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APPROVALS

YEAR(S):

2000



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

December 28, 2000

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Sid Richardson Gasoline Company
Attn: Randall Dunn
P.O. Box 1226
Jal, New Mexico 88252

Re: Sam Cooper Ranch Remediation Project

Dear Mr. Dunn:

The New Mexico Oil Conservation Division (NMOCD) has become aware that Sid Richardson Gasoline Company (Sid Richardson) is remediating past spill sites and hauling and disposing of contaminated soil into an un-permitted landfarm, without the approval of the NMOCD. The NMOCD contacted Sid Richardson on December 27, 2000, concerning this matter. Sid Richardson requested information as to the NMOCD's authority of notification and approval of their activities.

Pursuant to NMOCD Rule 116.D CORRECTIVE ACTION: *The responsible person must complete Division approved corrective action for releases which endanger public health or the environment. Releases will be addressed in accordance with a remediation plan submitted to and approved by the Division or with an abatement plan submitted in accordance with Rule 19 (19 NMAC 15.A.19).* The NMOCD requires that Sid Richardson submit a remediation plan for these spill remediation sites that includes:

1. The status of the wastes at each site. Sid Richardson must demonstrate that all waste would be Exempt or is classified as RCRA Non-Hazardous per EPA CFR 40 part 261.
2. A legal survey and plot plan for each proposed spill remediation and "landfarm site(s)". Include on each plot plan the location and/or distance to any buried pipeline or significant surface equipment or feature.
3. All prior site assessment and closure information conducted at each proposed remediation site(s) including copies of all laboratory analytical results demonstrating that the extent of contamination has been delineated and remediated, and information on how Sid Richardson determined the appropriate soil remediation levels for TPH and BTEX at each site.
4. A proposed plan for completing an investigation of the extent of contamination and remediation for each site.

In addition, the NMOCD has the following requirements and requests for information regarding the landfarm sites for remediation of contaminated soils:

1. Please provide a legal survey and plot plan for each landfarm site(s). Include on each plot plan the location and/or distance to any buried pipeline or significant surface equipment or feature.
2. Please provide a list of the origin and type of wastes placed in each landfarm site.
3. Sid Richardson shall not cover or close any landfarm site without first notifying the NMOCD District office.
4. Sid Richardson must submit to the NMOCD Environmental Bureau an application for any proposed landfarm site(s) pursuant to 19 NMAC 15.I .711 (Rule 711) by January 19, 2001. Please contact Martyne Kieling at 505-827-7153 concerning landfarm permit(s).
5. Sid Richardson is hereby ordered to secure all work sites pursuant to the work plan.
6. Sid Richardson must submit EPA approved third party laboratory analytical results for each sample collected for final site closure. Sid Richardson shall maintain records for all field screening sampling events. NMOCD will require bottom hole and sidewall samples for each site. Bottom hole samples shall only be a grab sample. All hot spots shall be delineated. These final results may be submitted in the final closure report.

Sid Richardson is hereby notified that, pursuant to NMOCD Rule 116, Sid Richardson is required to submit for NMOCD approval a remediation plan or an abatement plan for any future sites and/or cleanup projects.

Please note failure to abide by all of the above requirements in a timely fashion may result in a "Notice of Violation" being issued to Sid Richardson Company.

Sincerely,

Chris Williams - District I Supervisor

cc: Roger Anderson-Environmental Bureau Chief
Donna Williams-Environmental Engineer Specialist
Martyne Kieling-Environmental Geologist
File