

AP -

96

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**GENERAL  
CORRESPONDENCE**

**YEAR(S):**

2009 - 2010

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## Hansen, Edward J., EMNRD

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**From:** Jason Henry [JHenry@paalp.com]  
**Sent:** Wednesday, January 13, 2010 12:55 PM  
**To:** Hansen, Edward J., EMNRD  
**Subject:** AP-96 Notification Letters  
**Attachments:** AP-96 (WTI) Mailed notification letters 2.pdf; AP-96 (WTI) Mailed notification letters 1.pdf; Notification List for Lovington Gathering WTI 12-15-09.xls

Ed,

I may have messed up. I neglected to send the letters from the mailing list as "return receipt". I have attached scanned copies of every letter that I sent but if this isn't sufficient from a documentation standpoint then please let me know and I will re-send the letters using the "return receipt" option.

I also attached the mailing list that I used when sending the letters.

Thanks,

Jason Henry  
575-441-1099

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This inbound email has been scanned for malicious software and transmitted safely to you using Webroot Email Security.

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Name1	Name2	Company	Address	City	State	Zip	email
Chris Shuey	Field Supervisor	Southwest Research & Information Center	P. O. Box 4524	Albuquerque	NM	87106	sricon@earthlink.net
William Fetner	New Mexico Trustee for Natural Resources	US Fish & Wildlife Service	2105 Osuna Road, Northeast	Albuquerque	NM	87113	
Ron Dutton		c/o American Ground Water Consultants	610 Gold St. SW, Suite 111	Albuquerque	NM	87102	
		Southwestern Public Service	P. O. Box 1261	Amarillo	TX	79170	ron.dutton@xcelenergy.com
		Dr. Harry Bishara	P. O. Box 748	Cuba	NM	87013	
		Ag Programs and Resources Division	Box 30005/APR	Las Cruces	NM	88003	
		State Parks & Recreation	1220 S. St. Francis	Santa Fe	NM	87505	trujillo@state.nm.us
		New Mexico Environment Department	P. O. Box 26110	Santa Fe	NM	87504	Cathy_Tyson@nmenv.state.nm.us
		NM Department of Game & Fish	Villagra Building	Santa Fe	NM	87503	
		Water Resources Division	Bataan Building	Santa Fe	NM	87503	
		Bureau of Land Management	P. O. Box 27115	Santa Fe	NM	87502	
		Jay Lazarus	P. O. Box 5727	Santa Fe	NM	87502	lazarus@gloriageo.com
		Attorney at Law	P. O. Box 0850	Santa Fe	NM	87504	bsg@garbhall.com
		Groundwater Bureau	Runnels Building	Santa Fe	NM	87504	
		Hazardous Waste Bureau	Runnels Building	Santa Fe	NM	87504	
		State Historic Preservation Officer	228 E Palace Ave, Villa Rivera Room 101	Santa Fe	NM	87503	
		Attorney General's Office	P. O. Box 1508	Santa Fe	NM	87504	
		NM Oil & Gas Association	P. O. Box 1864	Santa Fe	NM	87504	
		Attorney at Law	325 Paseo de Peralta	Santa Fe	NM	87501	ekendrick@montand.com
		NM Bureau of Mines & Mineral Resources	NM Institute of Mining & Tech.	Socorro	NM	87801	
		Lea County Commission	100 N. Main	Lovington	NM	88260	
		Indian Affairs Department	1220 South Saint Francis Drive	Santa Fe	NM	87505	
		R.T. Hicks Consultants, Ltd	901 Rio Grande NW, Suite F-142	Albuquerque	NM	87104	
		USFS Regional Office	517 Gold Avenue SW	Albuquerque	NM	87102	
		Public Service Company of New Mexico	414 Silver, SW	Albuquerque	NM	87158	
		Independent Petroleum Association of New Mexico	P.O. Box 1836	Roswell	NM	88201	
		C. Robert Rice Jr.	74 Sycamore Rd	Redding	PA	19606	
		James L Walker Trust	2900 North Dal Paso	Hobbs	NM	88240	
		Robert C Meyer	7137 Route 119 Hwy N	Marioncenter	PA	15759	
		Site specific notifications - landowners					



# PLAINS

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## MARKETING L.P.

January 6, 2010

State Historic Preservation Officer  
228 E Palace Ave, Villa Rivera Room 101  
Santa Fe, NM 87503

Dear Sir or Madam:

Notice is hereby given that pursuant to New Mexico Oil Conservation Commission Rules (19.15.30 NMAC), the following Stage 1 and Stage 2 Abatement Plan Proposals have been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Drive, Santa Fe, New Mexico, 87505, Telephone (505) 476-3440:

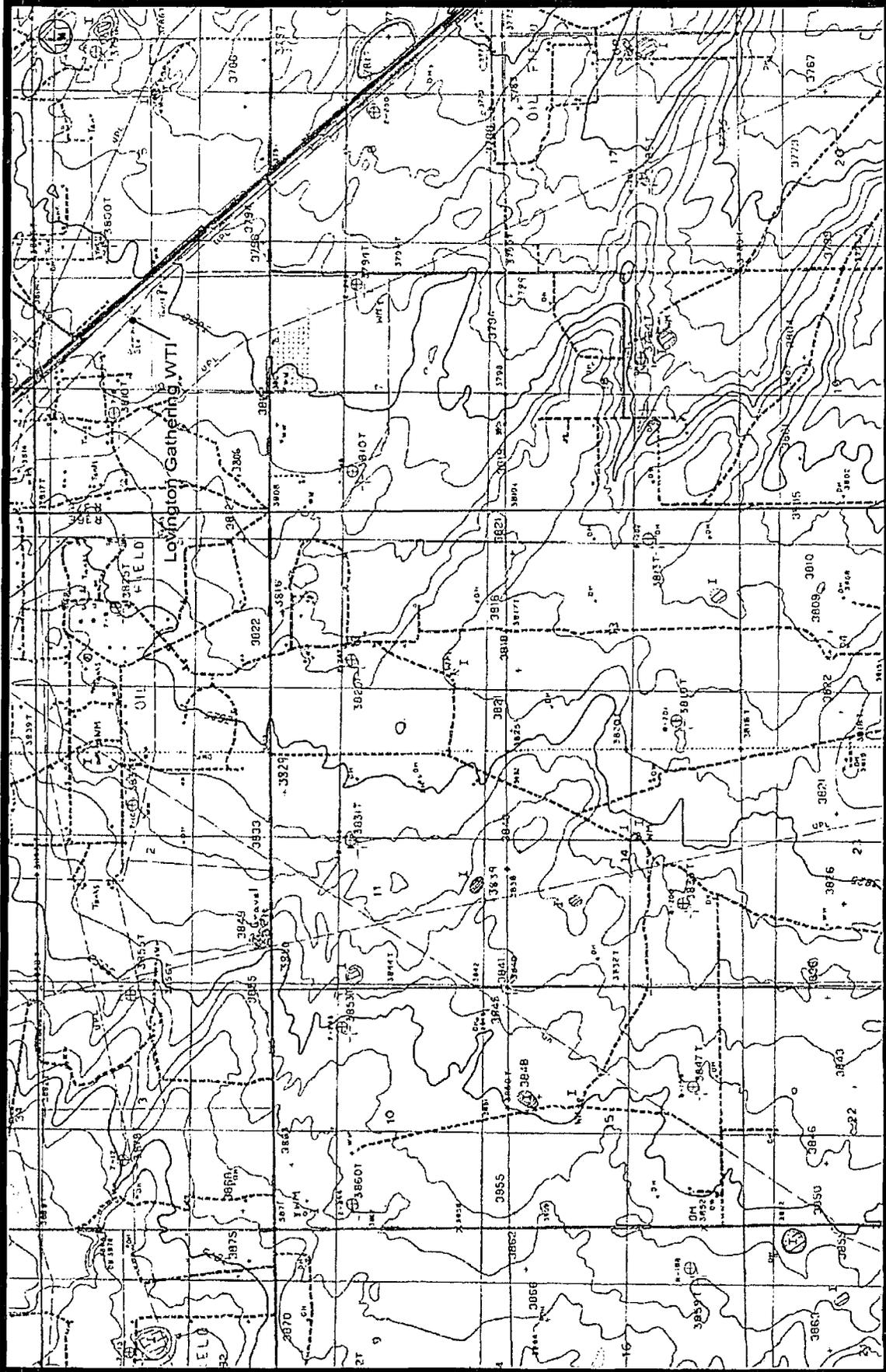
Plains Marketing, L.P., Jason Henry, Remediation Coordinator, Telephone (575) 441-1099, 3112 W. US Hwy 82, Lovington, New Mexico 88260 has submitted a Stage 1 and Stage 2 Abatement Plan Proposal for the Lovington Gathering WTI leak site, located in Unit Letter H of Section 6, Township 17 South, Range 37 East, NMPM, Lea County, New Mexico. Plains Marketing, L.P. operates a crude oil pipeline at the site. An estimated volume of 12 barrels of crude oil was released from a pipeline at the site. Crude oil and benzene contamination in excess of the New Mexico Water Quality Control Commission standards has been observed in groundwater at the site. The Stage 1 and Stage 2 Abatement Plan Proposal presents the following activities: designate a responsible person relative to plan submittal, describes and maps the site, provides historical information including previous investigation, characterizes the site as to geology and hydrogeology; determines vertical and horizontal extent and magnitude of vadose zone and groundwater contamination, determines rate and direction of contamination migration, provides inventory of water wells in the vicinity, provided location and number of wells actually or potentially affected by the pollution, defined surface water hydrology, determined seasonal stream flow characteristics, determined groundwater/surface water relationships, determined the vertical and horizontal extent and magnitude of contamination, establishes a monitoring program, establishes a Quality Assurance Plan, soil and groundwater remediation strategies, and surface restoration strategies.

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 includes 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 North French Drive, Hobbs, New Mexico 88240, telephone (575) 393-6161, between 8:00 a.m. and 4:00 p.m., Monday through Friday or may also be viewed at the Oil Conservation Division website: <http://www.emnrd.state.nm.us/ocd/>. Prior to ruling on the proposed Stage 1 and Stage 2 Abatement Plan Proposals, the Director of the Oil Conservation Division shall allow 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.

Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 88260

Enclosure

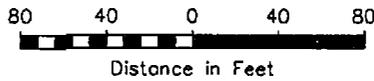
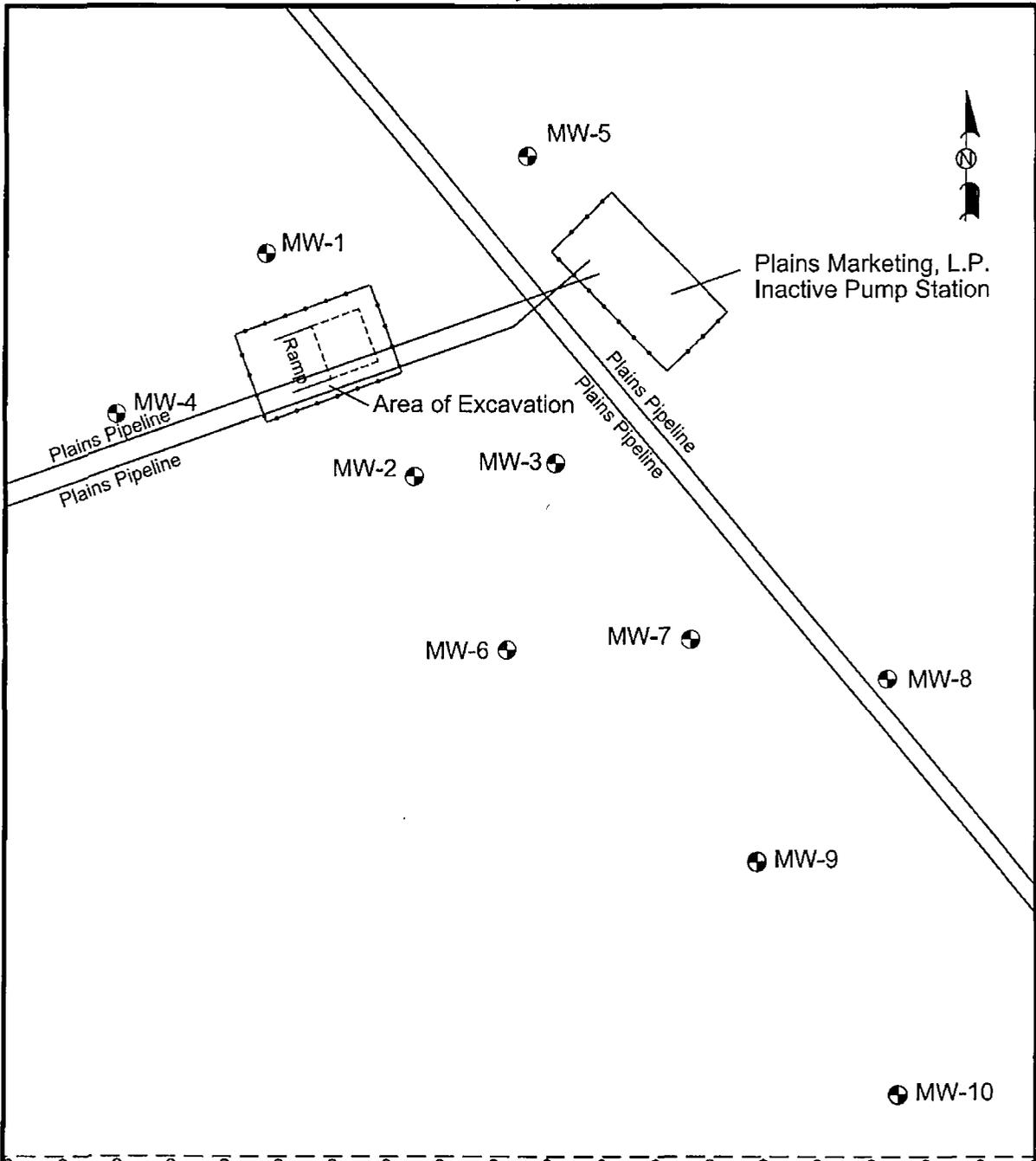


**Figure 1**  
**Site Location Map**  
 Lovington Gathering WTI  
 Plains Marketing, L.P.  
 Lea County, New Mexico  
 1RP-838

Unit Letter "H", Section 6, Township 17 South, Range 37 East

Basin Environmental Services

Prep By: CDS  
 December 22, 2009  
 Scale: 1"=3000'  
 Checked By: CDS



Private  
+ Landowner  
Waterwell

<b>LEGEND:</b> Monitoring Well Location Pipeline Excavation Extents Fenceline Water Well Electric Line	<b>Figure 2</b> <b>Site Map</b> Plains Marketing, L.P. Lovington Gathering WTI UL "H", Sec 6, T17S, R37E Lea County, NM	<b>Basin Environmental Services</b>	
		Scale: 1" = 80'	Drawn By: CDS
		December 22, 2009	Unit Letter "H" Sec 6 T17S R37E
		Lat. N32° 51'56" Long. W103° 17'07.2"	



# PLAINS

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## MARKETING L.P.

January 6, 2010

C. Robert Rice Jr.  
74 Sycamore Rd  
Redding, PA 19606

Dear Sir or Madam:

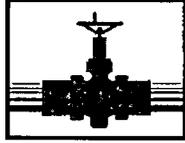
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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 88260



# PLAINS

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MARKETING L.P.

January 6, 2010

James L Walker Trust  
2900 North Dal Paso  
Hobbs, NM 88240

Dear Sir or Madam:

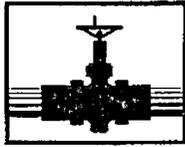
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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 88260



# PLAINS

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## MARKETING L.P.

January 6, 2010

Robert C Meyer  
7137 Route 119 Hwy N  
Marioncenter, PA 15759

Dear Sir or Madam:

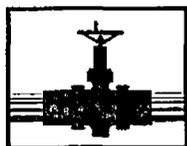
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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 88260



# PLAINS

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## MARKETING L.P.

January 6, 2010

Independent Petroleum Association of New Mexico  
P.O. Box 1836  
Roswell, NM 88201

Dear Sir or Madam:

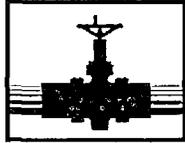
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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

---

MARKETING L.P.

January 6, 2010

Randy Hicks  
R.T. Hicks Consultants, Ltd.  
901 Rio Grande NW, Suite F-142  
Albuquerque, NM 87104

Dear Sir or Madam:

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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

---

## MARKETING L.P.

January 6, 2010

Cabinet Secretary  
Indian Affairs Department  
1220 South Saint Francis Drive  
Santa Fe, NM 87505

Dear Sir or Madam:

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Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Lea County Commission  
100 N. Main  
Lovington, NM 88260

Dear Sir or Madam:

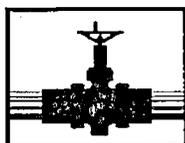
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Remediation Coordinator  
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Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

---

## MARKETING L.P.

January 6, 2010

Lynn Brandvold  
NM Bureau of Mines & Mineral Resources  
NM Institute of Mining & Tech.  
Socorro, NM 87801

Dear Sir or Madam:

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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



**PLAINS**  
MARKETING L.P.

January 6, 2010

Ned Kendrick  
Attorney at Law  
325 Paseo de Peralta  
Santa Fe, NM 87501

Dear Sir or Madam:

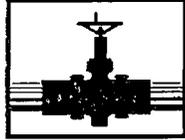
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Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

---

## MARKETING L.P.

January 6, 2010

NM Oil & Gas Association  
P. O. Box 1864  
Santa Fe, NM 87504

Dear Sir or Madam:

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Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Attorney General's Office  
P. O. Box 1508  
Santa Fe, NM 87504

Dear Sir or Madam:

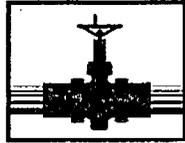
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Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

---

## MARKETING L.P.

January 6, 2010

Chief  
Hazardous Waste Bureau  
Runnels Building  
Santa Fe, NM 87504

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Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Chief  
Groundwater Bureau  
Runnels Building  
Santa Fe, NM 87504

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3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Bruce S. Garber  
Attorney at Law  
P. O. Box 0850  
Santa Fe, NM 87504

Dear Sir or Madam:

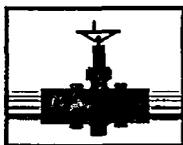
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Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Jay Lazarus  
P. O. Box 5727  
Santa Fe, NM 87502

Dear Sir or Madam:

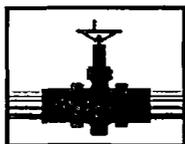
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Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

State Director  
Bureau of Land Management  
P. O. Box 27115  
Santa Fe, NM 87502

Dear Sir or Madam:

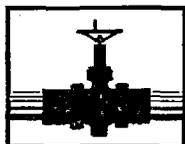
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Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

State Engineer  
Water Resources Division  
Bataan Building  
Santa Fe, NM 87503

Dear Sir or Madam:

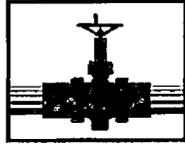
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3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Director  
NM Department of Game & Fish  
Villagra Building  
Santa Fe, NM 87503

Dear Sir or Madam:

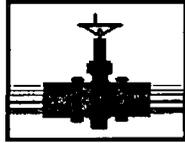
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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Secretary  
New Mexico Environment Department  
P. O. Box 26110  
Santa Fe, NM 87504

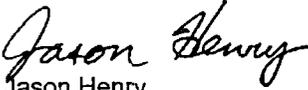
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3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Director  
State Parks & Recreation  
1220 S. St. Francis  
Santa Fe, NM 87505

Dear Sir or Madam:

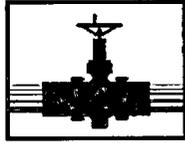
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Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

MARKETING L.P.

January 6, 2010

Soil and Water Conservation Bureau  
New Mexico Agriculture Department  
Ag Programs and Resources Division  
Box 30005/APR  
Las Cruces, NM 88003

Dear Sir or Madam:

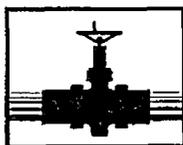
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3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Dr. Harry Bishara  
P. O. Box 748  
Cuba, NM 87013

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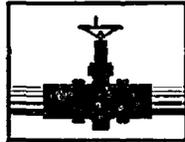
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Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Ron Dutton  
Southwestern Public Service  
P. O. Box 1261  
Amarillo, TX 79170

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Lovington, NM 8826



# PLAINS

MARKETING L.P.

January 6, 2010

William Fetner  
New Mexico Trustee for Natural Resources  
c/o American Ground Water Consultants  
610 Gold St. SW, Suite 111  
Albuquerque, NM 87102

Dear Sir or Madam:

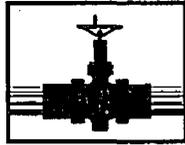
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## MARKETING L.P.

January 6, 2010

Claudette Horn  
Environmental Counsel  
Public Service Co. of New Mexico  
414 Silver, Southwest  
Albuquerque, NM 87158

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3112 West U.S. Hwy 82  
Lovington, NM 8826



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## MARKETING L.P.

January 6, 2010

Regional Forester  
USFS Regional Office  
517 Gold Avenue SW  
Albuquerque, NM 87102

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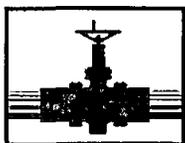
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## MARKETING L.P.

January 6, 2010

Field Supervisor  
US Fish & Wildlife Service  
2105 Osuna Road, Northeast  
Albuquerque, NM 87113

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3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Chris Shuey  
Southwest Research & Information Center  
P. O. Box 4524  
Albuquerque, NM 87106

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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 includes 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 North French Drive, Hobbs, New Mexico 88240, telephone (575) 393-6161, between 8:00 a.m. and 4:00 p.m., Monday through Friday or may also be viewed at the Oil Conservation Division website: <http://www.emnrd.state.nm.us/ocd/>. Prior to ruling on the proposed Stage 1 and Stage 2 Abatement Plan Proposals, the Director of the Oil Conservation Division shall allow 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.

Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826

## Hansen, Edward J., EMNRD

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**From:** Jason Henry [JHenry@paalp.com]  
**Sent:** Wednesday, January 13, 2010 10:57 AM  
**To:** Hansen, Edward J., EMNRD  
**Cc:** Jeffrey P Dann; Camille J. Bryant; Curt D. Stanley  
**Subject:** RE: Stage 1 and Stage 2 Abatement Plan (AP-96) Administratively Complete  
**Attachments:** AP-96 (WTI) Public Notice - Albuquerque Newspaper.pdf; AP-96 (WTI) Public Notice - Hobbs Newspaper.pdf

Ed,

Plains respectfully requests that the OCD accept the attached documents as proof of public notice for AP-96.

Please let me know if you have any questions or need more information.

Thank you,  
Jason Henry  
575-441-1099

---

**From:** Hansen, Edward J., EMNRD [mailto:edwardj.hansen@state.nm.us]  
**Sent:** Monday, December 14, 2009 5:04 PM  
**To:** Jason Henry  
**Cc:** Leking, Geoffrey R, EMNRD; Jeffrey P Dann; cdstanley@basin-consulting.com; Camille J. Bryant  
**Subject:** Stage 1 and Stage 2 Abatement Plan (AP-96) Administratively Complete

**RE: Stage 1 and Stage 2 Abatement Plan (AP-96) Administratively Complete for the Plains Marketing's Lovington Gathering WTI Release Site Unit Letter H, Section 6, T17S, R37E, NMPM, Lea County, New Mexico**

Dear Mr. Henry:

The New Mexico Oil Conservation Division (OCD) has received the Stage 1 and Stage 2 Abatement Plan for the Plains Marketing, L.P.'s (Plains) Lovington Gathering WTI Release Site, dated August, 2008, and has conducted a review of the Abatement Plan. The Plan, submitted for the above-referenced site, indicates that Plains has met the requirements of OCD Part 30 (formerly, Rule 19) for a Stage 1 and Stage 2 Abatement Plan. Therefore, the OCD hereby deems administratively complete the Stage 1 and Stage 2 Abatement Plan (AP-96) for the above-referenced site, in accordance with 19.15.30.15 NMAC.

Also, the OCD hereby conditionally approves the proposed Public Notice for the Stage 1 and Stage 2 Abatement Plan (AP-96) as submitted (see attached) for the above-referenced Abatement Plan:

Plains must edit the notice as indicated (i.e., strikethroughs are deletions and underlines are additions) on the attached draft notice.

Plains must submit proof of public notice to demonstrate compliance with 19.15.30.15 NMAC to the OCD within 45 days.

Please be advised that OCD approval of this Public Notice and Administrative Completeness does not relieve the owner/operator of responsibility should operations pose a threat to ground water, surface

**\*\*\* Proof \*\*\***  
Albuquerque Publishing Company  
7777 Jefferson NE  
Albuquerque, NM 87109  
(505)823-7777

Account Information	Ad Information
<b>Phone:</b> (575) 441-1099 <b>Name:</b> PLAINS PIPELINE <b>Account #:</b> C82698 <b>Address:</b> 2530 STATE HWY 214  DENVER CITY, TX 79323 <b>Client:</b> <b>Email:</b> <b>Placed by:</b> <b>Fax #:</b>	<b>Classification:</b> - <b>Start date:</b> 01-08-10 <b>Stop date:</b> <b>Insertions:</b> <b>Description:</b> <b>Rate code:</b> <b>Publications:</b>  <b>Size:</b> 1 x <b>Billed size:</b> 0.00 Inches <b>Ad #:</b> 5897386 <b>Ad type:</b> Liner Ad

<b>Ad Cost:</b>	\$ 0.00
<b>Tax @ 6.625%:</b>	\$
<b>Tax @ 7.3125%:</b>	\$
<b>Tax @ 8.0625%:</b>	\$
<b>Total:</b>	\$ 0.00

Ad Copy:

STATE OF NEW MEXICO  
County of Bernalillo SS

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 Commission Rules (19.15.30 NMAC), the following Stage 1 and Stage 2 Abatement Plan Proposals have been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Drive, Santa Fe, New Mexico, 87505, Telephone (505) 476-3440:

Plains Marketing, L.P., Jason Henry, Remediation Coordinator, Telephone (575) 441-1099, 3112 W. US Hwy. 82, Lovington, New Mexico 88260, has submitted a Stage 1 and Stage 2 Abatement Plan Proposal for the Lovington Gathering WTI leak site, located in Unit Letter H of Section 6, Township 17 South, Range 37 East, NMPM, Lea County, New Mexico. Plains Marketing, L.P. operates a crude oil pipeline at the site. An estimated volume of 12 barrels of crude oil was released from a pipeline at the site. Crude oil and benzene contamination in excess of the New Mexico Water Quality Control Commission standards has been observed in groundwater at the site. The Stage 1 and Stage 2 Abatement Plan Proposal presents the following activities: designate a responsible person relative to plan submittal, describes and maps the site, provides historical information including previous investigation; characterizes the site as to geology and hydrogeology; determines vertical and horizontal extent and magnitude of vadose zone and groundwater contamination; determines rate and direction of contamination migration; provides inventory of water wells in the vicinity, provided location and number of wells actually or potentially affected by the pollution; defined surface water hydrology; determined seasonal stream flow characteristics; determined groundwater/surface water relationships; determined the vertical and horizontal extent and magnitude of contamination; establishes a monitoring program; establishes a Quality Assurance Plan; soil and groundwater remediation strategies; and surface restoration strategies.

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Journal: January 7, 2010

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 7<sup>th</sup> day of January, 2010 and the subsequent consecutive publications on \_\_\_\_\_, 2010.

*[Handwritten signature]*

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

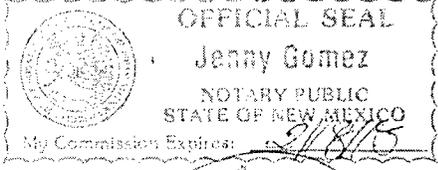
7<sup>th</sup> day of January of 2010

PRICE 67.17

Statement to come at end of month.

ACCOUNT NUMBER 082698

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



*[Handwritten signature]*

# ADVERTISING INVOICE

Hobbs Daily News-Sun  
P.O. Box 936/201 N. Thorp  
Hobbs, NM 88241-0850  
505)393-2123 • FAX (505)397-0611

JASON HENRY  
2530 STATE HWY 214  
DENVER CITY, TX 79323

Customer#: 3101363  
Ad #: 00043389  
Phone: (303) 605-2176  
Date: 01/12/10  
Ad Taker: CN  
Salesperson: 02

Sort Line: #25470

Classification:

Description	Start	Stop	Ins.	Cost/Day	Total
07 07 Daily News-Sun	01/06/10	01/06/10	1	\$ 83.38	\$ 83.38

Total: 83.38

Tax: 5.58

Net: 88.96

Prepaid: 0.00

Total Due: 88.96

 PAID

# Affidavit of Publication

State of New Mexico,  
County of Lea.

I, KENNETH NORRIS  
GENERAL MANAGER  
of the Hobbs News-Sun, a  
newspaper published at Hobbs, New  
Mexico, do solemnly swear that the  
clipping attached hereto was  
published in the regular and entire  
issue of said newspaper, and not a  
supplement thereof for a period

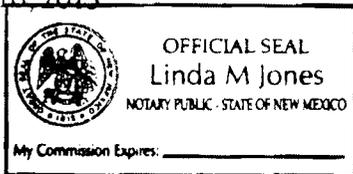
of 1 issue(s).  
Beginning with the issue dated  
January 06, 2010  
and ending with the issue dated  
January 06, 2010

*Kenneth Norris*  
GENERAL MANAGER

Sworn and subscribed to before me  
this 11th day of  
January, 2010

*Linda M Jones*  
Notary Public

My commission expires  
June 16, 2013  
(Seal)



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**  
**JANUARY 6, 2010**  
**NOTICE OF PUBLICATIONS**  
**STATE OF NEW MEXICO**  
**ENERGY, MINERALS, AND NATURAL RESOURCES**  
**DEPARTMENT**  
**OIL CONSERVATION DIVISION**

Notice is hereby given that pursuant to New Mexico Oil Conservation Commission Rules (19.15.30 NMAC), the following Stage 1 and Stage 2 Abatement Plan Proposals have been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Drive, Santa Fe, New Mexico, 87505, Telephone (505) 476-3440.

Plains Marketing, L.P. Jason Henry, Remediation Coordinator, Telephone (575) 441-1099, 3112 W. US Hwy 82, Lovington, New Mexico 88260 has submitted a Stage 1 and Stage 2 Abatement Plan Proposal for the Lovington Gathering WT1 leak site, located in Unit Letter H of Section 6, Township 17 South, Range 37 East, NMPM, Lea County, New Mexico. Plains Marketing, L.P. operates a crude oil pipeline at the site. An estimated volume of 12 barrels of crude oil was released from a pipeline at the site. Crude oil and benzene contamination in excess of the New Mexico Water Quality Control Commission standards has been observed in groundwater at the site. The Stage 1 and Stage 2 Abatement Plan Proposal presents the following activities: Designate a responsible person relative to plan submittal, describes and maps the site, provides historical information including previous investigation, characterizes the site as to geology and hydrogeology, determines vertical and horizontal extent and magnitude of vadose zone and groundwater contamination, determines rate and direction of contamination migration, provides inventory of water wells in the vicinity, provided location and number of wells actually or potentially affected by the pollution, defined surface water hydrology, determined seasonal stream flow characteristics, determined groundwater/surface water relationships, determined the vertical and horizontal extent and magnitude of contamination, establishes a monitoring program, establishes a Quality Assurance Plan, soil and groundwater Remediation strategies, and surface restoration strategies.

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#25470

01101546                      00044601  
LEONARD LOWE  
NEW MEXICO OIL CONSERVATION DIVISION, EMNRD  
1220 S. SAINT FRANCIS DR.  
SANTA FE, NM 87505

## Hansen, Edward J., EMNRD

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**From:** Hansen, Edward J., EMNRD  
**Sent:** Monday, December 14, 2009 4:05 PM  
**To:** 'Jason Henry'  
**Subject:** RE: Plains Lovington Gathering WTI (AP-96) site  
**Attachments:** Mail Merge notification for Lovington Gathering WTI ejh 12-14-09.xls

Jason,

I have attached an updated version of your mailing list – the list at the link below is outdated – I will try to keep that list updated for future use at that link. Please note that the county commission must be notified (not just one Commissioner). Also, please be sure to send a topographic map (excerpt) and site plan map (i.e., a copy of the maps you typically have in your APs – both maps should have the site indicated along with the UL, S, T, R) to the State Historical Preservation Officer.

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**From:** Jason Henry [mailto:JHenry@paalp.com]  
**Sent:** Wednesday, December 09, 2009 4:04 PM  
**To:** Hansen, Edward J., EMNRD  
**Subject:** Plains Lovington Gathering WTI (AP-96) site

Ed,

Attached is an example of the newspaper ad for the AP-96 public notification.

I spoke with the landowner, Robert Rice, on 11/17/2009 regarding the proposed soil remediation strategy for this site. He had no objections to:

- excavating the soil to 15' bgs,
- excavating the sidewalls to  $\leq 100$  ppm TPH,
- placing a liner in the bottomhole of the excavation,
- backfilling on top of the liner with  $\leq 1,000$  ppm TPH soil,
- and using clean soil for the top 2' during backfilling activities.

Also, please utilize the web link below to view the document that lists the entities requiring notification. I've attached an Excel document that lists the entities that Plains has notified in the past. I plan to compare the names listed on the Excel document against the names listed on the webpage to make sure that I have current addresses and points-of-contacts.

<http://www.emnrd.state.nm.us/OCD/documents/noticelist.pdf>

Thank you for your time and please let me know if you have any questions or need more information.

Jason Henry  
575-441-1099

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This inbound email has been scanned for malicious software and transmitted safely to you using Webroot Email Security.

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Name1	Name2	Company
	Chris Shuey Field Supervisor	Southwest Research & Information Center US Fish & Wildlife Service
William Fetner	New Mexico Trustee for Natural Resources	c/o American Ground Water Consultants
	Ron Dutton	Southwestern Public Service
	Jack A. Barnett	Colorado River Basin Ctrl. Forum Dr. Harry Bishara
	Gerald R. Zimmerman	Colorado River Board of California
Soil and Water	New Mexico Agriculture Department Director	Ag Programs and Resources Division State Parks & Recreation
		Lee Wilson & Associates
	Secretary	New Mexico Environment Department
	Director	NM Department of Game & Fish
	State Engineer	Water Resources Division
	State Director	Bureau of Land Management
		Jay Lazarus
	Bruce S. Garber	Attorney at Law
	Chief	Groundwater Bureau
	Chief	Hazardous Waste Bureau
	Elmo Baca	State Historic Preservation Officer
		Attorney General's Office
		NM Oil & Gas Association
	Ned Kendrick	Attorney at Law
	Lynn Brandvold	NM Bureau of Mines & Mineral Resources
	Dale Dunlap	Lea County Commission, District 1
		C. Robert Rice Jr.
		James L Walker Trust
		Robert C Meyer
		Site specific notifications - landowners
	Cabinet Secretary Randy Hicks Regional Forester	Indian Affairs Department R. T. Hicks Consultants, Ltd USFS Regional Office
Claudette Horn	Environmental Counsel	Public Service Company of New Mexico Independent Petroleum Association of New Mexico
	deletions	
	additions or edits	

