denver, Colorado 80202

**RECEIVED**

**NOV 08 2000**

ENVIRONMENTAL BUREAU  
OIL CONSERVATION DIVISION

January 31, 2000

Ms. Donna Williams  
New Mexico Oil Conservation Division  
District I  
1625 N. French Drive  
Hobbs, NM 88240

**RE: Possible Collier #1 Pit  
Sec 9F-T11S-R33E  
Lea County, NM**

Dear Ms. Williams:

We are responding to the December 9, 1999 letter from Mr. Billy Prichard concerning a "possible unlined pit" at the subject location. Please see the enclosed plat maps showing the location of the site in question and a photograph of the Collier #1 location.

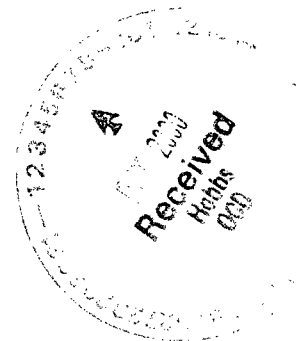
The pit at this location was satisfactorily closed over 30 years ago under Order R-3221 (6). Since there is no pit, we do not believe that a pit closure and remediation plan needs to be submitted. This site and facility services an active oil producing well. It is fenced off to all livestock that occasionally graze in the vicinity.

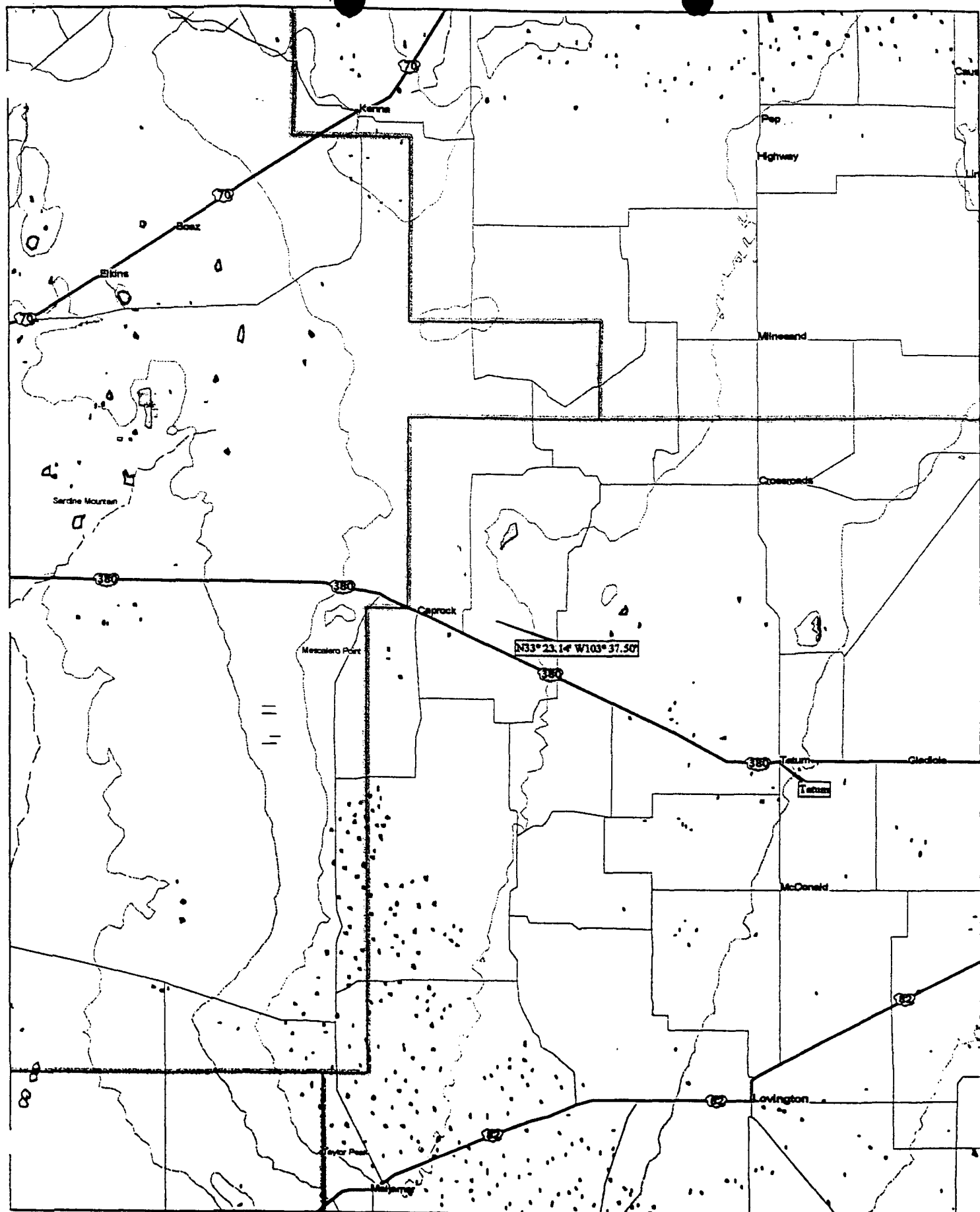
We sincerely hope that the enclosed information is sufficient to address the concerns of Mr. Prichard. Please advise if you have any questions.

Very truly yours,

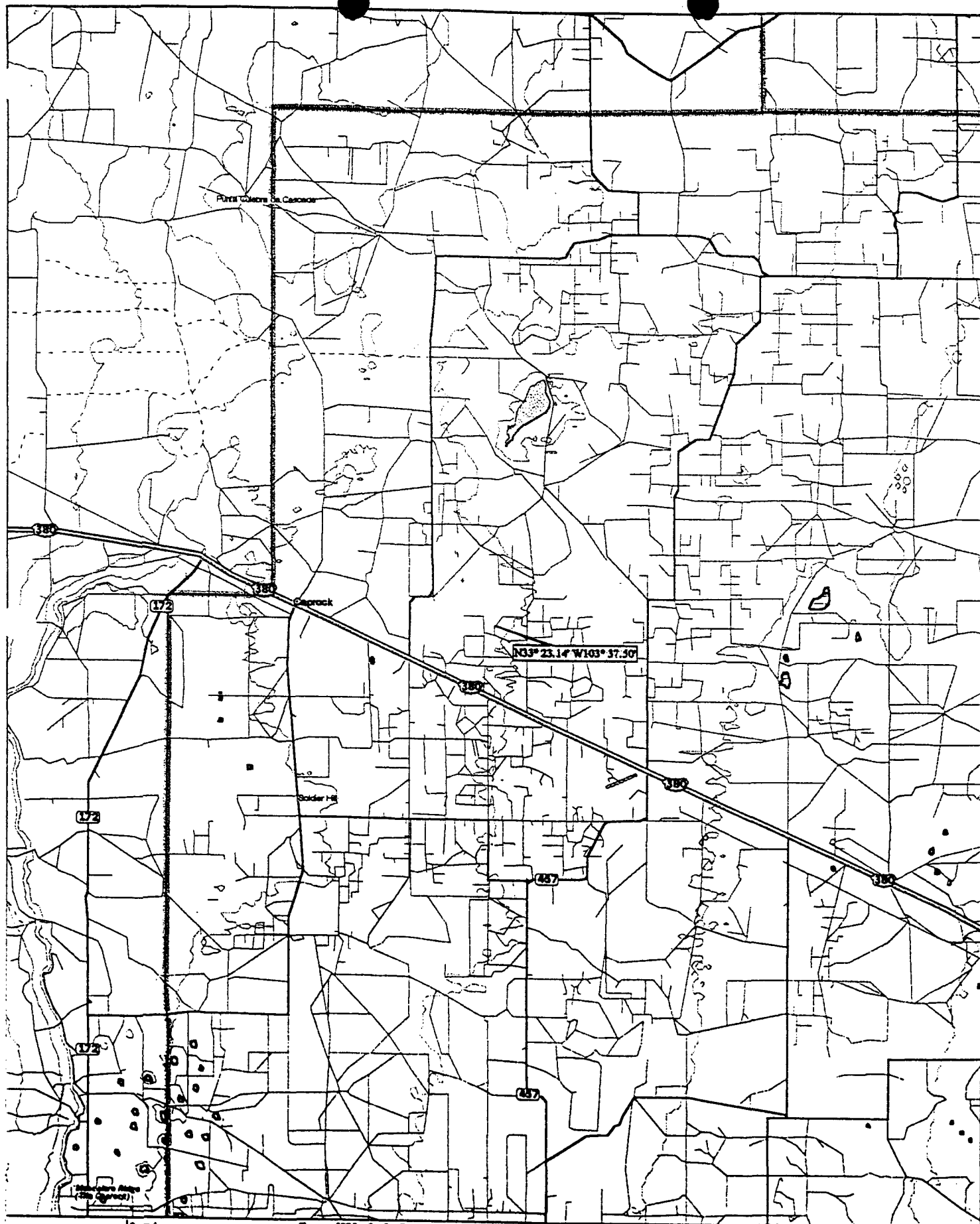
Larry G. Sugano  
Vice President - Engineering

Enclosures













# Collier # 1 Battery

