

AP - 36

APPROVALS

YEAR(S):



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

March 30, 2006

Ms. Camille Reynolds
Plains Marketing, L.P.
3112 West Highway 82
Lovington, NM 88260

RE: 2005 Annual Groundwater Monitoring Report
TNM-97-23 Release Site Located in
Unit Letters A and B of Sec. 14, Twp 22 South, Rng 37 East
Lea County, New Mexico
Plains EMS Number: TNM 97-23
NMOCD Reference: AP-36

Dear Ms. Reynolds:

The New Mexico Oil Conservation Division (NMOCD) has received and reviewed the above report. This report is accepted and approved with the following understandings:

1. The groundwater monitor wells at this site have now recorded eight consecutive quarters in which constituents of concern concentrations have been below NMOCD regulatory levels.
2. Quarterly gauging of the monitor wells, quarterly sampling of MW-4, and annual sampling of MW-1, MW-2, MW-3 and MW-5 will continue.
3. A report detailing these activities in 2006 will be submitted prior to April 1, 2007.

NMOCD approval does not relieve Plains Marketing, L.P. (Plains) of liability should its operations at this site prove to have been harmful to public health or the environment. Nor does it relieve Plains of its responsibility to comply with the rules and regulations of any other governmental agency.

If you have any questions, contact me at (505) 476-3492 or ed.martin@state.nm.us

NEW MEXICO OIL CONSERVATION DIVISION

Edwin E. Martin
Environmental Bureau

Copy: NMOCD, Hobbs
BBC International, Inc.



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

May 17, 2005

Ms. Camille Reynolds
Plains Marketing, L.P.
3112 West Highway 82
Lovington, NM 88260

**RE: STAGE 1 AND STAGE 2 ABATEMENT PLAN (AP-36)
TNM 97-23 RELEASE SITE
LEA COUNTY, NEW MEXICO**

Dear Ms. Reynolds:

The New Mexico Oil Conservation Division (NMOCD) has reviewed the Plains Marketing, L.P. (Plains), (formerly Link Energy, LLC [formerly EOTT Energy, LLC]) Stage 1 and Stage 2 Abatement Plan for the above site.

The Stage 1 and Stage 2 Abatement Plan for Plains' TNM 97-23 site is hereby approved with the following conditions:

1. Ground water from all monitor and recovery wells shall be sampled and analyzed on a quarterly basis for concentrations of total dissolved solids (TDS) and major cations and anions using EPA-approved methods and quality assurance/quality control (QA/QC) procedures.
2. All wastes generated shall be disposed of at an NMOCD-approved facility or in an NMOCD-approved manner.
3. Plains shall submit an annual report containing the results of all site remediation and monitoring activities. The report shall be submitted to the NMOCD Santa Fe Office by April 1st of each respective year with a copy provided to the NMOCD Hobbs District Office. The report shall contain:
 - a. A description of all soil and ground water remediation and monitoring activities that occurred during the previous calendar year.
 - b. Geologic logs and well construction logs for any soil borings, monitor wells and recovery wells constructed during the previous calendar year.
 - c. Quarterly water table potentiometric maps showing the location of pipelines, excavations, spills, monitoring wells, recovery wells, and any other pertinent site features, as well as, the direction and magnitude of the hydraulic gradient.
 - d. Quarterly isopleth maps for contaminants of concern.
 - e. Summary tables of all past and present ground water quality monitoring results including copies of all recent laboratory analytical data sheets and associated QA/QC data.

- f. Summary tables of the monthly amount of water pumped from each recovery well and the total volume pumped to date.
 - g. The disposition of all wastes generated.
4. Plains shall notify the NMOCD at least 48 hours in advance of all scheduled activities so that the OCD has the opportunity to witness the events and split samples.

Please be advised that NMOCD approval does not relieve Plains of responsibility if the abatement plan fails to adequately remediate or monitor contamination related to Plains' activities. Nor does it relieve Plains of responsibility for compliance with any other federal, state or local laws and regulations.

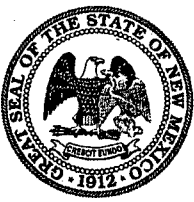
If you have any questions, please contact Ed Martin at (505) 476-3492.

Sincerely,



Roger C. Anderson
Environmental Bureau Chief

cc: NMOCD, Hobbs



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop
Cabinet Secretary

Lori Wrotenberg

Director

Oil Conservation Division

January 23, 2004

CERTIFIED MAIL

RETURN RECEIPT NO: 7001-1940-0004-7923-4368

Mr. Jeffrey P. Dann
Link Energy, LLC
P.O. Box 4666
Houston, TX 77210-4666

RE: STAGE 1 AND STAGE 2 ABATEMENT PLAN PROPOSALS
TNM 97-23 Release Site
Lea County, New Mexico

Dear Mr. Dann:

The New Mexico Oil Conservation Division (NMOCD) has reviewed Link Energy, LLC's (Link) August 2003 "Link Energy, LLC TNM 97-23 Release Site" stage I and stage II Abatement Plan proposals. This document contains Link's proposed Stage 1 and Stage 2 abatement plans for investigation and remediation of contamination related to a crude oil leak at Link's TNM 97-23 release site located in Unit B and Unit A of Section 14, Township 22 South, Range 37 East, Lea County, New Mexico.

The OCD has determined that the above referenced Stage 1 and Stage 2 Abatement Plan Proposals are administratively complete. Before the OCD can complete a technical review of the Stage 1 and Stage 2 proposals, the OCD requires that:

1. Link issue, by February 20, 2004, the enclosed Stage 1 notice of publication in the Albuquerque Journal and Hobbs News Sun pursuant to OCD Rule 19.G.(2).
2. Prior to issuing public notice, Link 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/ocd/Bureaus/envIRONm.htm.

3. Link provide the NMOCD with proof of publication and proof of written notice by March 10, 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.

Based upon this determination, NMOCD recommends that Soil Abatement Options, as shown in section 5.1 of the referenced document, be pursued now and continued throughout the coming 60 – 90 days until final approval of the abatement plan takes place.

If you have any questions, please contact Ed Martin at (505) 476-3492.

Sincerely,



Roger C. Anderson
Environmental Bureau Chief

RCA/wco

Enclosures

cc: Larry Johnson, OCD Hobbs District Office
Jerry Brian, ETGI

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 and Stage 2 Abatement Plan Proposals have been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Dr., Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

Link Energy, LLC, Jeffrey P. Dann, Environmental Specialist, Telephone (713) 993-5352, P.O. Box 4666, Houston, TX 77210, has submitted a Stage 1 and Stage 2 Abatement Plan Proposal for the TNM 97-23 Release Site, located in Unit B and Unit A of Section 14 of Township 22 South, Range 37 East, NMPM, Lea County, New Mexico. Link Energy, LLC operates a crude oil pipeline at the site. Crude oil and benzene contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 and Stage 2 Abatement Plan Proposals present 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 soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; proposed methods for remediation of the site including remediation of contaminated soils, remediation of contaminated ground water, site maintenance activities; a monitoring and sampling plan for soils and ground water; preparation of reports; and a schedule for implementation of all investigation, remediation and monitoring activities.

Any interested person may obtain further information from the Oil Conservation Division and may submit to the Director of the Oil Conservation Division, at the address given above, written comments or a written request for a public hearing that include reasons why a hearing should be held. The Stage 1 and Stage 2 Abatement Plan Proposals may be viewed at the above address or at the Oil Conservation Division Hobbs District Office, 1625 French Dr., Hobbs, New Mexico 88240, Telephone (505) 393-6161 between 7:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on the proposed Stage 1 and Stage 2 Abatement Plan Proposals, 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 or a written request for a hearing may be submitted.