# AP-67

# GENERAL CORRESPONDENCE

YEAR(S): 2006-2005

### Hansen, Edward J., EMNRD

Gilbert Van Deventer [gilbertvandeventer@cox.net] From:

Sent: Wednesday, December 06, 2006 11:13 AM

To: Hansen, Edward J., EMNRD; Johnson, Larry, EMNRD

Cc: Price, Wayne, EMNRD; Kristin Pope; Carolyn Haynes; Scott Curtis

**Subject:** EME D-1 Junction Box site (AP-67)

The purpose of this email is to serve as notification to the NMOCD that an additional monitoring well will be installed at the EME D-1 Junction Box site located at T20S-R36E, Section 1, Unit Letter D. This work is being conducted in accordance with the NMOCD-approved Stage 1 Abatement Plan (AP-67) for this site. The start date is scheduled for Dec 15th, however due to the unknown availability of the required drilling rig during implementation of work at several other sites that week the work at the D-1 site could commence as early as December 13th or 14th. Work might also have to be postponed to the following week on December 18 if the other projects are not completed on the dates scheduled. If either is the case a phone call will be made to the Hobbs District OCD office as soon as any changes in the begin date for this project is known.

If you have any questions please contact me or Kristin Pope at 505-393-9174.

Thank you, Gil

Gilbert J. Van Deventer, PG, REM Trident Environmental www.trident-environmental.com Work/Mobile: 432-638-8740

Fax: 413-403-9968 Home: 432-682-0727

Verbally approved by WP

### RICE Operating Company

122 West Taylor • Hobbs, New Mexico 88240 Phone: (505)393-9174 • Fax: (505) 397-1471

AND FEB 13 PH 1 U

CERTIFIED MAIL
RETURN RECIEPT NO. 7005 1820 0001 6804 7708

February 6, 2006

Mr. Wayne Price New Mexico Energy, Minerals, & Natural Resources Oil Conservation Division, Environmental Bureau 1220 S. St. Francis Drive Santa Fe, New Mexico 87504

RE: EME jct. D-1

PUBLIC NOTIFICATION NMOCD CASE #1R0427-128

Mr. Price:

In accordance with Rule 19 (Section 19.15.1.19 NMAC, Subsection G) Public Notice requirements, please accept the enclosed copies of proof that the appropriate individuals and entities were notified of the Stage 1 Abatement Plan submitted by Gilbert J. Van Deventer of R.T. Hicks Consultants for the D-1 Junction Box Site.

Notices were sent via certified mail to landowners within the prescribed radius and return receipts were received for all landowners, indicating that the mailing was received. Mailings were also sent to the Lea County Commission and the list of Interested Parties found on the New Mexico Oil Conservation Division (OCD) website. Delivery to the U.S. Forest Service could not be confirmed so the document was sent via electronic mail (e-mail) to the address provided on the List. Forty-two total notifications were sent and two were not delivered. The notification to Mike Schultz of the International Technology Corp. (from the OCD Interested Parties list) was returned as "attempted—not known." Previous delivery attempts to this address have been refused. The delivery attempt to the Harry and Scott Klein Estate of Hobbs was also unsuccessful; however, the caretaker of this estate is George L. Klein who received a separate notification to his Grand Prairie, Texas address. A summary of the delivery status of these notifications is enclosed.

As directed by OCD, the Stage 1 Abatement Plan notifications were published in the *Albuquerque Journal* and the *Hobbs News-Sun* newspapers. Affidavits for these publications are enclosed.

ROC requests that OCD consider public notice complete for this site. Should you have any further questions regarding this request, do not hesitate to contact me. Thank you for your consideration.

ROC is the service provider (operator) for the Eunice Monument Eumont (EME) SWD System and has no ownership of any portion of the pipeline, well, or facility. The System is owned by a consortium of oil producers, System Partners, who provide all operating capital on a percentage ownership/usage basis.

RICE OPERATING COMPANY

Knistin Sains Tope

Kristin Farris Pope Project Scientist

enclosures:

summary table of notifications,

newspaper affidavits, return receipt copies, e-mail copies

cc: CDH, GVD, file, Daniel Sanchez (NMOCD),

Ms. Pat Caperton NMOCD, District I Office 1625 N. French Drive Hobbs, NM 88240 State of New Mexico. County of Lea.

### I. KATHI BEARDEN

### Publisher

of the Hobbs News-Sun, a newspaper published at Hobbs, New Mexico, do solemnly swear that the clipping attached hereto was published once a week in the regular and entire issue of said paper, and not a supplement thereof for a period.

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Beginning with the issue of	lated
December 28	_ 2005
and ending with the issue	dated
December 28	_ 2005
Kati Barry	
Publisher Sworn and subscribed to	before

5th me this. day of

Notary Public.

My Commission expires

January

February 07, 2009 (Seal)

STATE OF NEW MEXICO NOTARY PUBLIC **STNOM AROU** 

OFFICIAL SEAL

2006

This newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Laws of 1937, and payment of fees for said publication has been made.

### LEGAL NOTICE December 28, 2005

#### 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 S. St. Francis Dr., Santa Fe, New Mexico 87505. Telephone (505) 476-3440:

Rice Operating Company, Carolyn Doran Haynes, Engineering Manager, Telephone (505) 393-9174, 122 West Taylor, Hobbs, New Mexico 88240, has submitted a Stage 1 Abatement Plan Proposal for the Pipeline Junction EME D-1, located in Section 1, Township 20 south, Range 36 east, Lea County, New Mexico, approximately 3 miles west of Monument, New Mexico. Rice Operating Company operates a saltwater disposal pipeline at the site. Soil impacts at the site include chlorides. Groundwater samples exhibit elevated chloride concentrations. The Stage 1 Abatement Plan Proposal presents the following site soil and groundwater investigation activities: Perform a one-mile water well inventory, further delineation of the vertical and lateral extent of soil impact, and inventory, further delineation of the vertical and lateral extent of soil impact, and investigation of groundwater impacts.

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 District Office, 1625 N. French Drive, Hobbs, New Mexico 88240, Telephone (505) 393-6161 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed Stage 1 Abatement Plan, 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 to him.

01104367000 67535220 RICE OPERATING COMPANY 122 WEST TAYLOR HOBBS, NM 88240

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 times, the first publication being on the 29 day of the consecutive publications on

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 10 day of Dec of 20 0 5

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PRICE UU.

Statement to come at end of month

ACCOUNT NUMBER \_\_\_\_\_\_

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

tion Division Regulations, the towing Stage 1 Abatement Pt. Proposal has been submitted the Director of the Oil Conservition Division, 1220 S. St. Frank Dr., Santa Fe, New Mexico 875C Telephone (505) 476-3440:

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## EME jct. D-1

Unit 'D', Sec. 1, T20S, R36E

### Public Notice Mailings (12/20/2005) Stage 1 Abatement Plan

		De	livery Stat	us	
	Landowner or Interested Party	Delivered US Mail	Delivered E-mail	Not Delivered	Comments
1	El Paso Natural Gas 3506 West County Road Hobbs, NM 88240	X			Return Receipt Received
2	Charlcie F. Byrd P.O. Box 32 Monument, NM 88265	X			Return Receipt Received
3	George L. Klein 345 Clayton Grand Prairie, TX 75052	X			Return Receipt Received
4	Faye L. Klein P.O. Box 1503 Hobbs, NM 88240	X			Return Receipt Received
5	DLD Corporation 1314 Brittany Hobbs, NM 88240	X			Return Receipt Received
6	James R. Bryd P.O. Box 32 Monument, Nm 88265	X			Return Receipt Received
7	Gilbert Borrego New Mexico State Land Office P.O. Box 1148 Santa Fe, NM 87504 - 1148	X			Return Receipt Received
8	James Amos Carlsbad Field Office 620 East Greene Street Carlsbad, NM 88220	X			Return Receipt Received
9	Chevron USA 15 Smith Road Midland, TX 79705	X			Return Receipt Received
10	Harry Scott Klein Estate c/o George L. Klein 1313 Paige Hobbs, NM 88240			X	Document Returned: "not deliverable as addressed" G.L. Klein was sent a separate confirmed mailing to his address in Grand Prairie, TX
11	Amerada Hess Corp P.O. Box 2040 Houston, TX 77252	X			Return Receipt Received
12	Enersource Inc P.O. Box 3226 Lubbock, TX 79452	X			Return Receipt Received
13	Leapartners Kirkwood and Darby P.O. Box 870849 Mesquite, TX 75187	X			Return Receipt Received
14	Attorney General's Office P.O. Box 1508 Santa Fe, NM 87502 - 0115	X			Return Receipt Received

15	Bureau of Land Management State Director P.O. Box 27115 Santa Fe, NM 87502 - 0115	X	Return Receipt Received
16	Chief Hazardous Waste Bureau Runnels Building Santa Fe, NM 87504	X	Return Receipt Received
17	Gerald R. Zimmerman Colorado River Board of Calif. 770 Fairmont Ave, Ste. 100 Glendale, CA 91203 - 1035	X	Return Receipt Received
18	Dr. Harry Bishara P.O. Box 748 Cuba, NM 87013	X	Return Receipt Received
19	Mike Schulz International Technology Corp. 5301 Central Avenue, NE Suite 700 Albuquerque, NM 87108		X Attempted; Not Known
20	Ken Marsh P.O. Box 388 Hobbs, NM 88241	X	Return Receipt Received
21	Ned Kendrick Attorney at Law 325 Paseo de Peralta Santa Fe, NM 87501	X	Return Receipt Received
22	Lynn Brandvold NM Bureau of Mines & Mineral Resources NM Institute of Mining & Tech Socorro, NM 87801	X	Return Receipt Received
23	Randy Hicks 901 Rio Grande Blvd NW Suite F - 142 Albuquerque, NM 87104	X	Return Receipt Received
24	Bruce S. Garber Attorney at Law P.O. Box 0850 Santa Fe, NM 87504 - 0850	X	Return Receipt Received
25	Chief Groundwater Bureau Runnels Building Santa Fe, NM 87504	X	Return Receipt Received
26	Jack A. Barnett Colorado River Basin Ctrl. Forum 106 West 500 South, Suite 101 Bountiful, UT 84010	X	Return Receipt Received
27	Department of Game & Fish Director Villagra Building Santa Fe, NM 87503	X	Return Receipt Received
28	Public Service Company of NM Environmental Counsel ATTN: Colin Adams 414 Silver, Southwest Albuquerque, NM 87158	X	Return Receipt Received
29	Jay Lazarus P.O. Box 5727 Santa Fe, NM 87502	X	Return Receipt Received
30	Lee Wilson & Associates P.O. Box 931 Santa Fe, NM 87501	X	Return Receipt Received

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31	New Mexico Environmental Department Secretary P.O. Box 26110 Santa Fe, NM 87501	X			Return Receipt Received
32	NM Oil & Gas Association P.O. Box 1864 Santa Fe, NM 87504 - 1864	X			Return Receipt Received
33	Soil & Water Conservation Bureau NM Dept of Agriculture/Ag Programs & Resources Box 30005/APR Las Cruces, NM 88003 - 8005	X			Return Receipt Received
34	Chris Shuey Southwest Research & Information Center P.O. Box 4524 Albuquerque, NM 87106	X			Return Receipt Received
35	State Historic Preservation Officer Attn: Elmo Baca 228 East Palace Avenue Villa Rivera Room 101 Santa Fe, NM 87503	X			Return Receipt Received
36	US Fish & Wildlife Service Field Supervisor 2105 Osuna Road, Northeast Albuquerque, NM 87113 - 1001	X			Return Receipt Received
37	Water Resources Division State Engineer Bataan Building Santa Fe, NM 87503	X			Return Receipt Received
38	Ron Dutton Southwestern Public Service P.O. Box 1261 Amarillo, TX 79170	X			Return Receipt Received
39	State Parks & Recreation Director 1220 S St. Francis Santa Fe, NM 87505	X			Return Receipt Received
40	Regional Forester USFS Regional Office 517 Gold Avenue SW Albuquerque, NM 87102		X		Undeliverable mail, not able to forward; e-mailed 2/3/2006
41	William Turner NM Trustee For Natural Resources C/O American Ground Water Consultants 610 Gold St. SW, Suite 111 Albuquerque, NM 87102	Χ			Return Receipt Received
42	Lea County Administration Office Attn: Lee Trudge 100 N. Main Street, Suite 4 Lovington, NM 88260	X			Return Receipt Received
	TOTALS	39	1	2	

### Kristin Farris Pope

From:

"Kristin Farris Pope" <kpriceswd@valornet.com>

To:

<cgarcia@fs.fed.us>

Sent:

Thursday, February 02, 2006 2:57 PM

Attach:

Subject:

D1\_Stage1PubNotice.doc Rule 19 Public Notice (D-1)

Regional Forester:

In accordance with the NMOCD Rule 19 Public Notice requirements, please find the attached public notification document. This document was originally mailed to you on December 20, 2005. Thank you.

Kristin Farris Pope Project Scientist RICE Operating Company Hobbs, New Mexico (505) 393-9174

### Kristin Farris Pope

From:

"Christina M Garcia" <cgarcia@fs.fed.us>
"Kristin Farris Pope" <kpriceswd@valornet.com>
Friday, February 03, 2006 11:17 AM
Rule 19 Public Notice (D-1) To:

Sent:

Subject:

### Return Receipt

Rule 19 Public Notice (D-1) Your

document:

was Christina M Garcia/R3/USDAFS

received by:

02/03/2006 11:17:38 at:

CE Operating Company

Hobbs, NM 88240

Albuquerque, NM 87102 USFS Regional Office 517 Gold Avenue SW Reginal Forester h290 h089 1000 RICE OPERATING JAN 0 6 2005 1820 HOBBS, NM. 7005

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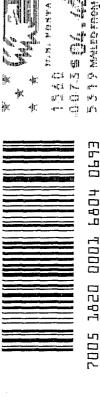
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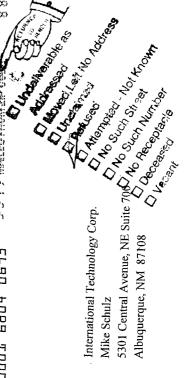
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PS Form 3811, February 2004

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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.  Article Addressed to:  James R. Byrd	A. Signature  X. #\fffyyyf	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: Chevron USA 15. Smith Road	A. Signature  X. M.
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### 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 S. St. Francis Dr., Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

Rice Operating Company, Carolyn Doran Haynes, Operations Engineer, Telephone (505) 393-9174, 122 West Taylor, Hobbs, New Mexico 88240, has submitted a Stage 1 Abatement Plan Revision Proposal for the Pipeline Junction EME D-1, located in Section 1, Township 20 south, Range 36 east, Lea County, New Mexico, approximately 3 miles west of Monument, New Mexico. Rice Operating Company operates a saltwater disposal pipeline at the site. Soil impacts at the site include chlorides. Groundwater samples exhibit elevated chloride concentrations. The Stage 1 Abatement Plan Proposal presents the following site soil and groundwater investigation activities: Perform a one-mile water well inventory, further delineation of the vertical and lateral extent of soil impact, and investigation of groundwater impacts.

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 Revision Proposal may be viewed at the above address or at the Oil Conservation Division District Office, 1625 N. French Drive, Hobbs, New Mexico 88240, Telephone (505) 393-6161 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed Stage 1 Abatement Plan, 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 to him.

### 1.0 EXECUTIVE SUMMARY

The D-1 Junction Box site is operated by Rice Operating Company (ROC) and is located in Township 20 South, Range 36 East, Section 1, unit letter D approximately 3 miles west of Monument, NM. This Stage 1 Abatement Plan incorporates the preliminary findings from previous investigations and contents of the previously submitted Investigation and Characterization Plan (ICP) and recommendations for additional assessment activities to satisfy the required elements of a Stage 1 Abatement Plan in accordance with New Mexico Oil Conservation Division (OCD) Rule 19.

Identification of soil and ground water impacts occurred during line replacement being performed as part of the approved Junction Box Upgrade Program in October 2004. Vadose zone samples taken from trenches show a maximum chloride concentration of 9,097 mg/kg at a depth of 12-feet below ground surface (bgs) directly beneath the former junction box. A chloride concentration of 1,120 mg/kg was analyzed from a vadose zone sample collected at 35-feet bgs in monitoring well (MW-1) located approximately 20-feet south of the former junction box, just outside of the excavated area. The depth to ground water at the site is about 35-feet below land surface. The total dissolved solids (TDS) in ground water at the on-site monitoring well is greater than 30,000 mg/L, similar to water quality in certain up gradient monitoring wells at the Climax Chemical site. Chloride, sulfate, and TDS concentrations in monitoring well MW-1 have consistently decreased since the initial sampling event.

We propose the work elements described in detail in Section 7.0 to delineate the extent and magnitude of regulated constituents of concern in the vadose zone and to determine the degree that any migration of constituents have impacted ground water quality relative to documented regional ground water impairment. The constituents of concern are chloride, sulfate, and TDS. Although existing data show that benzene, toluene, ethylbenzene, and xylenes (BTEX) are not present in the vadose zone or ground water, this proposal includes testing for these constituents. The purpose of these work elements is to assist ROC in selecting the soil and/or ground water remedy that is commensurate with any contribution from the D-1 Junction Box site to the documented regional ground water impairment. The proposed work elements are summarized below:

- Define regional ground water flow direction, potential sources of chloride in ground water and ambient ground water chemistry
- Expand our ground water characterization to include evaluation of monitoring data from other ground water investigation sites in the area (Monument Gas Plant, Climax Chemical, etc).
- Install additional soil borings and monitoring wells for evaluation of constituents of concern in the vadose zone and ground water.

### R. T. Hicks Consultance, Ltd.

When implementing any proposed remedy or investigative work, ROC will confirm that there is a reasonable relationship between the benefits created by the proposed remedy or assessment and the economic and social costs.

ROC is the service provider (operator) for the EME SWD System (The System) and has no ownership of any portion of the pipelines, wells, or facilities. The System is owned by a consortium of oil producers, (System Partners) who provide all operating capital on a percentage ownership/usage basis. Environmental projects of this magnitude require System Partner Authorization for Expenditure (AFE) approval and work begins as funds are received. In general, project funding is not forthcoming until OCD approves the work plan.

### R. T. HICKS CONSULTANTS, LTD.

901 Rio Grande Blvd NW ▲ Suite F-142 ▲ Albuquerque, NM 87104 ▲ 505.266.5004 ▲ Fax: 505.266-0745

December 5, 2005

### **Wayne Price**

NMOCD Environmental Bureau 1220 South St. Francis Drive Santa Fe, New Mexico 87505 Via E-mail

RE: Junction D-1, T20S, R36E, Section 1, Unit D; NMOCD Case # Not Yet Assigned

Dear Mr. Price,

On behalf of Rice Operating Company, R.T. Hicks Consultants, Ltd. is pleased to submit the Stage I Abatement Plan for the above-referenced site. Text for Rice Operating Company's proposed public notice is attached to this letter. CD copies of this email follow via FedEx. If you have any questions or concerns, please do not hesitate to contact us.

Sincerely,

R.T. Hicks Consultants, Ltd.

Katie Lee

Staff Scientist

Copy: Hobbs NMOCD office; Rice Operating Company;

R.T. Hicks Consultants Midland office



# NEW MEXICO ENERGY, MILERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor

May 05, 2005

Joanna Prukop
Cabinet Secretary
Mark Fesmire
Director
Oil Conservation Division

Carolyn Doran Haynes Rice Operating Company 122 West Taylor Hobbs, New Mexico 88240

Re: Sites with confirmed Groundwater Contamination

Dear Ms. Haynes:

Pursuant to the New Mexico Oil Conservation Division rule 19.15.1.19 (Rule 19) Prevention and Abatement of Water Pollution requires all responsible persons who are abating water pollution in excess of the standards shall do so pursuant to an abatement plan approved by the director.

Therefore, Rice Operating Company is hereby required to submit individual abatement plans for OCD approval by July 15, 2005 for each of the following sites:

### EME Sites;

				· ·
H-13	UL	H	Sec 13, T20s, R36E	1R0429
M-9	UL	M	Sec 9, T20s, R37E	1R0331
P-6	UL	P	Sec 6, T20s, R37E	1R0422
Jct. N-5	UL	N	Sec 5, T20S, R37E	1R0427-90
Jct. M-16-1	UL	M	Sec 16, T20S, R37E	1R0427-93
Jct. K-33-1	UL	K	Sec 33, T19S, R37E	1R0427-92
Jct. A-20	UL	Α	Sec 20, T20S, R37E	1R0427-89
Jct. K-6	UL	K	Sec 6, T20S, R37E	1R0427-88
Marathon Barber EOL	UL	E	Sec 5, T20S, R37E	1R0427-91
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Oil Conservation Division \* 1220 South St. Francis Drive \* Santa Fe, New Mexico 87505 Phone: (505) 476-3440 \* Fax (505) 476-3462 \* <a href="http://www.emnrd.state.nm.us">http://www.emnrd.state.nm.us</a>

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### **BD Sites:**

Zachary Hinton EOL	UL	Ο	Sec 12, T22S, R37E	1R0426-36
Jct. J-26	UL	J	Sec 26, T21S, R37E	1R0426-40
Jct. F-17	UL	F	Sec 17, T21S, R37E	1R0426- <i>33</i> /
Jct. I-27	UL	I	Sec 27, T21S, R37E	1R0426-35
Jct. N-29	UL	N	Sec 29, T21S, R37E	1R0426-37
jct. E-3	UL	E	Sec 3, T22S, R37E	1R0426-53

### Justis Sites:

jct. L-1	UL L	Sec 1, T25S, R37E	•	1R0423-0
SWD H-2	ULH	Sec 2, T26s, R37E		1R0423-01

### **Hobbs Sites:**

Jct. F-29-1A	UL	F	Sec 29, T18S, R38E	not assigned
I-29 Vent	UL	Ι	 Sec 29, T18S, R38E	not assigned

After OCD receives the plans each site will be assigned a new Abatement Plan number (AP#) for tracking purposes. If you have any questions please do not hesitate to contact me at 505-476-3493 or E-mail <a href="mailto:DJSanchez@state.nm.us">DJSanchez@state.nm.us</a>; or contact Wayne Price of my staff at 505-476-3487 or e-mail <a href="https://www.wprice.nm.us">WPRICE@state.nm.us</a>.

Sincerely;

Daniel Sanchez

Enforcement and Compliance Manager

DS/wp

Cc: OCD Hobbs office

Daniel Canto