



# New Mexico Energy, Minerals and Natural Resources Department

**Bill Richardson**

Governor

Joanna Prukop  
Cabinet Secretary  
Reese Fullerton  
Deputy Cabinet Secretary

Mark Fesmire  
Division Director  
Oil Conservation Division



August 27, 2008

OXY USA WTP LP  
PO Box 1988  
102 S Main  
Carlsbad, NM 88220

RE: Remediation Work Plan  
Sterling Silver 33 Federal 002 30-015-25696  
G-33-23S-31E Eddy County, New Mexico  
2RP-158

Operator:

The New Mexico Oil Conservation Division District II Office (OCD) is in receipt of a remediation work plan prepared and submitted by Safety & Environmental Solutions, Incorporated. The remediation work plan was presented to address the release of 210 barrels of oil in which 0 barrels were recovered.

Soil analytical data of the June 20, 2008 delineation indicates TPH and BTEX are above the remediation action levels. Additionally the chloride levels are above acceptable levels.

The remediation work plan as presented cannot be approved. An alternate plan to address the contaminated soils must be presented to OCD on or before **September 12, 2008**.

Remediation requirements may be subject to other federal, state, local laws and/or regulations. Additionally, please be advised that OCD approval does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment.

In the event that a satisfactory response is not received to this letter, further enforcement may occur. Such enforcement may include this office applying to the Division for an order summoning you to a hearing before a Division Examiner in Santa Fe. Such a hearing may result in imposition of civil penalties for your violation of OCD rules.

Thank you for your attention to these matters. If I can be of further assistance regarding this issue, please feel free to contact me.

Respectfully,

Sherry Bonham  
NMOCD District II  
1301 West Grand Avenue  
Artesia, NM 88210  
575.748.1283. ext.109



**Oxy USA Corporation  
Sterling Silver 33 Federal Central Battery  
Work Plan  
Unit G, Section 33, Township 23S, Range 31E  
Eddy County, New Mexico**

**July 2, 2008**



**Prepared for:**

**Oxy USA WTP LP  
P.O. Box 1988  
Carlsbad, New Mexico 88221**

**DENIED**

**By:**

**Safety & Environmental Solutions, Inc.  
703 E. Clinton  
Hobbs, New Mexico 88240  
(575) 397-0510**

2RP-158

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**I. Company Contacts**

NAME	Company	Telephone	E-mail
Kelton Beard	Oxy USA	575-390-1903	Kelton_Beard@oxy.com
Isaac Kincaid	SESI	575-390-8841	ikincaid@sesi-nm.com

**II. Background**

Safety and Environmental Solutions, Inc. (SESI) was engaged by Oxy USA Corporation to perform cleanup services at the Sterling Silver 33 Federal Central Battery spill site. This a battery site in which the tank overflowed, releasing 210 barrels of oil in which 0 bbls were recovered.

**III. Surface and Ground Water**

The closest groundwater of record on the Office of the State Engineer's online Database is located in Section 2, Township 24S, Section 31E. The depth of water in this well was 160' in September 1994.

**IV. Work Performed**

On April 11, 2008 SESI was onsite to perform a site investigation from the tank battery release. Two field chloride samples were obtained from the release at the surface. The field results indicated the Chloride concentrations at the surface to be <124 PPM.

On June 20, 2008 SESI was onsite to delineate the area. Two boreholes were installed and grab samples were retrieved in five foot intervals from each borehole. The samples were properly preserved and transported under Chain-of-Custody to Argon Laboratories of Hobbs, New Mexico for analysis. The samples were analyzed for Chlorides (EPA method 300.0), BTEX (Benzene, Toluene, Ethyl benzene, and Xylenes) (EPA method 8021B), and TPH (EPA method 418.1). The results of the analysis are as follows:

Sample Point	Chlorides	Benzene	Toluene	Ethyl benzene	Xylenes	TPH
BH #1 5'	ND	2.1	53	19	88	13,000
BH #1 10'	130	5.6	68	25	110	17,000
BH #1 15'	1,500	ND	ND	ND	ND	56
BH #1 20'	2,000	ND	ND	ND	ND	ND
BH #2 5'	1,700	ND	ND	ND	ND	ND
BH #2 10'	180	ND	ND	ND	ND	ND

BH #1 is located approximately 30' north of the location pad. There were two DCP buried lines 6' south of BH #1.

BH #2 is located approximately 300' north of location pad were the release ended.

**V. Closure Plan**

The delineation indicated that the TPH contamination from this release has not migrated beyond 15' in depth. The chloride concentrations encountered during delineation are believed to be historical and not related to this release. At the request of the BLM in order

to lessen the disturbance of the area it is requested that the impacted soils be tilled and fertilized in order to neutralize the hydrocarbon levels.

**VI. Figures & Appendices**

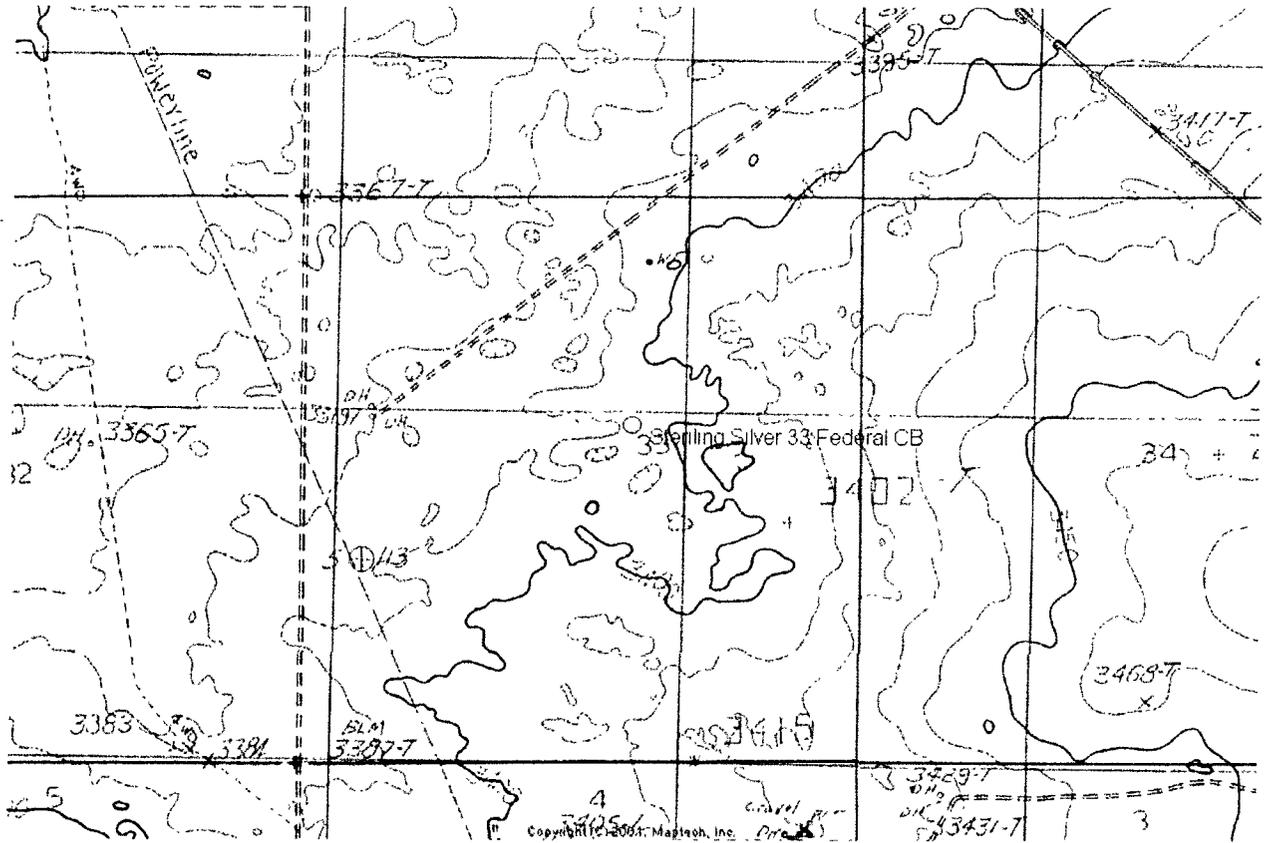
Figure 1 – Vicinity Map

Figure 2 – Site Plan

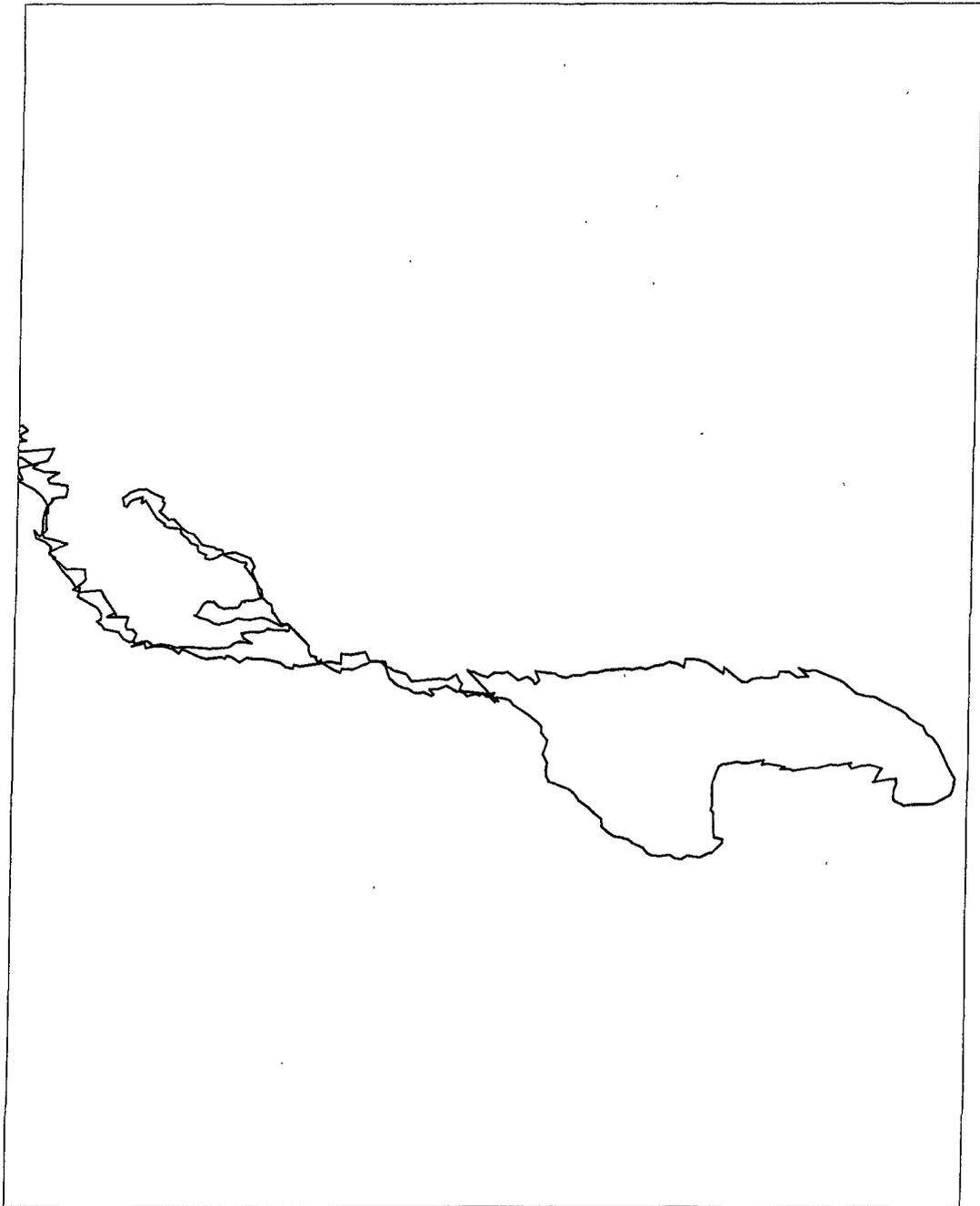
Appendix A – Archeological Study

Appendix B – Site Photos

**Figure 1**  
**Vicinity Map**

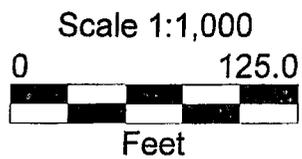


**Figure 2  
Site Plan**



# Oxy Sterling Silver

Lat/Long  
WGS 1984



Multiple Files  
5/8/2008

GPS Pathfinder® Office



# **Appendix A**

## **Archeological Study**

## NMCRI INVESTIGATION ABSTRACT FORM (NIAF)

1. NMCRI Activity No.: 109974	2a. Lead (Sponsoring) Agency: BLM, CFO	2b. Other Permitting Agency(ies):	3. Lead Agency Report No.:
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4. Title of Report: OXY Sterling Silver Federal Central Tank Battery  Author(s) Ann and Danny Boone	5. Type of Report <input checked="" type="checkbox"/> Negative <input type="checkbox"/> Positive
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6. Investigation Type

Research Design   
 Survey/Inventory   
 Test Excavation   
 Excavation   
 Collections/Non-Field Study  
 Overview/Lit Review   
 Monitoring   
 Ethnographic study   
 Site specific visit   
 Other

7. Description of Undertaking (what does the project entail?): An irregular shaped area with a 100 feet buffer zone around it where petroleum fluid ran onto the ground.

8. Dates of Investigation: (from: 4/23/2008 to: )	9. Report Date: 23 April 08
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10. Performing Agency/Consultant: Boone Archaeological Services, LLC Principal Investigator: Danny Boone Field Supervisor: Danny Boone Field Personnel Names: Danny Boone	11. Performing Agency/Consultant Report No.: BAS 04-08-54
	12. Applicable Cultural Resource Permit No(s): BLM: 190-2920-06-J

13. Client/Customer (project proponent): Safety & Environmental Solutions, Inc. Contact: Jerri Lee Address: 703 E. Clinton Hobbs, New Mexico Phone: (505) 397-0510	14. Client/Customer Project No.:
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15. Land Ownership Status (*Must be indicated on project map*):

Land Owner	Acres Surveyed	Acres in APE
Federal	2.91 (+/-)	0.72 (+/-)
TOTALS	2.91 (+/-)	0.72 (+/-)

16. Records Search(es):

Date(s) of ARMS File Review 22 April 08	Name of Reviewer(s) Ann Boone	
Date(s) of NR/SR File Review	Name of Reviewer(s)	
Date(s) of Other Agency File Review 22 April 08	Name of Reviewer(s) Danny Boone	Agency BLM, CFO

Findings: LA 143563, 155891, 155893 and possible others are within 1.0 mile.

17. Survey Data:

a. Source Graphics     NAD 27     NAD 83  
 USGS 7.5' (1:24,000) topo map     Other topo map, Scale:  
 GPS Unit    Accuracy  <1.0m     1-10m     10-100m     >100m

b. USGS 7.5' Topographic Map Name                      USGS Quad Code

Los Medanos, NM (Prov. Ed. 1985)	32103-C7

c. County(ies): Eddy

17. Survey Data (continued):

d. Nearest City or Town: Jal, NM

e. Legal Description:

Township (N/S)	Range (E/W)	Section	¼	¼	¼
23S	31E	33	sw	ne	se nw,

Projected legal description? Yes , No  Unplatted

f. Other Description (e.g. well pad footages, mile markers, plats, land grant name, etc.):

18. Survey Field Methods:

Intensity:  100% coverage  <100% coverage

Configuration:  block survey units  linear survey units (l x w):  other survey units (specify):

Scope:  non-selective (all sites recorded)  selective/thematic (selected sites recorded)

Coverage Method:  systematic pedestrian coverage  other method (describe)

Survey Interval (m): 15 Crew Size: 1 Fieldwork Dates: 23 April 08

Survey Person Hours: 1.0 Recording Person Hours: 0 Total Hours: 1.0

Additional Narrative: Survey area is irregular shaped with no plat, location and acres are estimations based on a hand held GPS Unit.

19. Environmental Setting (NRCS soil designation; vegetative community; elevation; etc.):

Topography: Mildly rolling dunal plain.

Vegetative community: Mesquite, shainoak, sage brush, assorted grasses and other flora.

NRCS: Kermit-Berino association: Sandy, deep soils from wind-worked mixed sand deposits.

Elevation: 3,390 feet

20. a. Percent Ground Visibility: 90 overall b. Condition of Survey Area (grazed, bladed, undisturbed, etc.): Most of the affected area has had impact from buried pipelines, a well pad, caliche capped road and electriclines.

21. CULTURAL RESOURCE FINDINGS  Yes, See Page 3  No, Discuss Why: Unknown

22. Required Attachments (check all appropriate boxes):

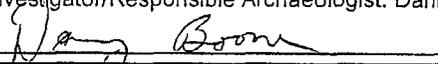
- USGS 7.5 Topographic Map with sites, isolates, and survey area clearly drawn
- Copy of NMCRIS Mapserver Map Check
- LA Site Forms - new sites (*with sketch map & topographic map*)
- LA Site Forms (update) - previously recorded & un-relocated sites (*first 2 pages minimum*)
- Historic Cultural Property Inventory Forms
- List and Description of Isolates, if applicable
- List and Description of Collections, if applicable

23. Other Attachments:  
 Photographs and Log  
 Other Attachments  
 (Describe):

24. I certify the information provided above is correct and accurate and meets all applicable agency standards.

Principal Investigator/Responsible Archaeologist: Danny Boone

Signature



Date: 23 April 08 Title (if not PI):

25. Reviewing Agency:

Reviewer's Name/Date

Accepted ( ) Rejected ( )

Tribal Consultation (if applicable):  Yes  No

26. SHPO

Reviewer's Name/Date:

HPD Log #:

SHPO File Location:

Date sent to ARMS:

## CULTURAL RESOURCE FINDINGS

1. NMCRIS Activity No.: 109974	2. Lead (Sponsoring) Agency: BLM, CFO	3. Lead Agency Report No.:
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**SURVEY RESULTS:**

Sites discovered and registered: 0  
 Sites discovered and NOT registered: 0  
 Previously recorded sites revisited (*site update form required*): 0  
 Previously recorded sites not relocated (*site update form required*): 0  
 TOTAL SITES VISITED: 0  
 Total isolates recorded: 0      Non-selective isolate recording?   
 Total structures recorded (*new and previously recorded, including acequias*): 0

**MANAGEMENT SUMMARY:** No cultural resources were encountered therefore clearance of the Petroleum fluid spill area with a 100 feet buffer zone near the OXY Sterling Silver Federal Central Tank Battery for Safty & Environmental Soutlions, Inc. is recommended.

IF REPORT IS NEGATIVE YOU ARE DONE AT THIS POINT.

**SURVEY LA NUMBER LOG**

Sites Discovered:

LA No.	Field/Agency No.	Eligible? (Y/N, applicable criteria)

Previously recorded revisited sites:

LA No.	Field/Agency No.	Eligible? (Y/N, applicable criteria)

**MONITORING LA NUMBER LOG (*site form required*)**

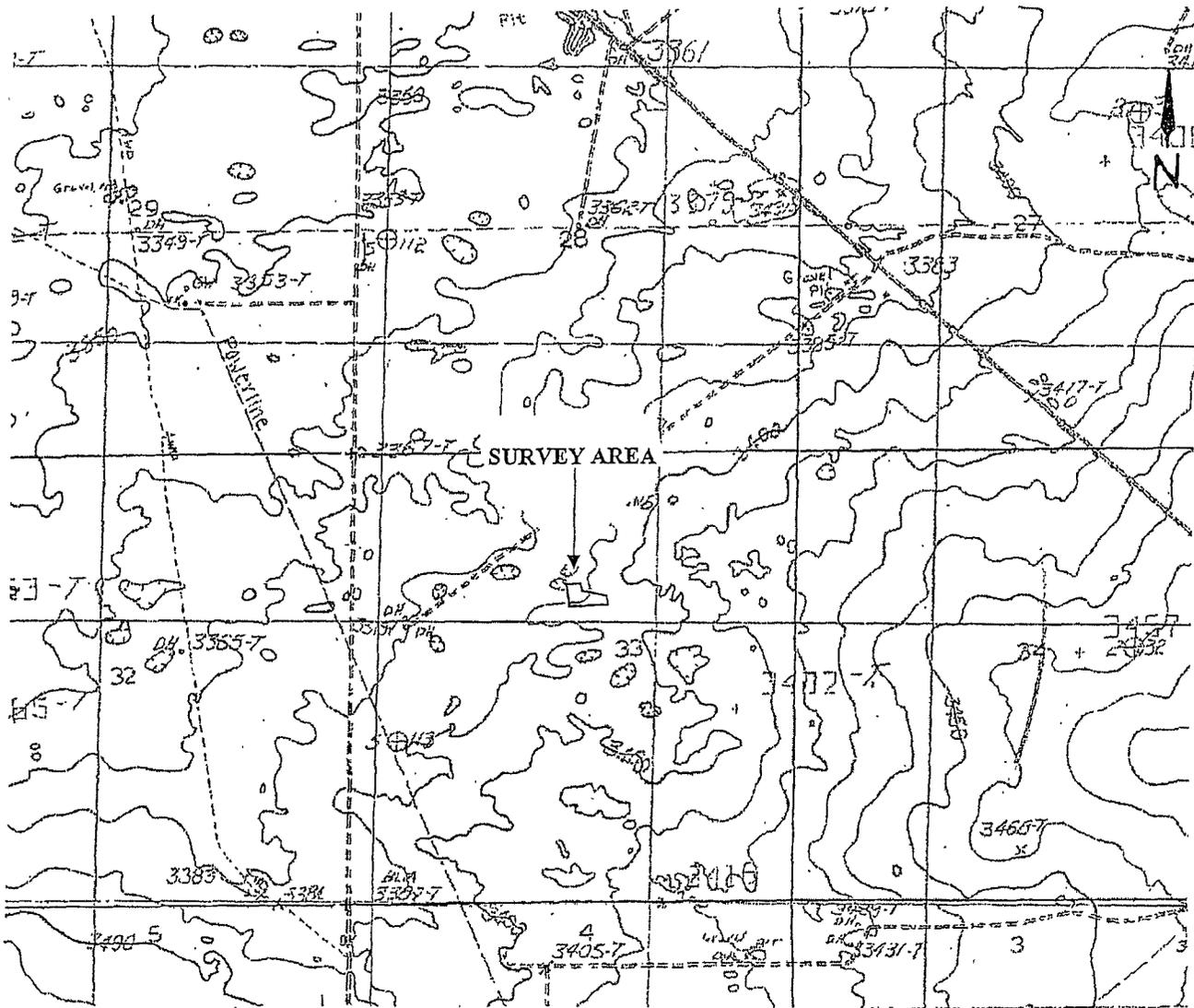
Sites Discovered (*site form required*):      Previously recorded sites (*Site update form required*):

LA No.	Field/Agency No.	LA No.	Field/Agency No.

Areas outside known nearby site boundaries monitored? Yes , No  If no explain why:

**TESTING & EXCAVATION LA NUMBER LOG (*site form required*)**

Tested LA number(s)	Excavated LA number(s)



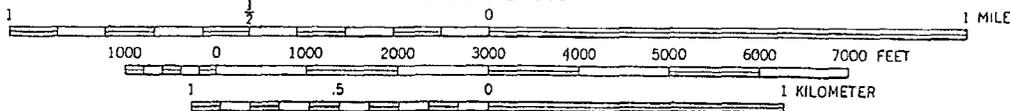
Location Map

BAS 04-08-546

Petroleum fluid spill area near the OXY Sterling Silver Federal Central Tank Battery for Safty & Environmental Souldtions, Inc in Section 33, T 23S, R 31E, NMPM, Eddy County, NM.

Map Reference: USGS 7.5' Series; Los Medanos, NM (Prov. Ed. 1985) 32103-C7

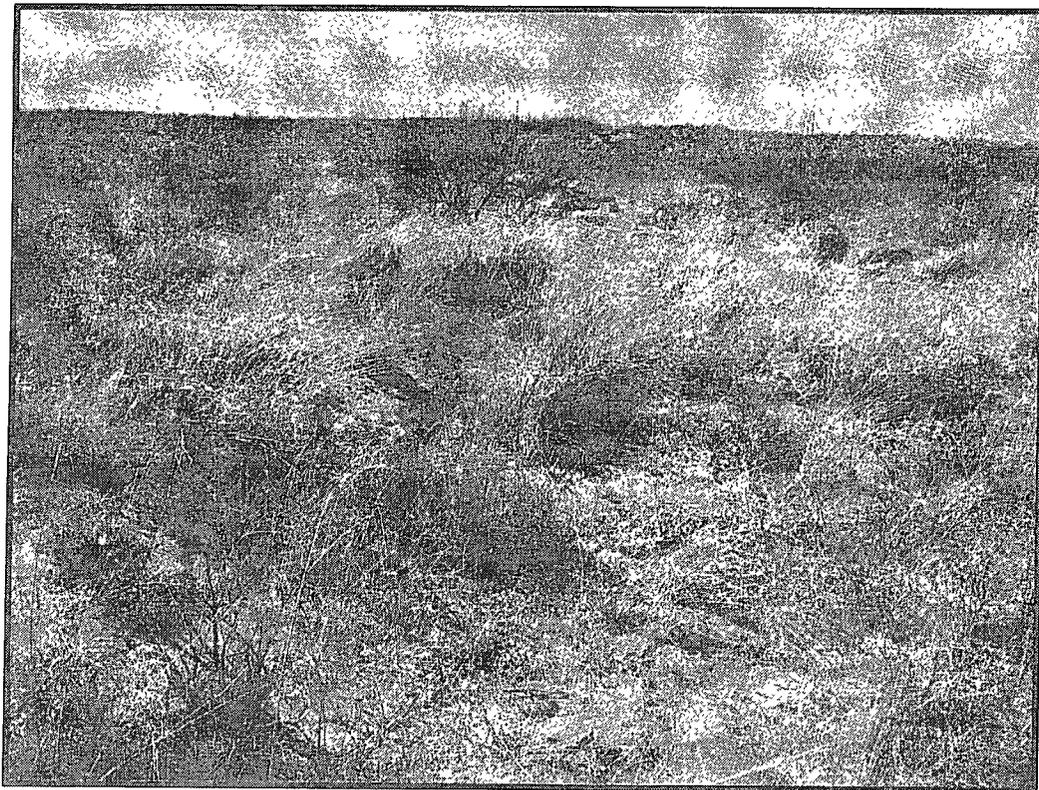
SCALE 1:24 000



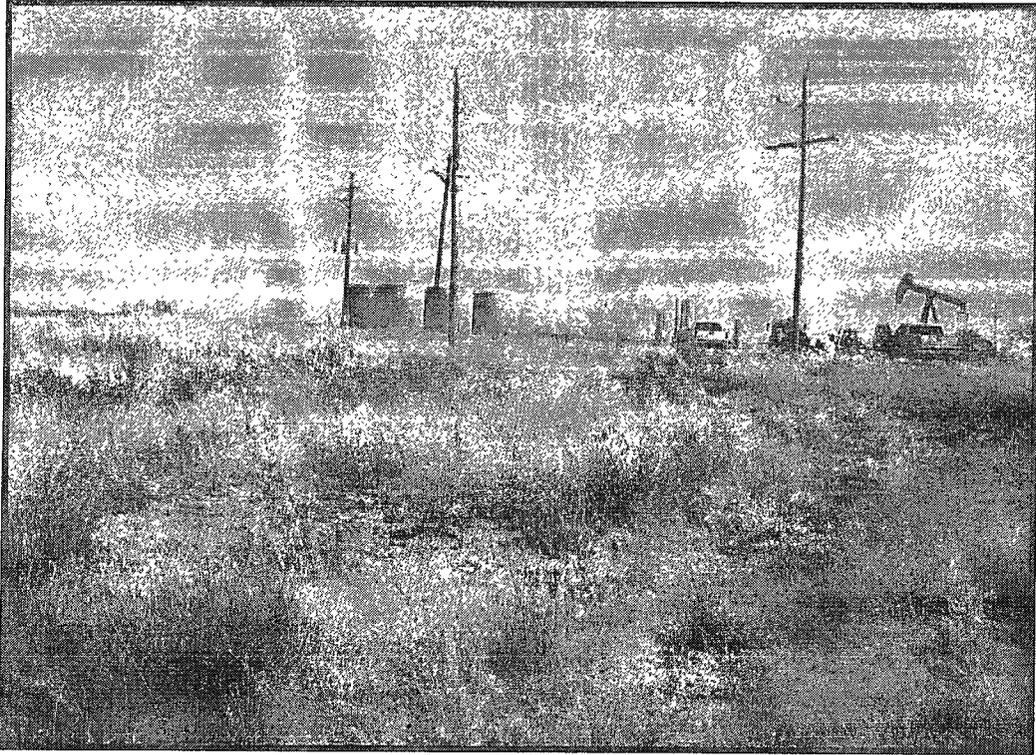
## **Appendix B Site Photos**



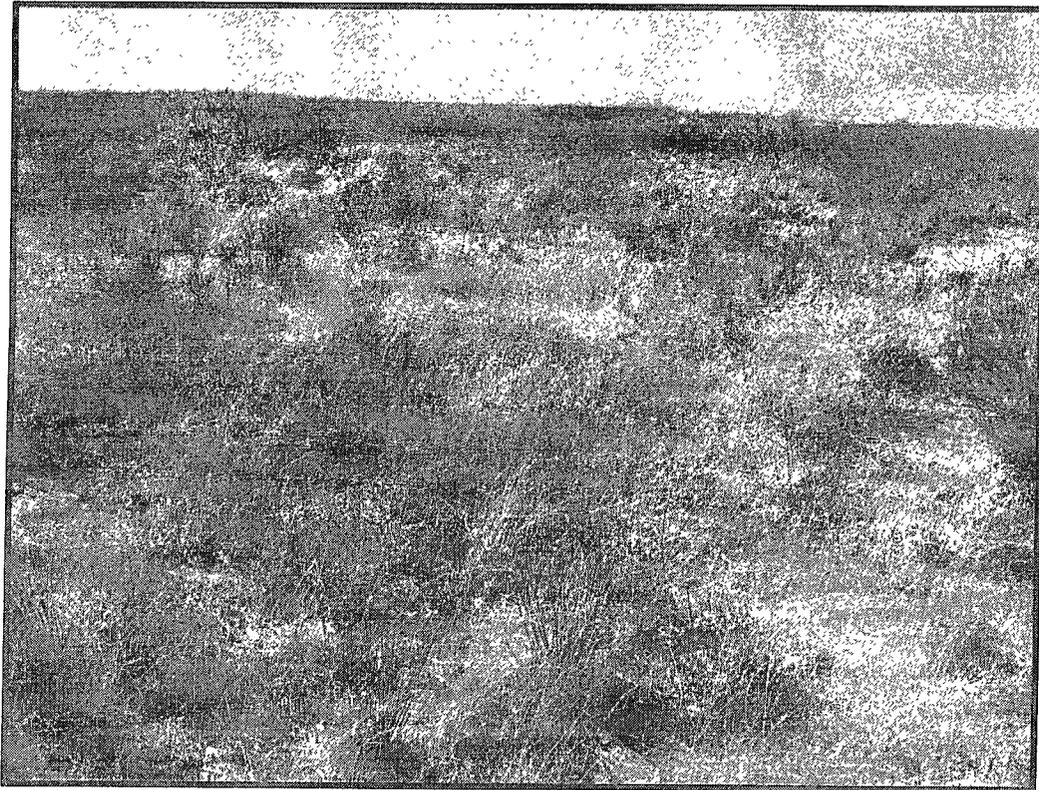
Well sign



Furthest release area facing northwest



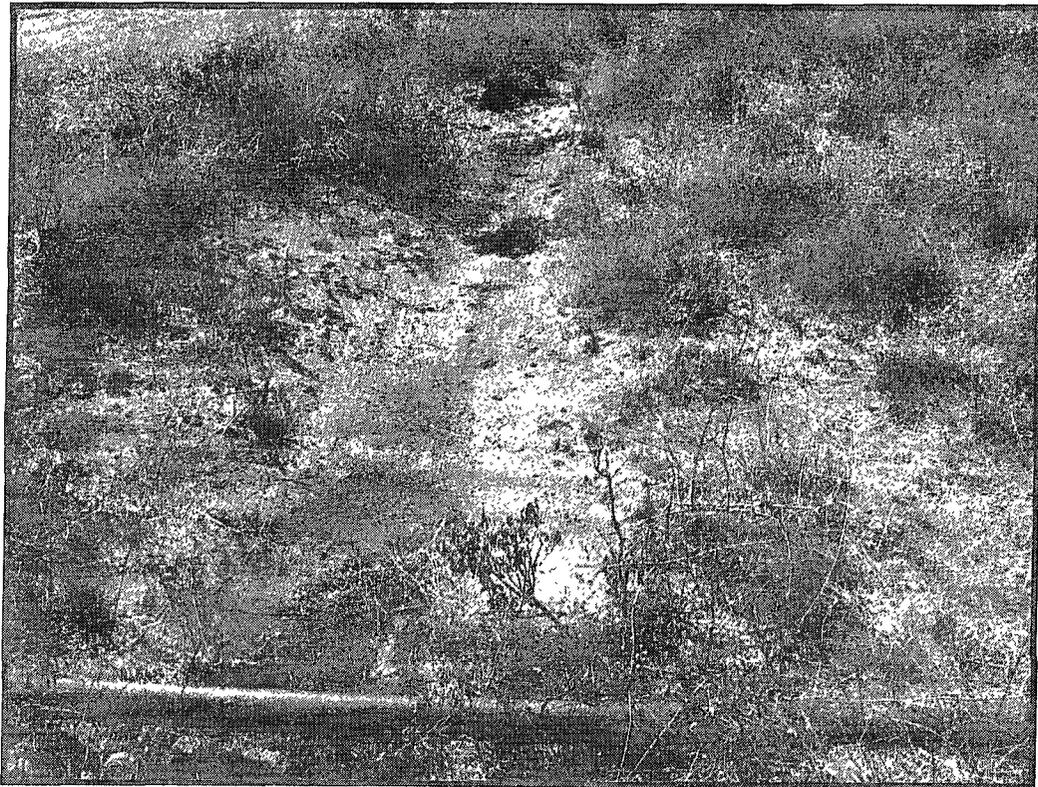
Furthest release area facing southeast



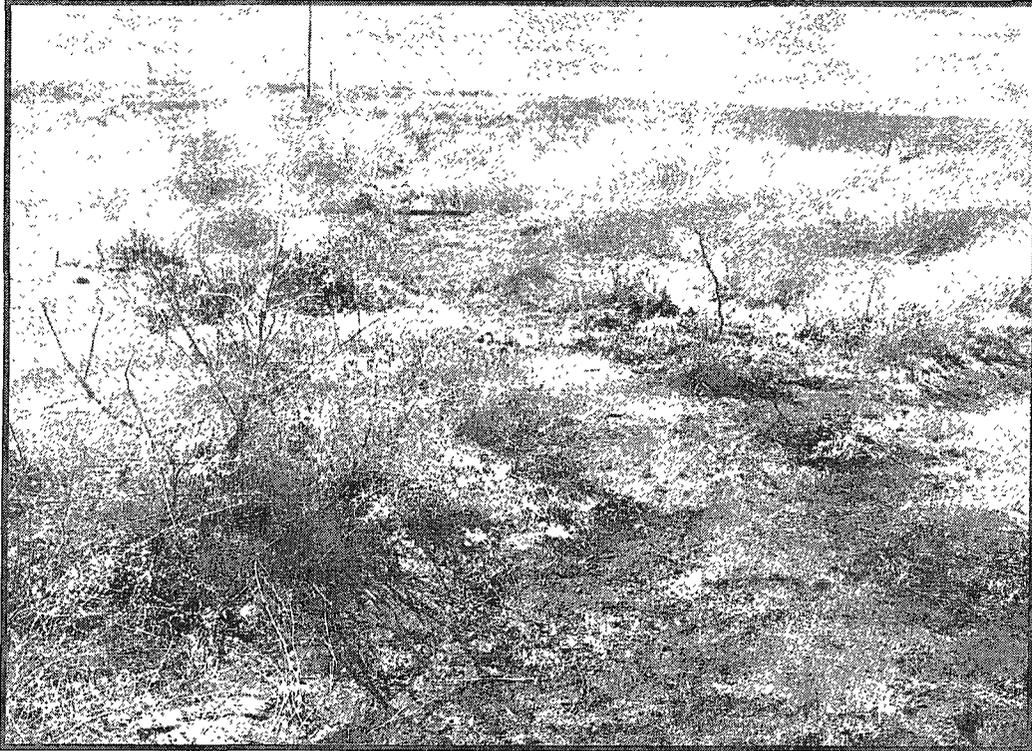
Release area facing northwest



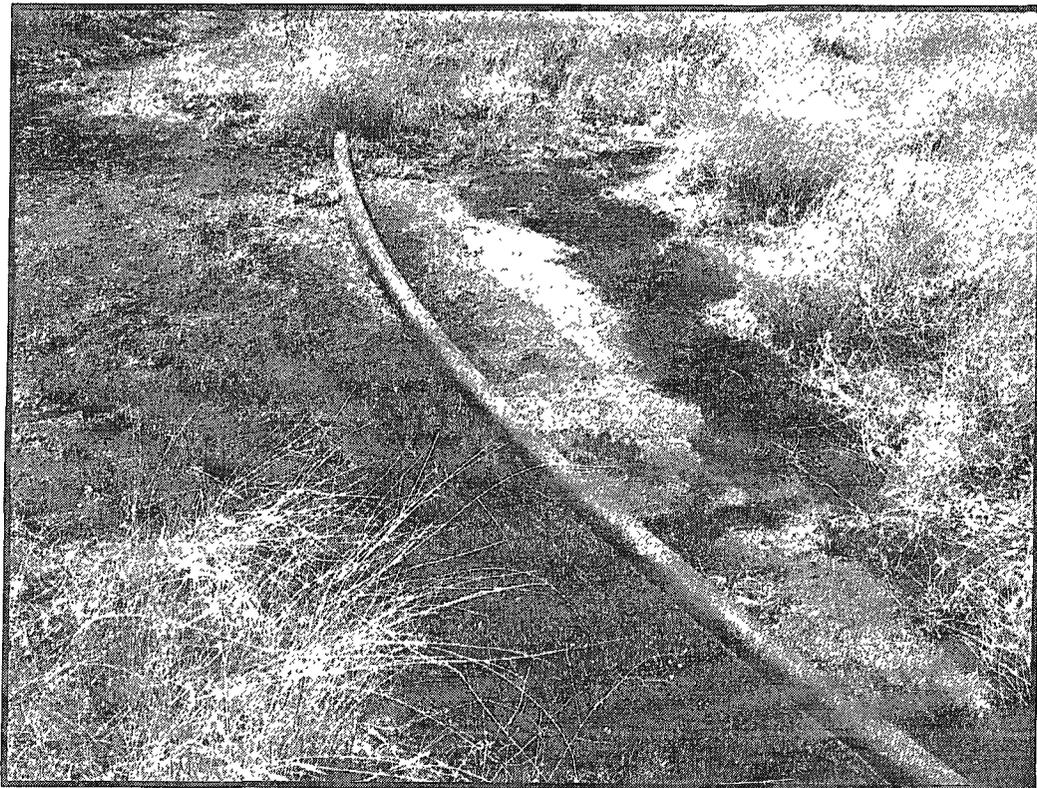
East release area facing northwest



South west release area facing west



Release area facing west



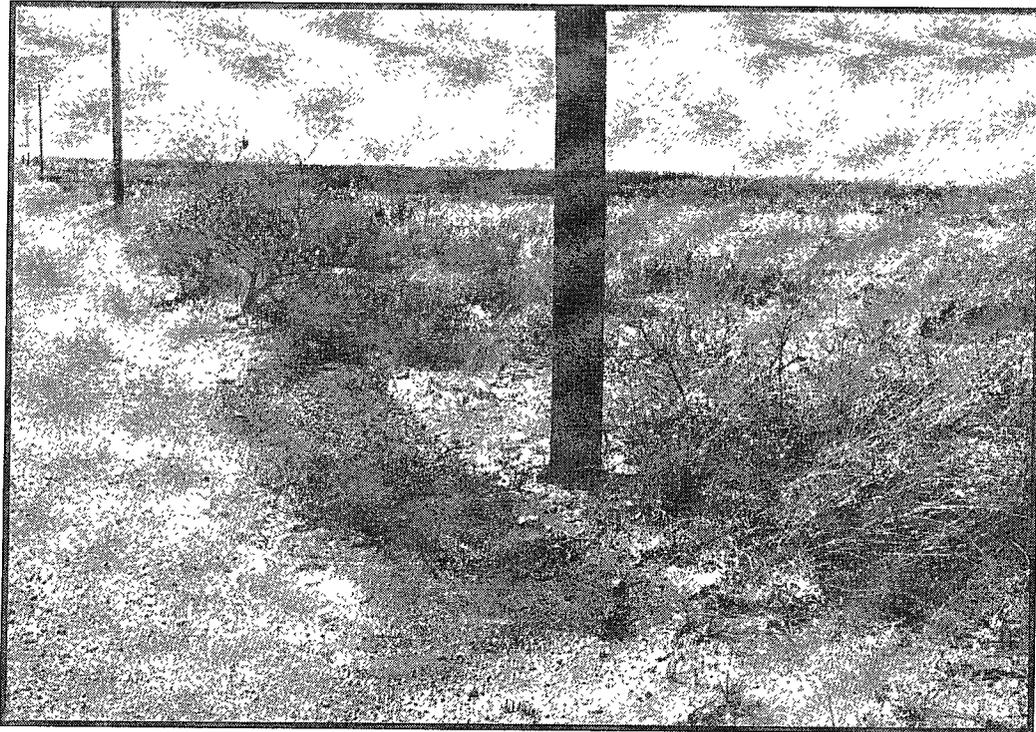
Release area facing northwest



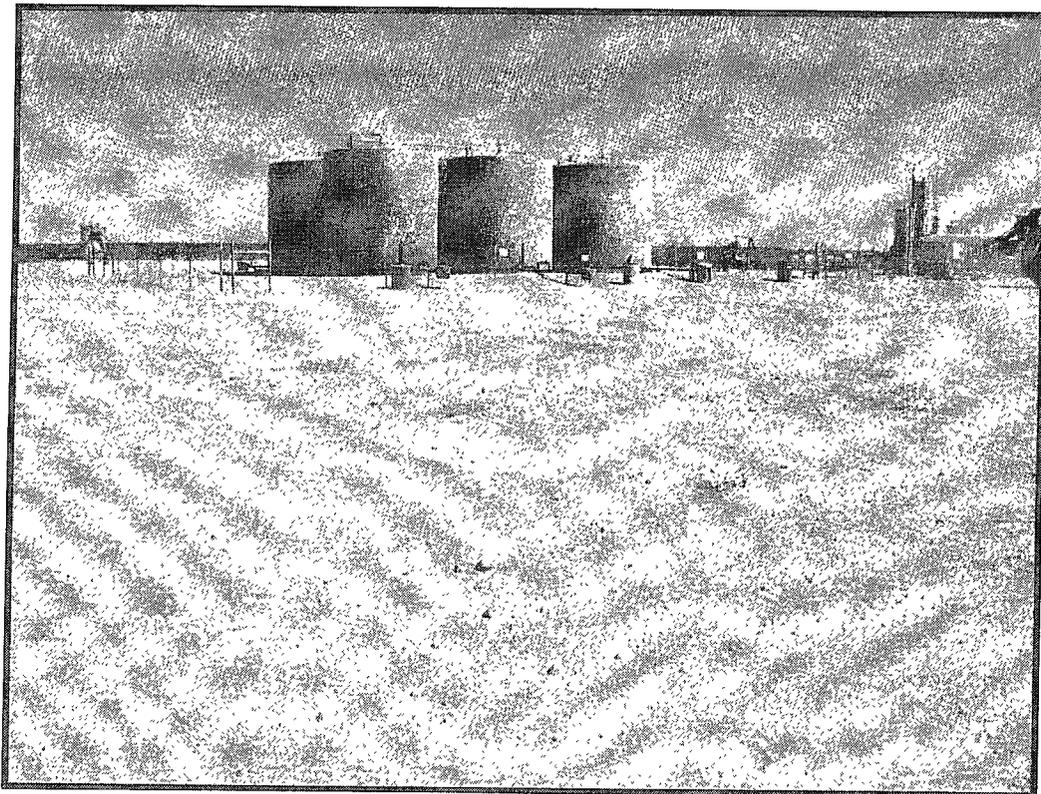
East release area facing northwest



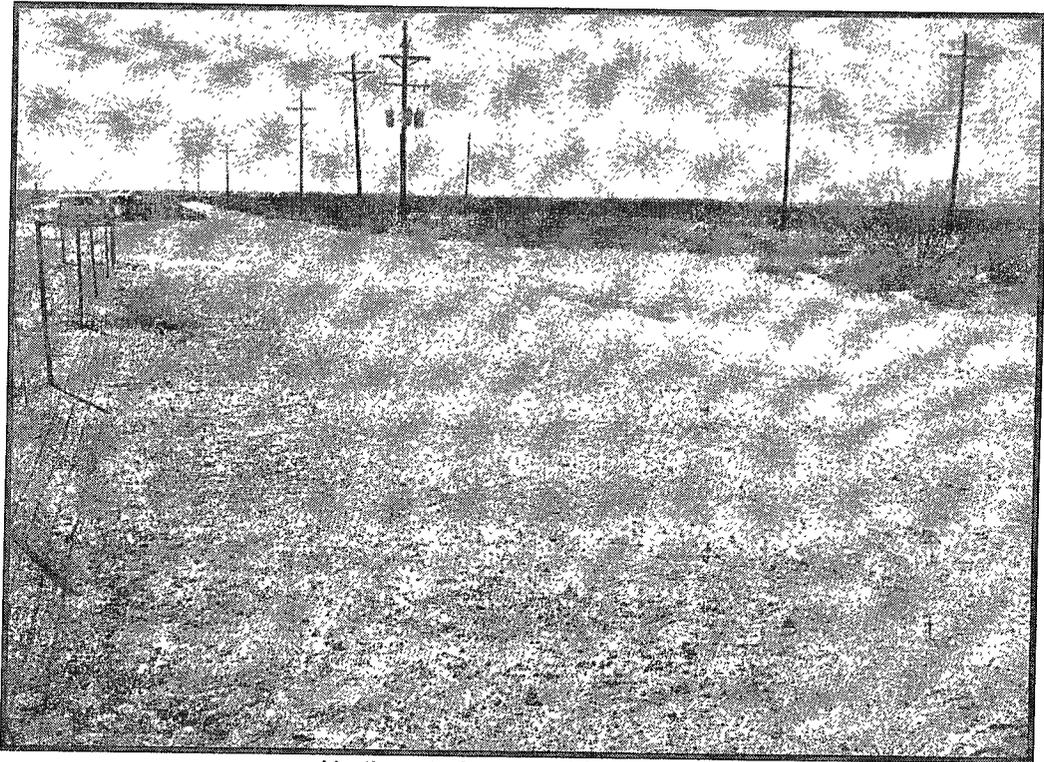
Release area facing south east



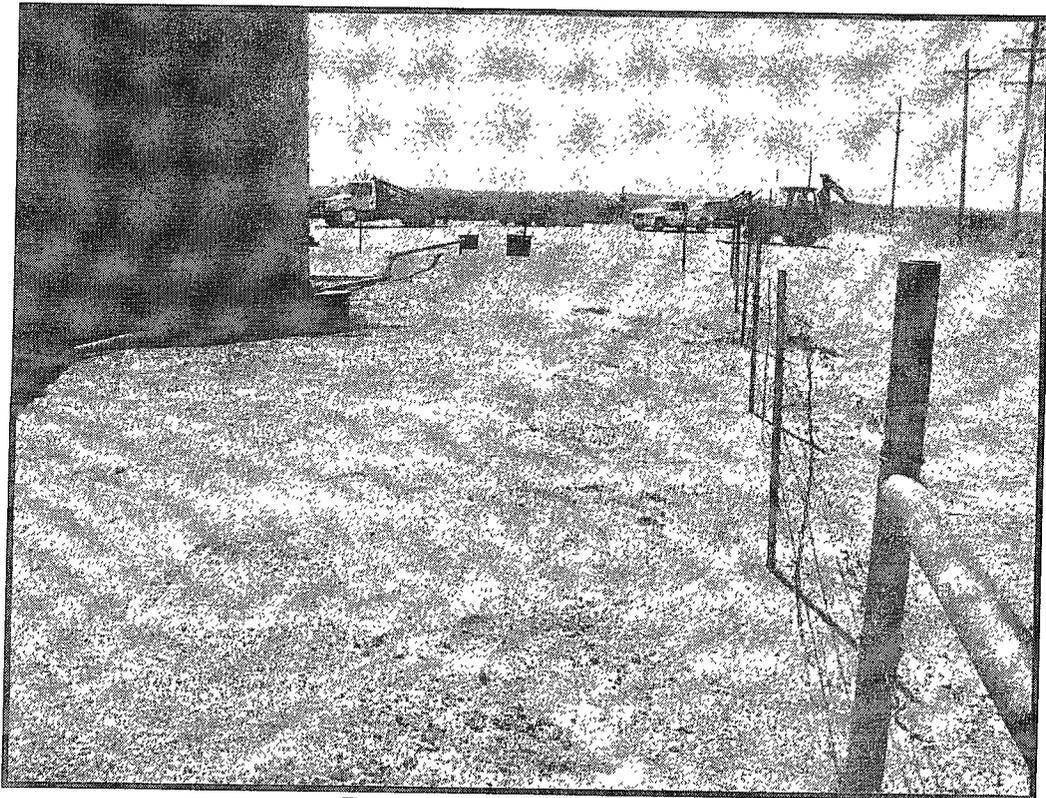
Release area facing northwest



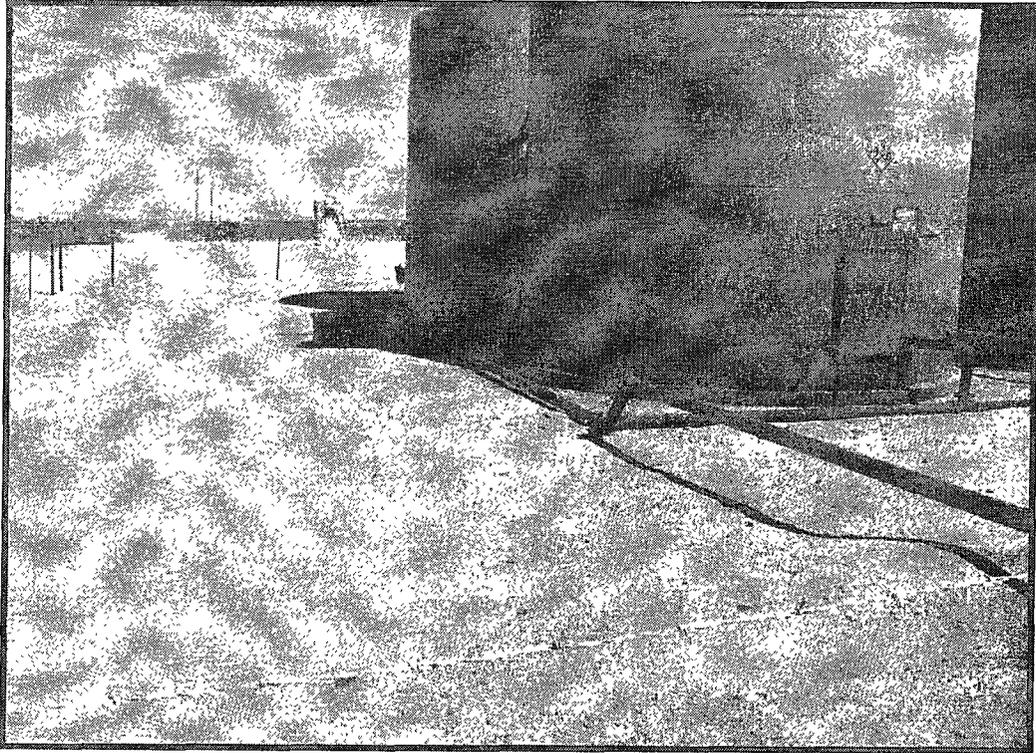
Tank release pad



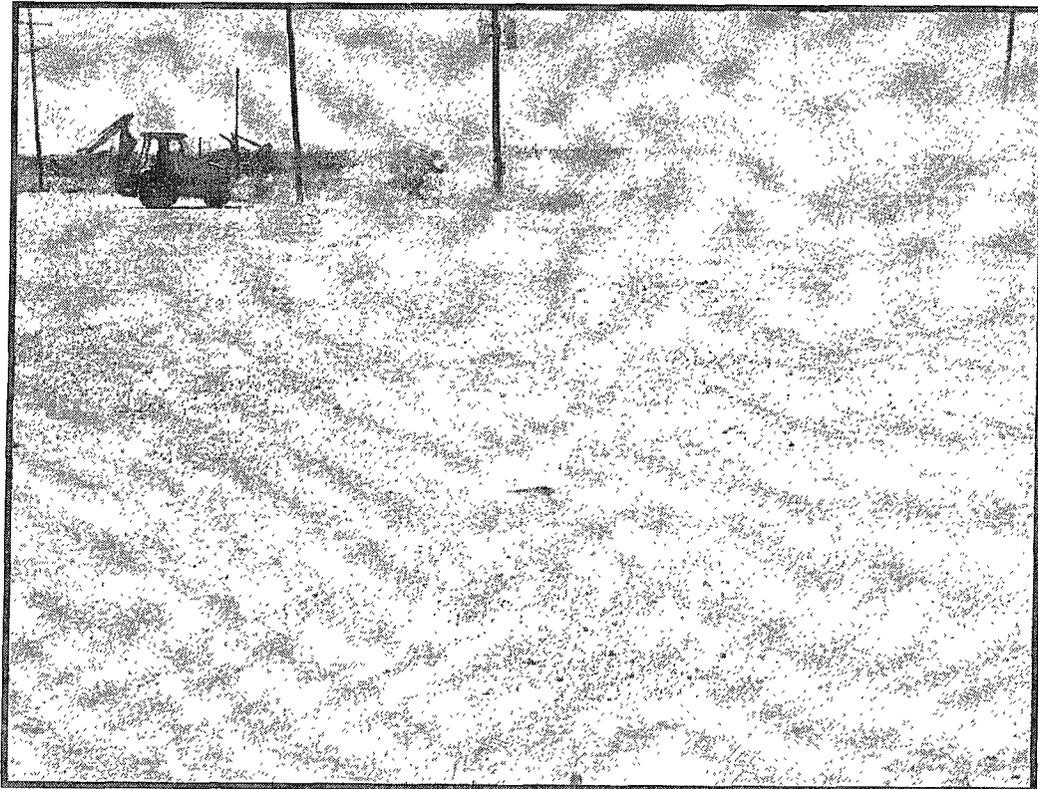
Northeast of tank pad facing west



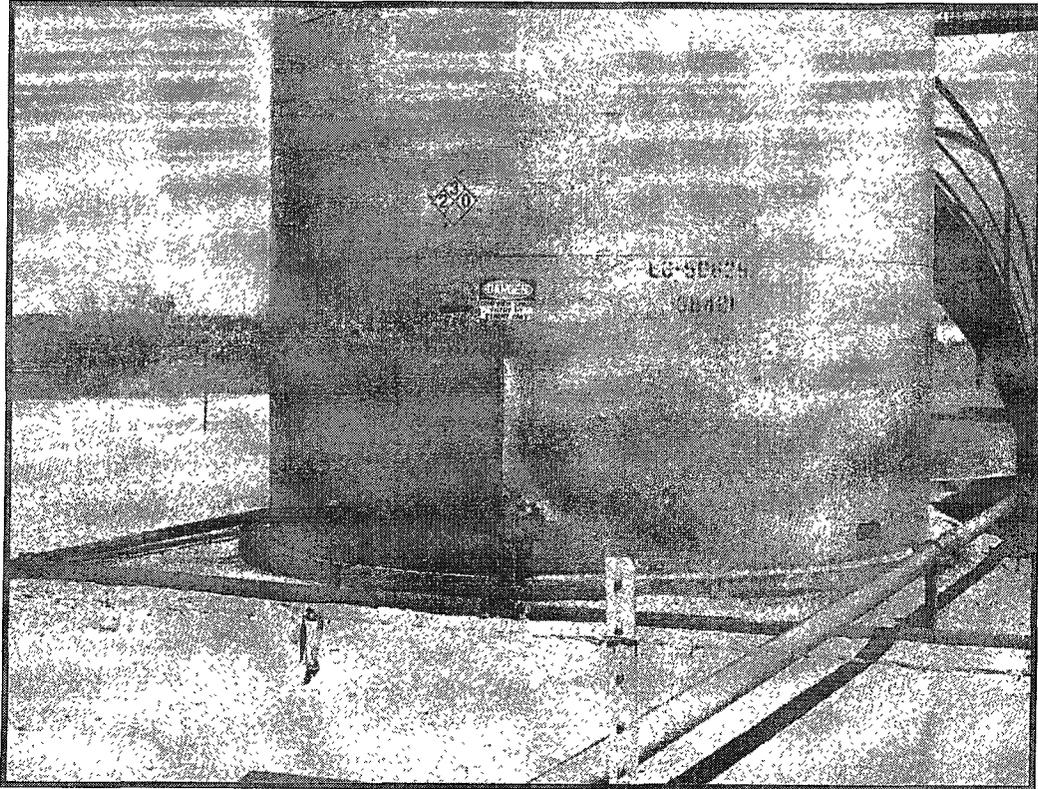
Tank battery berm facing west



Release tank facing east



Location pad facing north



Release tank facing east