

AP - 96

APPROVALS

YEAR(S):

2009-2010

Hansen, Edward J., EMNRD

From: Hansen, Edward J., EMNRD
Sent: Wednesday, September 01, 2010 1:43 PM
To: 'Jason Henry'
Cc: Leking, Geoffrey R, EMNRD; Jeffrey P Dann; Camille J. Bryant
Subject: Soil Closure Approval - (AP-96) Plains Lovington Gathering WTI Release Site

**RE: Remediation Summary and Soil Closure Request for the Plain Marketing's
Lovington Gathering WTI Release Site (AP-96)
Unit Letter H of Section 6, T17S, R37E, NMPM, Lea County, New Mexico
Soil Closure Approval**

Dear Mr. Henry:

The New Mexico Oil Conservation Division (OCD) has received Plains' report and request for soil closure of the above-referenced site (dated August 2010). The above-referenced report, submitted in partial fulfillment of 19.15.30.19 NMAC (Part 30.19, formally, Rule 19.K), indicates that Plains has partially met the requirements of 19.15.30.9 NMAC for this site. Therefore, the OCD hereby conditionally approves the Soil Closure Request for the Lovington Gathering WTI Release Site and no further soil remediation is required for this site:

The Plains Lovington Gathering WTI Release Site is still active under Abatement Plan, AP-96, and groundwater monitoring, further groundwater contamination delineation if warranted, and groundwater remediation must continue at the Plains Lovington Gathering WTI Release Site.

Please be advised that OCD approval of this report does not relieve the owner/operator of responsibility should operations pose a threat to ground water, surface water, human health or the environment. In addition, OCD approval does not relieve the owner/operator of responsibility for compliance with any OCD, federal, state, or local laws and/or regulations.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact at 505-476-3489.

Edward J. Hansen
Hydrologist
Environmental Bureau

Hansen, Edward J., EMNRD

From: Hansen, Edward J., EMNRD
Sent: Thursday, May 20, 2010 9:10 AM
To: 'Jason Henry'
Cc: Jeffrey P Dann; Camille J. Bryant; Leking, Geoffrey R, EMNRD
Subject: Stage 2 Abatement Plan (AP-96) Extension for Submittal Approval

**RE: Amended Stage 2 Abatement Plan (AP-96) Extension for Submittal Approval
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 reviewed your request for extension of submittal of an Amended Stage 2 Abatement Plan for the above-referenced site. The OCD hereby approves the request for extension of the submittal of an Amended Stage 2 Abatement Plan until Monday, August 9, 2010.

Also, please be advised that OCD approval of this extension for submittal does not relieve the owner/operator of responsibility should operations pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD approval does not relieve the owner/operator of responsibility for compliance with any OCD, federal, state, or local laws and/or regulations.

If you have questions regarding this matter, please contact me at 505-476-3489.

Edward J. Hansen
Hydrologist
Environmental Bureau

From: Jason Henry [mailto:JHenry@paalp.com]
Sent: Wednesday, May 19, 2010 9:44 AM
To: Hansen, Edward J., EMNRD
Cc: Jeffrey P Dann; Camille J. Bryant
Subject: RE: Stage 1 and Stage 2 Abatement Plan (AP-96) Approval - Lovington Gathering WTI Release Site

Ed,

As we discussed during our conference call last week, Plains respectfully requests an extension of 90 days to submit an amended Stage 2 Abatement Plan to address dissolved issues at this site. Basin Environmental personnel are currently conducting weekly site visits to over pump groundwater from selected monitor wells. If approved, Plains would use the 90 day extension to review the analytical data for the 2nd Quarter and 3rd Quarter 2010 groundwater sampling events so that the effectiveness of the over pumping activities can be evaluated and a suitable course of action for addressing the dissolved phase issues can be determined.

Please contact me if you have any questions or need additional information.

Thank you,
Jason Henry
575-441-1099

Hansen, Edward J., EMNRD

From: Hansen, Edward J., EMNRD
Sent: Tuesday, February 09, 2010 1:36 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) Approval - Lovington Gathering WTI Release Site

**RE: Stage 1 and Stage 2 Abatement Plan (AP-96) Approval
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:

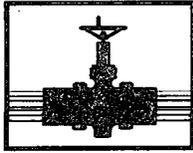
The New Mexico Oil Conservation Division (OCD) has received the Stage 1 and Stage 2 Abatement Plan for the Plains Marketing, L.P.'s (Plains) Lovington Gathering WTI Release Site, dated August, 2008, and has conducted a review of the Abatement Plan. The Plan, submitted for the above-referenced site, indicates that Plains has substantially met the requirements of OCD Part 30 (formerly, Rule 19) for a Stage 1 and Stage 2 Abatement Plan. Therefore, the OCD hereby conditionally approves the Stage 1 and Stage 2 Abatement Plan (AP-96) for the above-referenced site, in accordance with 19.15.30.16 NMAC:

Plains shall submit an amended Stage 2 Abatement Plan to address dissolved phase issues at the site to the OCD within 90 days.

Please be advised that OCD approval of this Plan does not relieve the owner/operator of responsibility should operations pose a threat to ground water, surface water, human health or the environment. In addition, OCD approval does not relieve the owner/operator of responsibility for compliance with any OCD, federal, state, or local laws and/or regulations.

If you have any questions regarding this matter, please contact me at 505-476-3489.

Edward J. Hansen
Hydrologist
Environmental Bureau



PLAINS RECEIVED
MARKETING L.P. 2010 FEB 3 PM 1 22

January 29, 2010

Mr. Edward Hansen
New Mexico Oil Conservation Division
Environmental Bureau
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

RE: Plains Marketing, L.P. Lovington Gathering WTI Release Site
NMOCD Reference # AP-96
Unit Letter H of Section 6, Township 17 South, Range 37 East
Lea County, New Mexico

Dear Mr. Hansen:

The attached Affidavits of Publication, mailing list, and copies of letters are being submitted as documentation of public notice for the Stage 1 and Stage 2 Abatement Plan for the above referenced site. The letters were sent to the recipients identified on the mailing list via United States Postal Service mail on January 7, 2010.

Should you have any questions or comments, please contact me at (575) 441-1099.

Sincerely,

Jason Henry
Remediation Coordinator
Plains Marketing, L.P.

Enclosures

Hansen, Edward J., EMNRD

From: Hansen, Edward J., EMNRD
Sent: Monday, December 14, 2009 4:04 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
Attachments: Lovington Gathering WTI Newspaper Ad (2) OCD edits.doc

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 water, human health or the environment. In addition, OCD approval does not relieve the owner/operator of responsibility for compliance with any OCD, federal, state, or local laws and/or regulations.

If you have any questions regarding this matter, please contact me at 505-476-3489.

Edward J. Hansen
Hydrologist
Environmental Bureau

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~~ 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 ~~All American Pipeline~~ 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 ~~All American Pipeline~~ 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 ~~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.