

AP - 010

**GENERAL
CORRESPONDENCE**

YEAR(S):
2003 - 1998

AP-10

Olson, William

From: Chris Higgins [chiggins@higgins-and-associates.com]
Sent: Monday, May 19, 2003 2:55 PM
To: wolson@state.nm.us
Subject: Phillips NM1-1 and East Hobbs Annual reports

Bill, as per our telephone conversation last week, the new due date for the annual reports for the referenced facilities will be May 30th. The time period covered by these reports was extended through April 2003 so that the data in the report included both system installation and startup to give OCD a clearer picture of site activities. Thank you again for the extension.

Chris Higgins

5/19/2003

Olson, William

From: Chris Higgins [chiggins@higgins-and-associates.com]
Sent: Friday, April 25, 2003 8:14 AM
To: wolson@state.nm.us
Subject: Phillips Pipe Line Company Line NM1-1 Leak site

Bill, as per our telephone conversation Higgins & Associates, L.L.C. was under the misinterpretation that the annual report covered the period through April 2003. We recently discovered our error and are in the process of preparing the report. As per our telephone conversation we recently resurveyed the wells which were incorporated into the remediation system. We should have these results back next week and will be able to generate new site maps. Based on receipt of this data as scheduled, we should be able to have the annual report to you by May 19th, 2003. Thank you for your consideration of this extension request. If you have any comments or questions please contact me at 303-708-9846.

Chris Higgins
Higgins & Associates, L.L.C.

4/25/2003



AP-10
Dianne Seefried
Site Manager
Risk Management & Remediation
Threadneedle Building
600 North Dairy Ashford
Houston, TX 77079-1175
phone 832.379.6425
fax 425-977-1010
f.dianne.seefried@conocophillips.com

March 30, 2004

Mr. Bill Olsen
Oil Conservation Division
New Mexico Energy, Minerals and Natural Resources Department
1220 South St. Francis Dr.
Santa Fe, NM 87504

RECEIVED
APR 01 2004
Oil Conservation Division
Environmental Bureau

**RE: ANNUAL MONITORING, OPERATION AND MAINTENANCE REPORT
ConocoPhillips Line NMI-1
Hobbs, Lea County, New Mexico**

Dear Mr. Olsen:

Pursuant to requirements set forth in Discharge Permit GW-349 for the Line NMI-1 remediation site, please find one copy of the above referenced report for your review and concurrence. This report presents an annual summary of all site activities performed from May 2003 through February 2004 relating to the operation, maintenance and monitoring of the remediation system, quarterly groundwater monitoring, sampling and analyses, and disposal of accumulated wastes.

If you have any questions or comments, please contact either myself at the above listed number or Greg W. Pope with Maxim Technologies at (432) 686-8081.

Sincerely,

Dianne Seefried
Site Manager
Risk Management and Remediation
ConocoPhillips

cc: w/ attachment

Chris Williams, NMOCD, Hobbs, NM
Greg Pope, Maxim, Midland, TX



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Carol Leach
Acting Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

January 28, 2002

CERTIFIED MAIL
RETURN RECEIPT NO:7001-1940-0004-3929-7075

Mr. Anthony C. Walker
Phillips Pipe Line Company
3B11 Adams Bldg.
Bartlesville, Oklahoma 74004

**RE: STAGE 2 GROUND WATER ABATEMENT PLAN (AP-10)
LINE NM-1-1 SITE**

Dear Mr. Walker:

The New Mexico Oil Conservation Division (OCD) has completed a review of the following Phillips Pipe Line Company (PPL) documents regarding PPL's Stage 2 Abatement Plan Proposal for remediation of soil and ground water contamination related to a crude oil pipeline spill at PPL's Line NM-1-1 leak site in Unit N, Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico:

- April 6, 2001 "STAGE 2 ABATEMENT PLAN AP-10, RESPONSE TO REQUEST FOR INFORMATION, LINE NM-1-1 SITE".
- November 13, 2000 "PUBLIC NOTIFICATION CERTIFICATION, STAGE 2 ABATEMENT PLAN AP-10, LINE NM-1-1 SITE, PHILLIPS PIPE LINE COMPANY"
- April 14, 2000 "STAGE 2 ABATEMENT PLAN, LINE NM-1-1 SITE, PHILLIPS PIPE LINE COMPANY".

The Stage 2 Abatement Plan for this site was deemed administratively approvable on August 28, 2001. Previously, on July 19, 2001, Mr. William F. McNeill objected to the Stage 2 Abatement Plan and requested a public hearing in this matter. A division hearing (Case #12759) was set for November 1, 2001. Prior to the hearing, Mr. McNeill's attorney and PPL verbally informed the OCD that they were settling their disputed issues and the case was dismissed at the November 1, 2001 hearing. Mr. McNeill formally rescinded his appeal on January 22, 2002 and the OCD issued an order on January 25, 2002 dismissing the appeal.

Consequently, the Stage 2 Abatement Plan for the Line NM-1-1 site, as contained in the above-referenced documents, is approved with the following conditions:

1. PPL shall submit a discharge plan for the injection wells to the OCD for approval prior to operation of the injection system. A discharge plan application can be found on the OCD web site at www.emnrd.state.nm.us/oed/.
2. All below-grade lines used to convey contaminated fluids shall be pressure tested to a minimum of 3 psi above operating pressure prior to operation.
3. All above ground tanks used to store any fluids other than fresh water shall be bermed to contain one and one-third times the volume of the largest tank or all interconnected tanks.
4. All wastes generated shall be disposed of at an OCD approved facility.
5. PPL shall submit the results of all remediation and monitoring activities in an annual report. The report shall be submitted to the OCD Santa Fe Office by April 1 of each year with a copy provided to the OCD Hobbs District Office. The report shall contain:
 - a. A description of all soil and ground water remediation and monitoring activities which have occurred during the previous calendar year including conclusions and recommendations.
 - b. Quarterly water table potentiometric maps showing the location of pipelines, excavations, spills, monitor wells, recovery wells, vapor extraction wells, air sparge wells and any other pertinent site features as well as the direction and magnitude of the hydraulic gradient.
 - c. Quarterly isopleth maps for contaminants of concern.
 - d. Summary tables of all past and present soil and ground water quality sampling results including copies of all recent laboratory analytical data sheets and associated QA/QC data.
 - e. Summary tables of the quarterly amount of product recovered from each recovery well and the total volume recovered to date.
 - f. Summary tables of the mass of hydrocarbon contaminants recovered from each soil vapor extraction well on a quarterly basis and the total mass recovered to date.
 - g. The disposition of all wastes generated.
 - h. The results of any below grade line testing.

6. PPL shall notify the OCD at least 48 hours in advance of all scheduled activities such that the OCD has the opportunity to witness the events and split samples.

Please be advised that OCD approval does not relieve PPL of responsibility if the abatement plan fails to adequately remediate or monitor contamination related to PPL's activities. In addition, OCD approval does not relieve PPL of responsibility for compliance with any other federal, state or local laws and regulations.

If you have any questions, please contact Bill Olson at (505) 476-3491.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger C. Anderson", written over a horizontal line.

Roger C. Anderson
Environmental Bureau Chief

RCA/wco

cc: Chris Williams, OCD Hobbs District Supervisor
William F. McNeill

**STATE OF NEW MEXICO
ENERGY, MINERALS, AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:**

**CASE NO. 12759
ORDER NO. R-11715**

**APPLICATION OF PHILLIPS PIPE LINE COMPANY TO APPROVE
ABATEMENT PLANS FOR LINE NM-1-1 SITE AND EAST HOBBS JUNCTION
SITE, LEA COUNTY, NEW MEXICO.**

ORDER OF THE DIVISION

BY THE DIVISION:

This case came on for hearing at 8:15 a.m. on November 1, 2001, at Santa Fe, New Mexico, before Examiner David R. Catanach.

NOW, on this 25th day of January, 2002, the Division Director, having considered the testimony, the record, and the recommendations of the Examiner,

FINDS THAT:

(1) Due public notice has been given and the Division has jurisdiction of this case and its subject matter.

(2) Phillips Pipe Line Company initially made application to the Division on April 6, 2001 for administrative approval of its Stage 2 Abatement Plan for remediation of soil and ground water contamination relating to a crude oil pipeline spill at its NM-1-1 site located in Unit N of Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico.

(3) Phillips Pipe Line Company also initially made application to the Division on March 7, 2001 for administrative approval of its Stage 2 Abatement Plan for remediation of soil and ground water contamination relating to a crude oil pipeline spill at its East Hobbs Junction site located in Unit N of Section 8, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico.

(4) Pursuant to an objection to the above-described applications filed by Mr. William F. McNeill on or about July 19, 2001, these applications were set to hearing.

(5) Prior to the hearing on November 1, 2001, the Division was made aware that Phillips Pipe Line Company had reached a tentative agreement with Mr. William F. McNeill whereby the objection to these applications would be withdrawn.

(6) This case was subsequently dismissed at the November 1, 2001 hearing.

(7) On January 23, 2002, the Division received a formal request from Mr. William F. McNeill requesting that this case be dismissed.

(8) Pursuant to the request by Mr. William F. McNeill, Case No. 12759 is hereby dismissed.

IT IS THEREFORE ORDERED THAT:

Case No. 12759 is hereby dismissed.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.



SEAL

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

Lori Wrottenbery
LORI WROTENBERY
Director



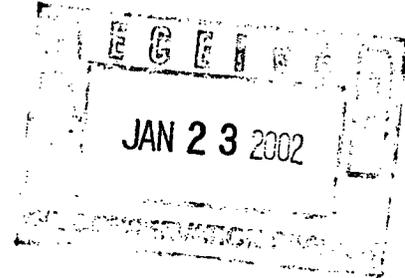
Law Offices of *James P. Lyle, P.C.*



Nationally Certified
Civil Trial Specialist

James P. Lyle, Esquire
Judith M. Seff, Paralegal

January 22, 2002



David Catanach, Examiner
New Mexico Oil Conservation Division
1220 South St Francis Dr.
Santa Fe, NM 87505

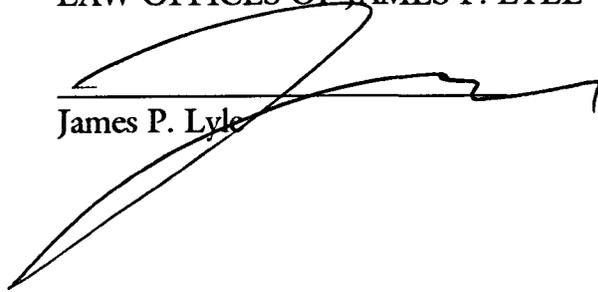
RE: *Division Case No. 12759 - Phillips Pipe Line Company*

Dear Mr. Catanach:

Please accept this letter as formal acknowledgment that the settlement with Phillips Pipe Line Company has been finalized. The McNeills are formally dismissing this case, based on the representations and promises received from and on behalf of Phillips that as the remediation work progresses, the McNeills will be compensated for all excavated materials at the rates set forth in the settlement agreement.

Very truly yours,

LAW OFFICES OF JAMES P. LYLE


James P. Lyle

cc: Gary Larson, Esq.
Mr. Bill McNeill



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

November 16, 2001

Mr. James P. Lyle
Law Offices of James P. Lyle, P.C.
1904 Rio Grande Blvd. NW
Albuquerque, New Mexico 88104

Re: Division Case No. 12759
Phillips Pipe Line Company

Dear Mr. Lyle:

As per our phone conversation on November 16, 2001 regarding the disposition of Case No. 12759, which was heard by the Division on November 1, 2000 (Oil Conservation Division's Docket No. 35-01), following is a summary of our agreement:

- (1) On the advice of Mr. Bill Olson, Environmental Bureau, Oil Conservation Division, this case was dismissed at the November 1, 2001 hearing;
- (2) A letter from you formally dismissing the case is necessary in order to complete the record; and
- (3) A letter from you dismissing the case will be forthcoming as soon as the settlement agreement with Phillips Pipe Line Company is finalized.

Thank you for your assistance in this matter. If you have any questions, please contact me at (505) 476-3466.

Sincerely,

David Catanach
Examiner

Xc: Case File-12759



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

August 28, 2001

CERTIFIED MAIL
RETURN RECEIPT NO. 3771-7507

Mr. James P. Lyle
Law Offices of James P. Lyle, P.C.
1904 Rio Grande Blvd. NW
Albuquerque, New Mexico 88104

**RE: STAGE 2 ABATEMENT PLAN PROPOSAL
PHILLIPS – LINE NM-1-1 SITE
GROUND WATER ABATEMENT PLAN (AP-10)**

Dear Mr. Lyle:

The New Mexico Oil Conservation Division (OCD) has completed a review of Phillips Pipe Line Company's (PPL) Stage 2 Abatement Plan for the remediation of soil and ground water contamination at PPL's Line NM-1-1 site located in the Unit N, Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico. The abatement plan including all supplemental information is open for public inspection at the OCD Santa Fe and Hobbs District Offices. The OCD has determined that the abatement plan is in compliance with all Division rules and could be administratively approvable. Attached is a draft approval letter containing a list of the documents which comprise the Stage 2 Abatement Plan and the proposed conditions of approval.

The OCD is in receipt of your July 19, 2001 correspondence requesting a hearing on behalf of Mr. William F. McNeill on this abatement plan (AP-10) and PPL's abatement plan for the East Hobbs Junction Site (AP-15). Your hearing requests have been referred to the Division hearing examiners.

If you have any questions, please contact Bill Olson at (505) 476-3491.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger C. Anderson". The signature is fluid and cursive, with the first name "Roger" being more prominent and the last name "Anderson" following in a similar style.

Roger C. Anderson
Environmental Bureau Chief

RCA/wco

attachment

cc with attachment: Chris Williams, OCD Hobbs District Office
Anthony C. Walker, Phillips Pipe Line Company



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

August 28, 2001

CERTIFIED MAIL
RETURN RECEIPT NO:

DRAFT

Mr. Anthony C. Walker
Phillips Pipe Line Company
3B11 Adams Bldg.
Bartlesville, Oklahoma 74004

**RE: STAGE 2 GROUND WATER ABATEMENT PLAN (AP-10)
LINE NM-1-1 SITE**

Dear Mr. Walker:

The New Mexico Oil Conservation Division (OCD) has completed a review of the following Phillips Pipe Line Company (PPL) documents regarding PPL's Stage 2 Abatement Plan Proposal for remediation of soil and ground water contamination related to a crude oil pipeline spill at PPL's Line NM-1-1 leak site in Unit N, Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico:

- April 6, 2001 "STAGE 2 ABATEMENT PLAN AP-10, RESPONSE TO REQUEST FOR INFORMATION, LINE NM-1-1 SITE".
- November 13, 2000 "PUBLIC NOTIFICATION CERTIFICATION, STAGE 2 ABATEMENT PLAN AP-10, LINE NM-1-1 SITE, PHILLIPS PIPE LINE COMPANY"
- April 14, 2000 "STAGE 2 ABATEMENT PLAN, LINE NM-1-1 SITE, PHILLIPS PIPE LINE COMPANY".

The Stage 2 Abatement Plan for the Line NM-1-1 site, as contained in the above-referenced documents, is approved with the following conditions:

1. PPL shall submit a discharge plan for the injection wells to the OCD for approval prior to operation of the injection system. A discharge plan application can be found on the OCD web site at www.emnrd.state.nm.us/ocd/.

DRAFT

2. All below-grade lines used to convey contaminated fluids shall be pressure tested to a minimum of 3 psi above operating pressure prior to operation.
3. All above ground tanks used to store any fluids other than fresh water shall be bermed to contain one and one-third times the volume of the largest tank or all interconnected tanks.
4. All wastes generated shall be disposed of at an OCD approved facility.
5. PPL shall submit the results of all remediation and monitoring activities in an annual report. The report shall be submitted to the OCD Santa Fe Office by January 31 of each year with a copy provided to the OCD Hobbs District Office. The report shall contain:
 - a. A description of all soil and ground water remediation and monitoring activities which have occurred during the previous calendar year including conclusions and recommendations.
 - b. Quarterly water table potentiometric maps showing the location of pipelines, excavations, spills, monitor wells, recovery wells, vapor extraction wells, air sparge wells and any other pertinent site features as well as the direction and magnitude of the hydraulic gradient.
 - c. Quarterly isopleth maps for contaminants of concern.
 - d. Summary tables of all past and present soil and ground water quality sampling results including copies of all recent laboratory analytical data sheets and associated QA/QC data.
 - e. Summary tables of the quarterly amount of product recovered from each recovery well and the total volume recovered to date.
 - f. Summary tables of the mass of hydrocarbon contaminants recovered from each soil vapor extraction well on a quarterly basis and the total mass recovered to date.
 - g. The disposition of all wastes generated.
6. PPL shall notify the OCD at least 48 hours in advance of all scheduled activities such that the OCD has the opportunity to witness the events and split samples.

Please be advised that OCD approval does not relieve PPL of responsibility if the abatement plan fails to adequately remediate or monitor contamination related to PPL's activities. In addition, OCD approval does not relieve PPL of responsibility for compliance with any other federal, state or local laws and regulations.

If you have any questions, please contact Bill Olson at (505) 476-3491.

Sincerely,

Roger C. Anderson
Environmental Bureau Chief

RCA/wco

cc: Chris Williams, OCD Hobbs District Supervisor
James P. Lyle

DRAFT

August 9, 2001

Mr. James P. Lyle
Law Offices of James P. Lyle, P.C.
1904 Rio Grande Blvd. NW
Albuquerque, NM 87104

**Re: Phillips Pipeline Company
Stage II Abatement Plan for Groundwater AP10 and AP15
Line NM 1-1 Site and East Hobbs Junction Site**

Dear Mr. Lyle:

We are in receipt of your letter of July 19, 2001 directed to Roger Anderson.

Please be advised that hearings will be set with reference to approval of both of the captioned abatement plans. At that time you will have the opportunity to address and present evidence regarding your client's concern in the matter.

Very truly yours,

David K. Brooks
Assistant General Counsel



Law Offices of *James P. Lyle, P.C.* OIL CONSERVATION DIV.

01 JUL 27 PM 1:12

July 19, 2001

Mr. Roger Anderson
c/o New Mexico Oil Conservation Division
2040 South Pacheco
Santa Fe, NM 87505

RE: Stage II Abatement Plan For Groundwater Abatement Plan AP10 & AP15
Line NM-1-1 Site and East Hobbs Junction Site
Phillips Pipe Line Company
Hobbs, New Mexico

Dear Mr. Anderson:

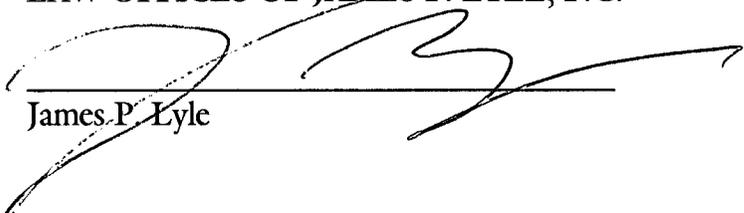
This is in response to your July 9, 2001 letter to Mr. McNeill. Please accept this as a formal request for hearing regarding the OCD's announced intention to approve the Stage II Abatement Plan.

Your letter to Mr. McNeill asks that our specific objections and concerns be presented with this request. These have already been submitted to the OCD on September 12, 2000. To date we have received no response whatsoever to any of these objections. At the hearing, we will present technical testimony regarding the objections previously submitted. We will also present testimony regarding the economic impact that the McNeill Ranch will sustain if the source of this contamination is allowed to remain in place while Phillips attempts bio-vent remediation.

If any portion of this request is incomplete or insufficient, please let me know immediately so that I can correct it.

Very truly yours,

LAW OFFICES OF JAMES P. LYLE, P.C.


James P. Lyle

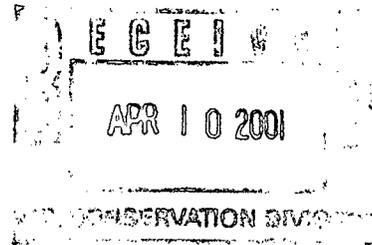
JPL/jms

cc: William F. McNeill



April 6, 2001

**Stage 2 Abatement Plan AP-10
Response to Request for Information
Line NM-1-1 Site**



Mr. Roger Anderson
New Mexico Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505

Dear Mr. Anderson:

The attached letter addresses the comments and requests for information provided by the Oil Conservation Division to Phillips Pipe Line Company (PPL) for the Stage 2 Abatement Plan AP-10 for the Line NM-1-1 leak site.

The attached letter is a facsimile copy. The original of the attached letter, which contains larger drawings for improved clarity, will be provided to the Santa Fe Office shortly.

If you have any questions or concerns regarding the attached information, please contact me at 918-661-3557.

Anthony "Tony" C. Walker
Environmental Representative
3B10 Adams Bldg.
Bartlesville, OK 74004

ACW: CvrLtrResp.doc

cc: Mr. Bill Olson
New Mexico Oil Conservation Division
1220 S. St. Francis Drive
Santa Fe, NM 87505

Mr. Chris Williams
NMOCD - Hobbs District
1625 N. French Drive
Hobbs, NM 88240

Ms. Jennifer Fowler
USFWS
500 Gold Avenue SW
Room 3118
Albuquerque, NM 87103

Mr. James P. Lyle, Esq.
Law Office of James P. Lyle, PC
1904 Rio Grande Blvd. NW
Albuquerque, NM 87104



Higgins and Associates, LLC

April 6, 2001

Mr. Tony Walker
Phillips Pipe Line Company
3B10 Adams Building
Bartlesville, OK 74004

RE: OCD Comments to Stage 2 Groundwater Abatement Plan (AP-10)
Phillips Pipe Line Company Line NM1-1 Site
Hobbs, New Mexico

Dear Mr. Walker:

Higgins and Associates, L.L.C. (Higgins and Associates) has prepared the following response addressing questions and providing clarification to the comments presented in the OCD letter dated March 8, 2001. Each comment will be addressed in the order of the OCD letter.

- Comment 1: Higgins and Associates is in agreement that the eastern and southeastern cross gradient extent of the dissolved phase plume is no longer defined. The downgradient extent of the plume is defined by MW-13. Higgins and Associates is proposing the installation of three monitoring wells to complete the definition of the plume. One well will be located approximately 230 feet east/southeast of MW-3. The second well will be located approximately 300 feet southeast of MW-10, and the third well will be located approximately 300 feet southwest of MW-13. A site map is attached which illustrates the proposed well locations. The drilling and sampling methodologies will be as per previous assessment events. The wells will be constructed utilizing two inch diameter PVC screen and casing. These wells will be included in the quarterly sampling events.
- Comment 2: The statement concerning groundwater being encountered at 40 feet in MW-1 was based on information reported by Groundwater Technology, Inc. during the installation of MW-1. The liquid phase hydrocarbons in this well may have made identification of the water table interface difficult. The depth to groundwater reported later in the Stage 2 Abatement Plan was based on actual site conditions from the monitoring wells installed subsequent to MW-1 which were located both within and outside of the LPH plume. The depth to groundwater at the site ranges from 27 to 33 feet.
- Comment 3: Because the monitoring wells at the site are completed approximately three feet above ground flooding of the area should not compromise the wells. The equipment building is proposed to be of metal construction and will be anchored to a concrete foundation or to the ground surface, based on the recommendations of the manufacturer. The above ground storage tanks associated with the remedial system will be protected by berms

installed around the tanks.

- Comment 4: Attached is Figure C-2 which illustrates the construction details for the groundwater extraction, soil vapor extraction and nutrient injection wells.
- Comment 5: The biovent system has been designed to enhance oxygen concentrations in the vadose zone while limiting volatilization of petroleum hydrocarbons. The emissions from the system will be monitored to insure compliance with all emission standards enforced by the New Mexico Air Quality Bureau.
- Comment 6: Groundwater samples collected from the nutrient injection wells may not be representative of the surrounding aquifer during the nutrient inject program. However, these wells would be representative of the aquifer following completion of the injection of nutrients during a closure monitoring period. During operation of the system groundwater samples will be collected from the biovent wells located within and along the fringes of the plume which are absent of LPH. The three wells proposed in comment 3 will also be incorporated into the monitoring program. These wells combined with the closure monitoring sampling will provide data documenting the completeness of the remedial activities and that rebound of dissolved phase hydrocarbons is not occurring.
- Comment 7: The tanks associated with the Stage 2 Abatement Plan will be installed on an impermeable surface and berms sized as requested will be installed. The tank at NM1-1 is currently bermed. The size of the berm surround the tank will be evaluated and will be enlarged if necessary. An impermeable liner will be installed beneath the tank.
- Comment 8: A discharge plan has been prepared for the site. However, the permit application requires signature of the landowner which has not been secured. The permit application will be forwarded to the OCD once the appropriate signatures are obtained.
- Comment 9: PPL will include the requested analysis during the annual groundwater sampling event.
- Comment 10: The addition of the sulfate or nitrate based fertilizer to the excavation would be conducted prior to backfilling the excavation. A proposal for application of the nutrients and backfilling the excavation will be submitted to OCD for approval.
- Comment 11: The vadose zone shall be abated so that water contaminants in the vadose zone will not with reasonable probability contaminate groundwater or surface water in excess of the standards of 19.B.2 or 3 through leaching, percolation, or other transport mechanisms. The remedial goals for the soil are as per the OCD Guidance Document. If asymptotic levels are reached prior to reducing petroleum hydrocarbons in the soil to these levels and the levels which remain may, with reasonable probability, contaminate groundwater or surface water in excess of above said standards, then a Technical Infeasibility study



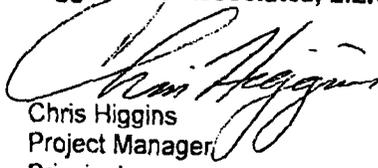
will be performed as per 19.B.5.

Comment 12: If reductions of hydrocarbons in the groundwater reach asymptotic levels as per the criteria outlined in 19.B.5 then a technical infeasibility proposal will be submitted for consideration by the Director.

Comment 13: All quarterly monitoring and site monitoring data will be supplied to the OCD in an annual report. This report will be submitted to the OCD at the end of January of the following year.

The above should address the OCD's comments and questions towards the Stage 2 Abatement Plan. Please contact me at 303-708-9846 if you have any questions or require additional information.

Sincerely,
Higgins and Associates, L.L.C.


Chris Higgins
Project Manager
Principal





NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

Lori Wrotenberg
Director
Oil Conservation Division

March 8, 2001

CERTIFIED MAIL
RETURN RECEIPT NO: 5051-4164

Mr. Anthony C. Walker
Phillips Pipe Line Company
3B11 Adams Bldg.
Bartlesville, Oklahoma 74004

**RE: STAGE 2 GROUND WATER ABATEMENT PLAN (AP-10)
LINE NM-1-1 SITE**

Dear Mr. Walker:

The New Mexico Oil Conservation Division (OCD) has reviewed the following documents related to Phillips Pipe Line Company's (PPL) Stage 2 Abatement Plan Proposal for remediation of soil and ground water contamination related to a crude oil pipeline spill at PPL's Line NM-1-1 leak site in Unit N, Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico:

- PPL's November 13, 2000 "PUBLIC NOTIFICATION CERTIFICATION, STAGE 2 ABATEMENT PLAN AP-10, LINE NM-1-1 SITE, PHILLIPS PIPE LINE COMPANY"
- The McNeill Ranch's September 12, 2000 correspondence objecting to the Stage 2 Abatement Plan titled "STAGE II ABATEMENT PLAN FOR GROUNDWATER ABATEMENT PLAN AP10, LINE NM-1-1 SITE, PHILLIPS PIPE LINE COMPANY, HOBBS, NEW MEXICO".
- PPL's April 14, 2000 "STAGE 2 ABATEMENT PLAN, LINE NM-1-1 SITE, PHILLIPS PIPE LINE COMPANY".

The OCD has the following comments and requests for information regarding the above-referenced documents:

1. The eastern and southern extent of dissolved phase hydrocarbon contamination has not been completely defined. Please submit a plan to complete the definition of the dissolved phase portion of the plume which is in excess of the New Mexico Water Quality Control Commission (WQCC) standards. ✓

2. There is a discrepancy in the information provided on the depth to ground water at the site. Page 1 of the Stage 2 Abatement Plan states that ground water was encountered at 40 feet below the surface. However, page 6 states that ground water is found at 27 feet below the surface. Please clarify these statements. ✓
3. The intervenors in their September 12, 2000 correspondence have expressed concern over the presence of a City of Hobbs storm drain located approximately ½ mile from the site and have stated that the site is within a storm water flood plain. Please address this issue. ✓
4. The plan does not provide proposed construction specifications for the vapor extraction wells and the ground water recovery wells. Please provide this information. ✓
5. The plan does not address protection of public health from hydrocarbon vapors vented during the operation of the vapor extraction system. Please address this issue. ✓
6. The OCD is concerned that using the existing monitor wells for nitrous oxide nutrient injection has the potential to affect future ground water samples obtained from these wells. Please address this issue. ✓
7. The OCD requires that any tanks at the site used to store fluids other than fresh water be placed on an impermeable surface and bermed to contain one and one-third times the volume of the largest tank or all interconnected tanks, whichever is larger. Please provide a commitment to install tanks in this manner. ✓
8. Prior to construction of the injection wells and operation of the treatment and injection system, PPL is required to submit a discharge plan to the OCD for approval. Pursuant to Subpart 3 of the New Mexico Water Quality Control Commission (WQCC) regulations (20 NMAC 6.2), please submit a discharge plan application for the injection system which includes specific information on the proposed construction and operation of the treatment and injection system. A discharge plan application can be found on the OCD web site at www.emnrd.state.nm.us/oed/.
9. In addition to the ground water sampling analytes proposed, the OCD requires that ground water be sampled and analyzed on an annual basis for polynuclear aromatic hydrocarbons (PAH) and WQCC metals. Please provide a commitment to conduct these sampling activities. ✓
10. The plan states that addition of a sulfate or nitrate based fertilizer to the "pothole" excavation is an additional abatement option under consideration. The OCD defers comment on this abatement option until such time as PPL submits it to the OCD for approval. ✓
11. The plan does not include proposed soil remediation levels for BTEX and TPH. Please clarify whether PPL is proposing to use the OCD's soil guidance criteria as remediation targets for the soils or some other risk based cleanup levels. ✓

12. The closure plan appears to envision that PPL will submit the site for closure if the recovery of contaminants in the remediation system reaches asymptotic limits such that further remediation is technically infeasible. The OCD defers comment on the issue of technical infeasibility and will only consider issues of technical infeasibility at the time that the conditions of Rule 19.B.(5) are met.
13. The OCD requires that all quarterly and other site monitoring be submitted to the OCD in an annual report that contains all monitoring data conducted during each calendar year. Please provide a date on which PPL shall submit such annual reports.

The OCD requires that PPL provide the above information to the OCD Santa Fe Office by April 8, 2001 with a copy provided to the OCD Hobbs District Office. Submission of this information will allow the OCD to continue a review of PPL's Stage 2 Abatement Plan Proposal. If you have any questions, please contact Bill Olson at (505) 827-7154.

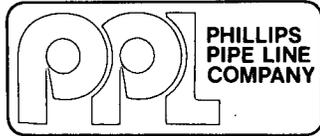
Sincerely,



Roger C. Anderson
Environmental Bureau Chief

RCA/wco

xc: Chris Williams, OCD Hobbs District Supervisor
Jennifer Fowler-Propst, USFWS
James P. Lyle, Branch Law Firm



November 13, 2000

**Public Notification Certification
Stage 2 Abatement Plan AP-10
Line NM-1-1 Site
Phillips Pipe Line Company**

RECEIVED

NOV 14 2000

ENVIRONMENTAL BUREAU
OIL CONSERVATION DIVISION

Mr. Bill Olson
New Mexico Oil Conservation Division
2040 S. Pacheco St.
Santa Fe, NM 87505

Dear Mr. Olson:

Phillips Pipe Line Company has enclosed copies of the following documents relating to the Public Notification for a Stage 2 Abatement Plan for a crude oil release that occurred near Hobbs, New Mexico in Lea County on October 27, 1998:

- An "Affidavit of Publication" from the *Lovington Daily Leader*,
- An "Affidavit of Publication" from the *Hobbs News-Sun*,
- An "Affidavit of Publication" from the *Albuquerque Journal*,
- An affidavit for the mailing of the Public Notice to the persons provided by the NMOCD,
- Two envelopes marked "Return To Sender" from the list provided by the NMOCD,
- An affidavit for the mailing of the Public Notice via Certified Mail as required in the NMOCD regulations,
- Seven of the nine "Domestic Return Receipts" from the Public Notices sent to Landowners,
- One envelope marked "undeliverable" with the "Domestic Return Receipt" still attached, and
- A USPS stamped listing of the intended recipients of the "Certified" mail that was sent by PPL.

Please note that nine (9) Public Notices were sent via Certified Mail on August 14, 2000. Seven (7) of the nine (9) had been received and returned at the date of this letter. One (1) had been marked as "undeliverable" and returned. A return receipt for one (1) of the letters (addressed to William Turner, Natural Resources Trustee) had not been received. A list indicating that the letter was in the batch of letters to be sent is attached for proof of mailing, along with the affidavit for the Certified Mail.

I have attached the requests that were faxed to the three listed publishers after I had spoken with each of them. Since PPL had not received an "Affidavit of Publication" from the *Lovington Daily Leader* by August 31, 2000, PPL again contacted them. PPL again faxed the request for publication. A copy of this second request is attached. Please note that the *Lovington Daily Leader* published the notification on September 1, 2000.

If you need more information regarding the attached documentation of the proposed Plan, please contact me at 918-661-3557.

Sincerely,


Anthony "Tony" C. Walker
Phillips Pipe Line Company
Staff Environmental Representative
3 B10 Adams Building

ACW: CvrLtrS2AbPlanComPerEnd.doc

cc: Mr. Chris Williams
New Mexico Oil Conservation Division
District 1
1625 N. French Drive
Hobbs, NM 88240

Mr. Chris Higgins (cover letter only)
Higgins and Associates, L.L.C.
8200 South Akron St.
Suite 120
Englewood, CO 80112

bcc:A. C. Walker w/attachments
r. File S11-001 (111.21)

Affidavit of Publication

STATE OF NEW MEXICO)
) ss.
COUNTY OF LEA)

Joyce Clemens being first duly sworn on oath deposes and says that she is Advertising Director of **THE LOVINGTON DAILY LEADER**, a daily newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled

Notice Of Publication

was published in a regular and entire issue of **THE LOVINGTON DAILY LEADER** and not in any supplement thereof, for one (1) day, beginning with the issue of September 1, 2000 and ending with the issue of September 1, 2000.

And that the cost of publishing said notice is the sum of \$ 47.63 which sum has been (Paid) as Court Costs.

Joyce Clemens

Subscribed and sworn to before me this 1st day of

Sept 2000
Debbie Schilling

Debbie Schilling
Notary Public, Lea County, New Mexico
My Commission Expires June 22, 2002

LEGAL NOTICE
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 2 Abatement Plan Proposal has been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco Santa Fe, New Mexico 87505, Telephone (505) 827-7131.

Phillips Pipe Line Company, Anthony G. Walker, Project Manager, Telephone (918) 661-3557, 3B11 Adams Bldg. Bartlesville, Oklahoma 79702, has submitted a Stage 2 Abatement Plan Proposal for the Line NM-1-1 site, located south of Hobbs, New Mexico in Unit N of Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico. Phillips Pipe Line Company operates a crude oil pipeline at the site. Phase-separated hydrocarbon has been observed on the ground water. The Stage 2 Abatement Plan Proposal presents Phillips Pipe Line Company's proposed methods for remediation of the site including remediation of contaminated soils; remediation of contaminated ground water; site maintenance activities; a monitoring and sampling plan for soils and ground water; preparation of regular remediation reports; and a schedule for implementation of all remediation and monitoring activities.

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 include reasons why a hearing should be held. The

Stage 2 Abatement Plan Proposal may be viewed at the above address or at the Oil Conservation Division Hobbs 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 2 Abatement Plan Proposal, 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. Published in the Lovington Daily Leader September 1, 2000.

AFFIDAVIT OF PUBLICATION

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.

of 1 weeks.

Beginning with the issue dated

August 18 2000

and ending with the issue dated

August 18 2000

Kathi Bearden

Publisher

Sworn and subscribed to before

me this 18th day of

August 2000

Jodi Henson

Notary Public.

My Commission expires

October 18, 2000

(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

August 18, 2000

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 2 Abatement Plan Proposal has been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505. Telephone (505) 827-7131.

Phillips Pipe Line Company, Anthony C. Walker, Project Manager, Telephone (918)661-3557, 3B11 Adams Bldg.,

Bartlesville, Oklahoma 79702, has submitted a Stage 2,

Abatement Plan Proposal for the Line NM-1-1 site, located south of Hobbs, New Mexico in Unit N of Section 9, Town-

ship 19 South, Range 38 East, NMPM, Lea County, New Mexico. Phillips Pipe Line Company operates a crude oil

pipeline at the site. Phase-separated hydrocarbon has been observed on the ground water. The Stage 2,

Abatement Plan Proposal presents Phillips Pipe Line

Company's proposed methods for remediation of the site including remediation of contaminated soils; remediation of

contaminated ground water; site maintenance activities; a monitoring and sampling plan for soils and ground water;

preparation of regular remediation reports; and a schedule for implementation of all remediation and monitoring

activities.

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 include reasons why a hearing should be held. The Stage 2 Abatement

Plan Proposal may be viewed at the above address or at the Oil Conservation Division Hobbs 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 2 Abatement Plan Proposal, 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.

#17570

02104105000

01542816

Phillips Pipeline
3B10 Adams Building
Bartlesville, OK 74004

NOTICE OF PUBLICATION

STATE OF NEW MEXICO
ENERGY, MINERALS AND
NATURAL RESOURCES
DEPARTMENT OF
CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Oil Conservation Division Regulations, the following Stage 2 Abatement Plan Proposal has been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone: (505) 827-7131:

Phillips Pipe Line Company, Anthony C. Walker, Project Manager, Telephone (918) 661-3557, 3811 Adama Bldg., Bartlesville, Oklahoma 79702, has submitted a Stage 2 Abatement Plan Proposal for the Line NM-1-1 site, located south of Hobbs, New Mexico in Unit N of Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico. Phillips Pipe Line Company operates a crude oil pipeline at the site. Phase-separated hydrocarbon has been observed on the ground water. The Stage 2 Abatement Plan Proposal presents Phillips Pipe Line Company's proposed methods for remediation of the site including remediation of contaminated soils; remediation of contaminated ground water; site maintenance activities; a monitoring and sampling plan for soils and ground water; preparation of regular remediation reports; and, a schedule for implementation of all remediation and monitoring activities.

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 include reasons why a hearing should be held. The Stage 2 Abatement Plan Proposal may be viewed at the above address or at the Oil Conservation Division Hobbs 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 2 Abatement Plan Proposal, 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.
Journal: August 18, 2000

STATE OF NEW MEXICO
County of Bernalillo SS

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 18 day of Aug, 2000, and the subsequent consecutive publications on _____, 2000.

[Signature]
Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 18 day of Aug of 2000.

PRICE 37.59

Statement to come at end of month.

ACCOUNT NUMBER 588057

OFFICIAL SEAL
Corrina Duncan
NOTARY PUBLIC
STATE OF NEW MEXICO
Expires: 10/8/03

[Signature]

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

AFFIDAVIT OF ANTHONY C. WALKER

STATE OF OKLAHOMA)
)SS
COUNTY OF WASHINGTON)

ANTHONY C. WALKER, of lawful age, being first duly sworn, deposes and states:

I, Anthony C. Walker, a representative of Phillips Pipe Line Company, do hereby certify that on the 14th day of August, 2000, I mailed, via U. S. Postal Service, a true and correct copy of the attached Notice of Publication, State of New Mexico, Energy, Mineral and Natural Resources Department Oil Conservation Division, to the persons as set out below, whose addresses are contained on the attachments.

State Land Office - Hobbs District
Chris Shuey - Southwest Research & Information Center
Director - State Parks & Recreation
Marcia Simmons - KOAT-RV
Dr. Jay Sorenson
Bob Steele - Land & Mineral Resources
Westinghouse Electric Corp.
George Vlahos - Sierra Club
Lee Wilson & Associates
Secretary - New Mexico Environment Department
Thomas Kellahin - Kellahin & Kellahin
Director - Department of Game & Fish
Jackie Jennings - Core Laboratories, Inc.
Olson Plunk - Southwestern Public Service
Soil and Water Conservation Bureau
Environmental Affairs - Public Service Company of New Mexico
Governor - Pueblo of Laguna
State Engineer - Water Resources Division
State Director - Bureau of Land Management
NM Citizens - Clean Air & Water - John Bartlit
William F. Carr - Campbell & Black
NM Municipal League
Jay Lazarus
Director - Water Resources Dept.
NM Water Well Association
Field Supervisor - US Fish & Wildlife Service
Patricia A. D'Andrea

Bruce S. Garber
Mike Matush - State Land Office Building
Science Applications, Inc.
Dr. Harry Bishara
Director - Albuquerque Environmental Health Department
John Draper - Montgomery & Andrews
Perry Pearce - Burlington Resources
Lynn Brandvold - NM Bureau of Mines & Mineral Resources
Kay Grotbeck
Jeanne Haffen - El Paso Natural Gas
Richard P. Chagnon
Regional Forester - USFS Regional Office
Director - Colorado River Comm of Nevada
Gerald R. Zimmerman - Colorado River Board of Calif.
Director - Division of Water Quality
Jack A. Barnett - Colorado River Basin Ctrl. Forum
Chief - Groundwater Bureau
Chief - Hazardous Waste Bureau
Thomas W. Merlan, Director
Chester Rail
Ken Marsh - Controlled Recovery Inc.
Colin Adams - Public Service Company of New Mexico
Devon E. Jercinovic - International Technology Corp.
NM Oil & Gas Association
Len Oyenque - The Tewa Company
William Turner - New Mexico Trustee for Natural Resources

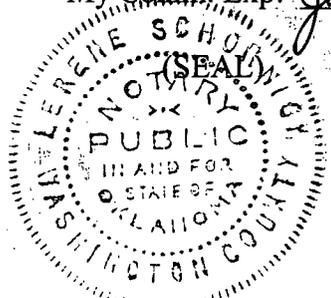
Further Affiant sayeth not.

Anthony C. Walker
Anthony C. Walker
3B10 Adams Bldg.
Bartlesville, OK 74004

Subscribed and sworn to before me on this 14th day of August, 2000.

Serene Schornick
Notary Public

My Comm. Exp: January 3, 2001



State Land Office
Hobbs District
3830 North Grimes
Suite C
Hobbs, NM 88240

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

Director
State Parks & Recreation
Villagra Building
Santa Fe, N.M. 87503

Marcia Simmons
KOAT-RV
3801 Carlisle NE
Albuquerque, N.M. 87108

Dr. Jay Sorenson
2800 Charleston NE
Albuquerque, N.M. 87110

Bob Steele
Land & Mineral Resources
P. O. Box 194
Laguna, N.M. 87026

Westinghouse Electric Corp.
Manager - Uranium Resources Div.
P. O. Box 355
Pittsburg, P.A. 15230

George Vlahos
Sierra Club
212 Tulane SE
Albuquerque, N.M. 87106

Lee Wilson & Associates
P. O. Box 931
Santa Fe, N.M. 87501

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

Thomas Kellahin
Kellahin & Kellahin
P. O. Box 2265
Santa Fe, NM 87501

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

Jackie Jennings
Core Laboratories, Inc.
10703 E. Bethany Drive
Aurora, CO 80014

Olson Plunk
Southwestern Public Service
P. O. Box 1261
Amarillo, TX 79170

Soil and Water Conservation Bureau
New Mexico Department of
Agriculture
Agriculture Programs and Resources
Division
Box 30005/APR
Las Cruces, New Mexico 88003-8005

Environmental Affairs
Public Service Company
of New Mexico
P. O. Box 2267
Albuquerque, NM 87103

Governor
Pueblo of Laguna
P. O. Box 194
Laguna, NM 87026

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

State Director
Bureau of Land Management
P. O. Box 27115
Santa Fe, NM 87502-0115

NM Citizens
Clean Air & Water
John Bartlit, Chairman
113 Monte Ray Dr., North
Los Alamos, NM 87544

William F. Carr
Campbell & Black
P. O. Box 2208
Santa Fe, NM 87501

NM Municipal League
P. O. Box 846
1229 Paseo De Peralta
Santa Fe, NM 87501

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

Director
Water Resources Dept.
p. O. Box 1293
Albuquerque, NM 87103

NM Water Well Association
1205 California NE
Albuquerque, NM 87110

Field Supervisor
US Fish & Wildlife Service
2105 Osuna Road, Northeast
Albuquerque, NM 87113-1001

Patricia A. D'Andrea
P. O. Box 6387
Santa Fe, NM 87502

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

Mike Matush
State Land Office Building
Santa Fe, NM 87503

Science Applications, Inc.
P. O. Box 3344
Boulder, CO 80303

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

Director
Albuquerque Environmental
Health Department
P. O. Box 1293
Albuquerque, NM 87103

John Draper
Montgomery & Andrews
P. O. Box 2307
Santa Fe, NM 87504

Perry Pearce
Burlington Resources
300 Galisteo, Suite 101
Santa Fe, NM 87501

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

Kay Grotbeck
RR 3, Box 109 JK
Santa Fe, NM 87505-9532

Jeanne Haffen
El Paso Natural Gas
P. O. Box 1492
El Paso, TX 79978

Richard P. Chagnon
Hydrologist
2825 E. Malvern Drive
Tucson, AZ 85716

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

Director
Colorado River Comm
of Nevada
555 East Washington Avenue,
Suite 3100
Las Vegas, NV 89158

Gerald R. Zimmerman
Colorado River Board of Calif.
770 Fairmont Ave., Ste. 100
Glendale, CA 91203-1035

Director
Division of Water Quality
288 North 1460 West
Salt Lake City, UT 84114

Jack A. Barnett
Colorado River Basin Ctrl. Forum
106 West 500 South,
Suite 101
Bountiful, UT 84010

Chief
Groundwater Bureau
Runnels Building
Santa Fe, NM 87504

Chief
Hazardous Waste Bureau
Runnels Building
Santa Fe, NM 87504

Thomas W. Merlan, Director
228 East Palace Avenue
Villa Rivera Room 101
Santa Fe, NM 87503

Chester Rail
10613 Calle De Elena NW
Albuquerque, NM 87048

Ken Marsh
Controlled Recovery Inc.
P. O. Box 369
Hobbs, NM 88241

Colin Adams
Environmental Counsel
Public Service Company of NM
414 Silver, Southwest
Albuquerque, NM 87158

Devon E. Jercinovic
International Technology Corp.
5301 Central Avenue, N.E.
Suite 700
Albuquerque, NM 87108

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

Len Oyenque
The Tewa Company
P.O. Box 1261
San Juan Pueblo, NM 87566

William Turner
New Mexico Trustee for Nat. Res.
c/o American Ground Water
Consultants
610 Gold St. SW, Suite 111
Albuquerque, NM 87102



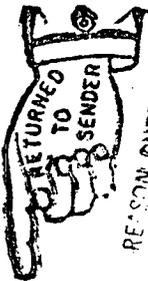
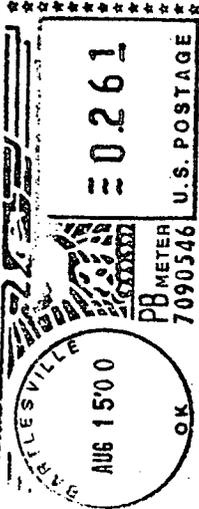
BARTLESVILLE, OKLAHOMA 74004

GROUP SHIPMENT
AUTHORIZATION 5
MAILED AT TULSA OK
PRESORTED FIRST-CLASS
PRESORTED
FIRST CLASS

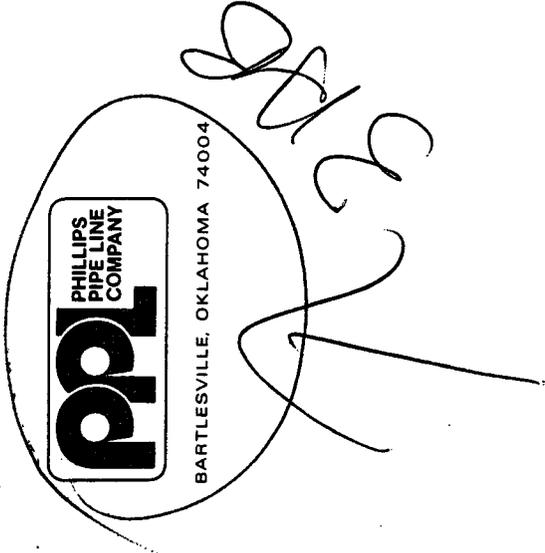
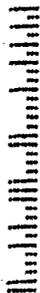
*Lorene Schornick 3704
3 B 12 AB*

Kay Grotbeck
RR 3, Box 109 JK
Santa Fe, NM 87505-9532

01522E0288



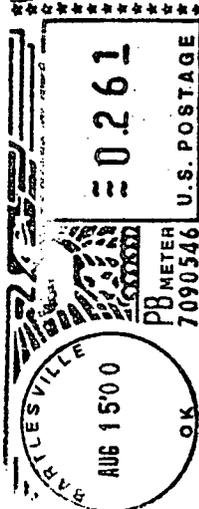
REASON CHECKED
Attempted not known
No such number
No mail receptacle
Incorrect address
Money left on address
Fwd. order expired
Return



BARTLESVILLE, OKLAHOMA 74004

GROUP SHIPMENT
AUTHORIZATION 5
MAILED AT TULSA OK
PRESORTED FIRST-CLASS
PRESORTED
FIRST CLASS

*Ken Marsh
Controlled Recovery Inc.
P. O. Box 369
Hobbs, NM 88241*



CONTROLLED RECOVERY INC
P.O. BOX 369
HOBBS NM 88241-0369
FORWARD TIME EXP RTN TO SEND
04 08/16/00

RETURN TO SENDER

AUN3 88241

01522E0288

SENDER: COMPLETE THIS SECTION

- 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:

Will N. Terry
Trust et. al.
P. O. Box 686
Hobbs, NM 88241

2. Article Number (Copy from service label)

911901

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

W.F.McN... *8/20*

C. Signature Agent AddresseeD. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes**SENDER: COMPLETE THIS SECTION**

- 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:

Dee A. Cochran
P. O. Box 145
Hobbs, NM 88241

2. Article Number (Copy from service label)

411907

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

D.A. Cochran *8-19-00*

C. Signature Agent AddresseeD. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes**SENDER: COMPLETE THIS SECTION**

- 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:

Mr. Ray Powell, Jr.
State Land Commissioner
New Mexico State Land Office
310 Old Santa Fe Trail
Santa Fe, NM 87501

2. Article Number (Copy from service label)

611901

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature Agent AddresseeD. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

AFFIDAVIT OF ANTHONY C. WALKER

STATE OF OKLAHOMA)
)SS
COUNTY OF WASHINGTON)

ANTHONY C. WALKER, of lawful age, being first duly sworn, deposes and states:

I, Anthony C. Walker, a representative of Phillips Pipe Line Company, do hereby certify that on the 14th day of August, 2000, I mailed, via U. S. Postal Service – Certified Mail – Return Receipt Requested, a true and correct copy of the attached Notice of Publication, State of New Mexico, Energy, Mineral and Natural Resources Department Oil Conservation Division, to the persons as set out below.

Will N. Terry
Trust et. al.
P. O. Box 686
Hobbs, NM 88241

TEXACO, INC.
ATTN: Marte D. Lightstone
500 Marquette Ave., NW
Suite 1100
Albuquerque, NM 87102

William Turner
Natural Resources Trustee
c/o American Ground Water
Consultants
610 Gold St. SW - Suite 111
Albuquerque, NM 87102

Dee A. Cochran
P. O. Box 145
Hobbs, NM 88241

Lea County Commissioner
Dennis Holmberg
100 N. Main
Suite 4
Lovington, NM 88260

Charles De Saillan
Office of the Attorney General
Environmental Enforcement Division
P. O. Drawer 1508
Santa Fe, NM 87504

Amoco Production
200 North Loraine, Suite 1205
Midland, TX 79701

Mr. Ray Powell, Jr.
State Land Commissioner
New Mexico State Land Office
310 Old Santa Fe Trail
Santa Fe, NM 87501

Hobbs City Manager
Bo Thomas
300 N. Turner
Hobbs, NM 88240

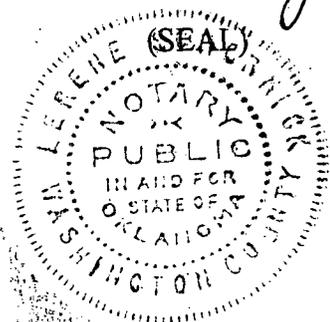
Further Affiant sayeth not.

Anthony C. Walker
Anthony C. Walker
3B10 Adams Bldg.
Bartlesville, OK 74004

Subscribed and sworn to before me on this 14th day of August, 2000.

Serene Schornick
Notary Public

My Comm. Exp: *January 7, 2001*



SENDER: COMPLETE THIS SECTION

- 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:

TEXACO, INC.
 ATTN: Marte D. Lightstone
 500 Marquette Ave., NW
 Suite 1100
 Albuquerque, NM 87102

2. Article Number (Copy from service label)

021901

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *Angela* B. Date of Delivery *8-17-00*

C. Signature *Angela* Agent Addressee

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- 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:

Lea County Commissioner
 Dennis Holmberg
 100 N. Main
 Suite 4
 Lovington, NM 88260

2. Article Number (Copy from service label)

121901

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *Lea County* B. Date of Delivery *8-17-00*

C. Signature *Dennis Holmberg* Agent Addressee

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- 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:

Hobbs City Manager
 Bo Thomas
 300 N. Turner
 Hobbs, NM 88240

2. Article Number (Copy from service label)

106122

PS Form 3811, July 1999

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *Sherry Rasco* B. Date of Delivery *17 Aug 2000*

C. Signature *Sherry Rasco* Agent Addressee

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

PS Form 3811, July 1999

Domestic Return Receipt 102595-00-M-0952

SENDER: COMPLETE THIS SECTION

- 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:

Charles De Saillan
Office of the Attorney General
Environmental Enforcement Division
P. O. Drawer 1508
Santa Fe, NM 87504

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

Charles De Saillan

- Agent
- Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

SANTA FE
AUG 17 2000

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)

621907



BARTLESVILLE, OKLAHOMA 74004

CERTIFIED
No. 106118

RETURN RECEIPT REQUESTED

FIRST CLASS

BARTLESVILLE
OK
AUG 14 1970
PB METER
7090546
U.S. POSTAGE
\$2.98

RETURNED TO SENDER
UNDELIVERABLE AS ADDRESSED
NO FORTHCOMING ORDER ON FILE

Amoco Production
200 North Main Street, Suite 1205
Midland, TX 79701

Handwritten barcode

01522E0288

SENDER: COMPLETE THIS SECTION

- 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:

Amoco Production
200 North Lorraine, Suite 1205
Midland, TX 79701

2. Article Number (Copy from service label)

811901

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

Agent
 Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

Return Receipt

102595-00-M-0952

~~CERTIFIED~~

77

8/14/00

PHILLIPS PETROLEUM CO
BARTLESVILLE, OK
74004

#	NUMBER	ADDRESSEE NAME	CITY / STATE	POST.	FEE	RR	SENDER
1	106116	WILL N TERRY	HOBBS NM	0.55	1.40	1.25	TONY WALKER
2	106117	D A COCHRAN	HOBBS NM				
3	106118	AMOCO PRODUCTION	MIDLAND TX				
4	106119	RAY POWELL JR	SANTA FE NM				
5	106120	TEXACO INC	ALBUQUERQUE NM				
6	106121	LEA COUNTY COMMISS	LOVINGTON NM				
7	106122	HOBBS CITY MANAGER	HOBBS NM				
8	106123	WILLIAM TURNER	ALBUQUERQUE NM				
9	106124	CHARLES DE SAILLAN	SANTA FE NM				
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REC AT P.O.

POSTMASTER, PER

9

Chasey



Date: 08/14/00

FACSIMILE TRANSMISSION COVER SHEET

THIS TELECOPY IS INTENDED FOR THE SOLE USE OF THE PERSON TO WHOM IT IS SPECIFICALLY ADDRESSED AND SHOULD NOT BE READ BY, OR DELIVERED TO, ANYONE ELSE. It may contain privileged or confidential information, the disclosure of which may result in the breach of certain laws or the infringement of rights of third parties. If you have received this telecopy in error, please call immediately (collect if necessary) at the number below. We thank you for your cooperation and assistance.

To: Lovington Daily Leader – Attn: Debbie

phone: 505-396-2844

fax: 505-396-5775

From: Tony Walker

address: 3B10 Adams Building
Bartlesville, OK 74004
phone: (918)661-3557
fax: (918)662-2157

RE: Notice of Publication

COMMENTS: Please Publish on August 18, 2000. Please send the invoice and certification of printing to my attention at the address listed above. If you have any questions, please call me at 918-661-3557 and 918-232-1507.

Thanks,

Tony

Page(s) to follow: 1



Date: 08/14/00

FACSIMILE TRANSMISSION COVER SHEET

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To: Hobbs News - Sun

phone: 505-393-2123

fax: 505-393-5724

From: Tony Walker

address: 3B10 Adams Building
Bartlesville, OK 74004

phone: (918)661-3557

fax: (918)662-2157

RE: Notice of Publication

COMMENTS: Please Publish on August 18, 2000. Please send the invoice and certification of printing to my attention at the address listed above. If you have any questions, please call me at 918-661-3557 and 918-232-1507.

Thanks,

Tony

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Date: 8-14-00

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To: Albuquerque Journal

phone: 505-823-3377

fax: 505-823-3368

From: Tony Walker

address: 3B10 Adams Building
Bartlesville, OK 74004
phone: (918)661-3557
fax: (918)662-2157

RE: Notice of Publication

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Thanks,

Tony

Page(s) to follow: 1

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 2 Abatement Plan Proposal has been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

Phillips Pipe Line Company, Anthony C. Walker, Project Manager, Telephone (918) 661-3557, 3B11 Adams Bldg., Bartlesville, Oklahoma 79702, has submitted a Stage 2 Abatement Plan Proposal for the Line NM-1-1 site, located south of Hobbs, New Mexico in Unit N of Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico. Phillips Pipe Line Company operates a crude oil pipeline at the site. Phase-separated hydrocarbon has been observed on the ground water. The Stage 2 Abatement Plan Proposal presents Phillips Pipe Line Company's proposed methods for remediation of the site including remediation of contaminated soils; remediation of contaminated ground water; site maintenance activities; a monitoring and sampling plan for soils and ground water; preparation of regular remediation reports; and, a schedule for implementation of all remediation and monitoring activities

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 include reasons why a hearing should be held. The Stage 2 Abatement Plan Proposal may be viewed at the above address or at the Oil Conservation Division Hobbs 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 2 Abatement Plan Proposal, 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.



Date: 8/31/2000
08/14/2000

FACSIMILE TRANSMISSION COVER SHEET

THIS TELECOPY IS INTENDED FOR THE SOLE USE OF THE PERSON TO WHOM IT IS SPECIFICALLY ADDRESSED AND SHOULD NOT BE READ BY, OR DELIVERED TO, ANYONE ELSE. It may contain privileged or confidential information, the disclosure of which may result in the breach of certain laws or the infringement of rights of third parties. If you have received this telecopy in error, please call immediately (collect if necessary) at the number below. We thank you for your cooperation and assistance.

To: Lovington Daily Leader - Attn: Debbie
phone: 505-396-2844
fax: 505-396-5775

THIS IS A
COPY
OF WHAT WAS
SENT FOR
PUBLICATION.

From: Tony Walker
address: 3B10 Adams Building
Bartlesville, OK 74004
phone: (918)661-3557
fax: (918)662-2157

-Acw 8-31-2000

RE: Notice of Publication

COMMENTS: PLEASE PUBLISH ASAP.
Please Publish on August 18, 2000. Please send the invoice and certification of printing to my attention at the address listed above. If you have any questions, please call me at 918-661-3557 and 918-232-1507.

Thanks,

Page(s) to follow: 1

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ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
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THIS IS A
COPY
OF WHAT WAS
SENT FOR PUBLICATION.
AW 8-31-2000



NEW MEXICO ENERGY, MINERALS and
NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

November 7, 2000

CERTIFIED MAIL
RETURN RECEIPT NO: 5051-3792402

Mr. Anthony C. Walker
Phillips Pipe Line Company
3B11 Adams Bldg.
Bartlesville, Oklahoma 74004

**RE: STAGE 2 GROUND WATER ABATEMENT PLAN (AP-10)
LINE NM-1-1 SITE**

Dear Mr. Walker:

On August 3, 2000, the New Mexico Oil Conservation Division (OCD) required that Phillips Pipe Line Company (PPL) issue notice of PPL's Stage 2 Abatement Plan Proposal for remediation of soil and ground water contamination related to a crude oil pipeline spill at PPL's Line NM-1-1 leak site in Unit N, Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico. The OCD also required that PPL provide the OCD with proof of notice as soon as possible upon completing issuance of the written and public notice.

The OCD has no record of receiving proof of notice pursuant to OCD Rule 19.G. Please provide this information to the OCD Santa Fe Office by November 14, 2000 with a copy provided to the OCD Hobbs District Office.

Submission of this information will allow the OCD to continue a review of PPL's Stage 2 Abatement Plan Proposal. If you have any questions, please contact me at (505) 827-7154.

Sincerely,

William C. Olson
Hydrologist
Environmental Bureau

xc: Chris Williams, OCD Hobbs District Supervisor
Jennifer Fowler-Propst, USFWS
James P. Lyle, Branch Law Firm



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

October 27, 2000

CERTIFIED MAIL
RETURN RECEIPT NO. 5051-3679

Mr. James P. Lyle
Branch Law Firm
2025 Rio Grande Boulevard, NW
Albuquerque, New Mexico 87104

**RE: STAGE 2 ABATEMENT PLAN PROPOSAL
LINE NM-1-1 SITE
PHILLIPS PIPE LINE COMPANY
GROUND WATER ABATEMENT PLAN (AP-10)**

Dear Mr. Lyle:

The Oil Conservation Division (OCD) received the Branch Law Firm's September 12, 2000 letter titled "STAGE II ABATEMENT PLAN FOR GROUNDWATER ABATEMENT PLAN AP10, LINE NM-1-1 SITE, PHILLIPS PIPE LINE COMPANY, HOBBS, NEW MEXICO". This correspondence provides comments on and objects to Phillips Pipe Line Company's (PPLC) April 14, 2000 STAGE 2 ABATEMENT PLAN FOR GROUNDWATER ABATEMENT PLAN AP-10, LINE NM-1-1 SITE, PHILLIPS PIPE LINE COMPANY, HOBBS, NEW MEXICO.

The OCD has included your name as an intervenor in this case and you will receive copies of all OCD correspondence concerning the abatement plan. The OCD will continue to process the abatement plan and comments received until the plan is determined to be administratively approvable or denied. If the abatement plan is administratively denied, the applicant will be notified and it will be its responsibility to request a hearing appealing the denial. If the abatement plan is determined to be administratively approvable, the OCD will notify the applicant and all intervenors of the conditions under which the plan would be approved. All intervenors will be allowed fifteen (15) days from receipt of the determination to submit final comments on the conditions or request a public hearing in lieu of administrative approval. A request for a public hearing must be in writing and must include the reasons why a hearing should be held.

Mr. James P. Lyle

October 27, 2000

Page 2

The OCD appreciates your input on all environmental and public health issues relating to the abatement plan.

If you have any questions or comments, please do not hesitate to contact me at (505) 827-7152 or Bill Olson of my staff at (505) 827-7154.

Sincerely:

A handwritten signature in black ink, appearing to read "Roger C. Anderson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Roger C. Anderson, Chief
Environmental Bureau

xc: Chris Williams, OCD Hobbs District Supervisor
Anthony C. Walker, Phillips Pipe Line Company

TURNER W. BRANCH
Admitted to practice in
New Mexico, Texas
Colorado and the District
of Columbia
MARGARET MOSES BRANCH
DANIEL R. SWISS
REBECCA C. BRANCH
JUSTIN K. HALL
JAMES P. LYLE
CLYDE DEMERSSEMAN
Also admitted to practice
in Colorado
SHARI D. THIEMAN
ROBERT DON LOHBECK
Also admitted to practice
in California
L. HELEN BENNETT
CAROL S. HELMS
Admitted to practice
in Texas
C. ALAN WILLE
Also admitted to practice
in Pennsylvania

BRANCH LAW FIRM
ATTORNEYS AND COUNSELORS AT LAW

"In the Historic Rio Grande Corridor"

2025 Rio Grande Boulevard, NW
Albuquerque, New Mexico 87104

September 12, 2000

Telephone
(505) 243-3500
Fax (505)243-3534

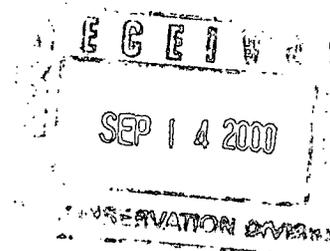
www.branchlawfirm.com
e mail:reception@branchlawfirm.com

New Mexico Toll Free
1-800-562-3456

Nationwide Toll Free
1-800-828-4LAW

ARTHUR M. SOLON
(1949-2000)

Of Counsel
HARRY STOWERS, Jr.
Former Chief Justice,
New Mexico Supreme Court



Mr. Roger Anderson
c/o New Mexico Oil Conservation Division
2040 South Pacheco
Santa Fe, NM 87505

RE: Stage II Abatement Plan For Groundwater Abatement Plan AP10
Line NM-1-1 Site
Phillips Pipe Line Company
Hobbs, New Mexico

Dear Mr. Anderson:

On behalf of my clients, the McNeill Family and the McNeill Ranch, please accept this as our objections to the above referenced Stage II Abatement Plan. If these objections are not properly directed to your attention, please advise me immediately, either by calling or returning these objections to me so they can be forwarded on to the proper party.

My clients find several areas of extreme concern with this Plan and we urge that it be rejected, and that the polluter be ordered to submit a new Plan that addresses all of the following concerns:

1. The landowners have been forgotten in this Plan. Nothing in the Plan addresses what the long term impact will be or provides information regarding comparable sites where similar remediation efforts have been attempted on spills of this size and extent. There is no indication of how much land will be lost and how this land loss will be addressed with the landowner. A discussion of the possibility of the contamination moving off site and impacting neighbors and adjoining landowners also, is not addressed.
2. The initial summary seems to contain errors. It notes there are no surface bodies of water within .5 miles of this site when in fact the City of Hobbs storm drain system and, in fact, the City limits of Hobbs, are both within a half mile.
3. Removal of the source of the contamination has not been completed. Until the source removal is complete, it is more likely than not that this proposal will fail due to several contradictory statements that are made in the report.

DURANGO COLORADO OFFICE

102 East 8th Street
Suite 205
Durango, Colorado 81301
(970) 385-7671
Fax (970) 247-7734



HOUSTON TEXAS OFFICE

808 Travis Street
Suite 1303
Houston, Texas 77002
(800) 243-3545
Fax (713) 224-1622

For example, in the report it is stated that there was impact from 2' to TD. The report stated the top of the groundwater to be at 40' with 13' of oil on top of the water. The charts, however, only show 6.65' and then say that top of the water is at 27'. Which data is reliable?

The report goes on to say that a pothole was excavated to 35'. This cannot be correct. If it is then they are saying that they excavated 8' into the groundwater which is hard to believe, or they stopped 5' short of the groundwater, in which case they couldn't be skimming oil off of the top of the water. The data in this report is, at best, inconclusive.

4. Statements made in the Section under "Soil and Groundwater Remediation Goals" say that they can meet or exceed any cleanup standards, but in the last statement they say that the standards may not be obtainable due to the type of containment. The absence of any historical data or other indication that the planned abatement has been successful at similar sites is extremely disturbing.

5. The report also says that excavation is not practical due to large volumes of soil. This is not a true statement. They say that site lithology would make excavation difficult. This is not a true statement. Spills of this kind are excavated on a daily basis. The site is a half a mile from the City limits of Hobbs. These appear to simply be excuses or an unwillingness or lack of experience in the field.

6. They say that disruption of current land use would be minimal which begs the question, what is considered "minimal"? The landowner is to lose the use of land and water for at least a full term of 10 years. How is this going to be compensated?

7. The claim that long term liability will be less under this approach is impossible to understand. This approach will have the longest exposure and risk for all parties involved and, in the long run, has a better chance of failing than of succeeding.

8. The disadvantage listed under Section 2.1.6 regarding the generation of hydrocarbon vapor is not adequately addressed. This vapor, if not captured, will impact surrounding structures and utilities. What kind of study has been done regarding the effect this will have on the public health, livestock and wildlife?

9. Nothing is said in the Plan about the fact that the site is in a storm water flood plane. How will the system be impacted if there is a large hydrostatic push? What effect will this have on the City of Hobbs? Has there been any contact with the City of Hobbs?

10. The test data for the SVE System is good only for light-end hydrocarbons. To what level? The Plan says that the water to be reinjected will be treated. How? What level of treatment will be provided? None of these questions are addressed.

11. The injection of nitrates and/or sulfate into groundwater could possibly create more of a problem than the site has at the present time.

Some background facts need to be clarified. Please see the letter from ECD Environmental to Eddie Seay regarding this spill dated September 6, 2000 which is attached. As you can see, this environmental company has concerns over:

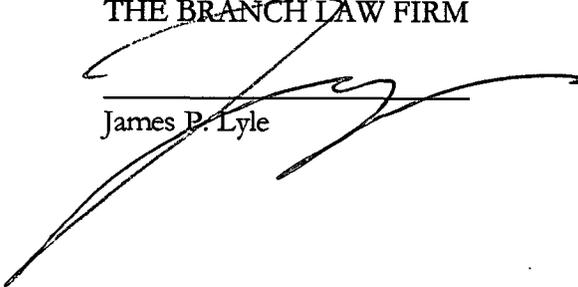
- (a) the extent and nature of the release;
- (b) the large amounts of oil found on the water table;
- (c) that the only concentration that exceeds 100 ppm TPH is at the groundwater/soil interface; and
- (d) the method of soil sampling does not contain adequate information regarding the number of volatiles, chained hydrocarbons, ph of the soil, and high concentration pockets.

The bottom line is that this appears to be a "bad plan, poorly conceived". We appreciate your highest and best attention to this problem for the sake of the landowners, the land, and the surrounding community.

Please don't hesitate to contact me if you have any questions.

Very truly yours,

THE BRANCH LAW FIRM


James P. Lyle

JPL/jms

BRANCH LAW FIRM

ATTORNEYS AND COUNSELORS AT LAW

bcc: William F. McNeill

ECD Environmental, Inc.

Mr. Eddie Seay
Eddie Seay Consulting
601 West Illinois
Hobbs, New Mexico 88240

9/6/2000

Dear Mr. Seay,

After reading the report concerning the pipeline release of October 27, ¹⁹⁹⁸~~2000~~ near Hobbs, New Mexico, I have the following observations.

After the release, approximately 1,500 yd³ of contaminated soil was removed (30' x 120' x 12' average). Monitor well #1 was installed 10' north of the excavation to a total depth of 46'. Hydrocarbon was visually observed from 2' below the surface to the bottom of the well. Groundwater was "encountered in the monitoring wells at approximately 27 feet below ground surface" (pg 6). There was 13' of crude oil found on the water table.

Higgins and Associates have determined that, although hydrocarbon is found from 2' to 46', the concentration only exceeds 100 ppm TPH at the groundwater/soil interface. Although I find this *incredibly* hard to believe, I would like to see some actual data to support this statement (realistic samples taken to a laboratory). Much more than the "random" two samples for seven borings. I just don't believe it.

The New Mexico standards for soil are for both the action level and clean-up level:

TPH	100 ppm
Total BTEX	50 ppm
Benzene	10 ppm

Until more soil samples are taken (and under sampling methods that I agree with), the remediation methods should not be discussed. This is due to the lack of information; how much of the contamination is volatiles? What is the proportion of contamination that is long chained or branch chained hydrocarbons? What is the percentage of very long chain hydrocarbon? What is the pH of the soil? Where are the high concentration pockets? Due to the presents of shallow groundwater, the soil contamination should be as aggressively approached as the groundwater contamination. If not, the soil contamination will continue to impact the shallow groundwater.

The proposal to use vapor extraction would work primarily on volatile constituents and would not work very well on any compounds near the soil/water interface (the admitted high concentration area).

ECD Environmental, Inc.

As for the groundwater, the current method of aggressively pumping and removing the contamination should be supplemented with the vapor extraction system. An additional method would be to pump and treat the contamination on-site using activated carbon or resin beds (both could be used with the vapor extraction system). This would be cost effective only if the soil contamination is addressed.

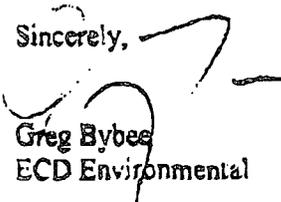
The New Mexico guide lines for groundwater are (for both action and clean-up):

Benzene	0.01 ppm
Toluene	0.75 ppm
Ethylbenzene	0.75 ppm
Total xylene	0.62 ppm
Naphthalene	0.03 ppm

The proposal to use sparging the groundwater does not work on heavy hydrocarbons. It would also spread any free product present (admittedly 13' during the first investigation, and still present during the last investigation.)

These are just a few of my concerns with the proposal. Feel free to contact me if you have any questions.

Sincerely,



Greg Bybee
ECD Environmental



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

August 3, 2000

Lori Wrotenbery
Director
Oil Conservation Division

CERTIFIED MAIL
RETURN RECEIPT NO: 5051-3402

Mr. Anthony C. Walker
Phillips Pipe Line Company
3B11 Adams Bldg.
Bartlesville, Oklahoma 74004

**RE: STAGE 2 GROUND WATER ABATEMENT PLAN (AP-10)
LINE NM-1-1 SITE**

Dear Mr. Walker:

The New Mexico Oil Conservation Division (OCD) has reviewed Phillips Pipe Line Company's (PPL) April 14, 2000 correspondence and accompanying "STAGE 2 ABATEMENT PLAN FOR GROUNDWATER ABATEMENT PLAN AP-10, LINE NM-1-1 SITE, PHILLIPS PIPE LINE COMPANY, HOBBS, NEW MEXICO". This document contains PPL's Stage 2 Abatement Plan Proposal for remediation of soil and ground water contamination related to a crude oil pipeline spill at PPL's Line NM-1-1 leak site in Unit N, Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico.

The OCD has determined that the above referenced Stage 2 Abatement Plan Proposal is administratively complete. Before the OCD can complete a review of the Stage 2 proposal, the OCD requires that:

1. PPL issue by August 18, 2000 the attached public notice of the Stage 2 proposal in the Albuquerque Journal, Hobbs News-Sun and the Lovington Daily Leader pursuant to OCD Rule 19.G.
2. Prior to issuing the public notice, PPL shall issue written notice of the Stage 2 proposal pursuant to OCD Rule 19.G.(1). Please refer to the previously supplied 3.5" disk for a listing of "those persons, as identified by the Director, who have requested notification" pursuant to OCD Rule 19.G.(1).(d) and the contact for the New Mexico Trustee for Natural Resources.

Please provide the OCD with proof of notice as soon as possible upon completing issuance of the written and public notice.

If you have any questions, please contact Bill Olson at (505) 827-7154.

Sincerely,



for Roger C. Anderson
Environmental Bureau Chief

RCA/wco

attachment

xc w/attachment: Chris Williams, OCD Hobbs District Supervisor
Jennifer Fowler-Propst, USFWS

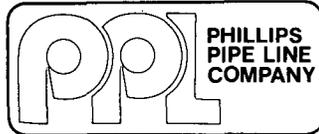
NOTICE OF PUBLICATION

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 2 Abatement Plan Proposal has been submitted to the Director of the Oil Conservation Division, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

Phillips Pipe Line Company, Anthony C. Walker, Project Manager, Telephone (918) 661-3557, 3B11 Adams Bldg., Bartlesville, Oklahoma 79702, has submitted a Stage 2 Abatement Plan Proposal for the Line NM-1-1 site, located south of Hobbs, New Mexico in Unit N of Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico. Phillips Pipe Line Company operates a crude oil pipeline at the site. Phase-separated hydrocarbon has been observed on the ground water. The Stage 2 Abatement Plan Proposal presents Phillips Pipe Line Company's proposed methods for remediation of the site including remediation of contaminated soils; remediation of contaminated ground water; site maintenance activities; a monitoring and sampling plan for soils and ground water; preparation of regular remediation reports; and, a schedule for implementation of all remediation and monitoring activities

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 include reasons why a hearing should be held. The Stage 2 Abatement Plan Proposal may be viewed at the above address or at the Oil Conservation Division Hobbs 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 2 Abatement Plan Proposal, 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.



April 14, 2000

**Stage 2 Abatement Plan
Line NM-1-1 Site
Phillips Pipe Line Company**

RECEIVED

APR 18 2000

ENVIRONMENTAL BUREAU
OIL CONSERVATION DIVISION

Mr. Bill Olson
New Mexico Oil Conservation Division
2040 S. Pacheco St.
Santa Fe, NM 87505

Dear Mr. Olson:

Phillips Pipe Line Company has enclosed a Stage 2 Abatement Plan for the crude oil release that occurred near Hobbs, New Mexico in Lea County on October 27, 1998.

If you need more information regarding this plan, please contact me at 918-661-3557.

Sincerely,

A handwritten signature in cursive script that reads 'Anthony C. Walker'.

Anthony "Tony" C. Walker
Phillips Pipe Line Company
Staff Environmental Representative
3 B10 Adams Building

ACW: St2AbPlanCvrLtr.doc

cc: Mr. Chris Williams
New Mexico Oil Conservation Division
District 1
1625 N. French Drive
Hobbs, NM 88240

Mr. Chris Higgins (cover letter only)
Higgins and Associates, L.L.C.
9940 East Costilla Avenue
Suite B
Englewood, CO 80112

Olson, William

From: Anthony C Walker [SMTP:AWALKER@ppco.com]
Sent: Wednesday, April 05, 2000 11:41 AM
To: Olson, William
Cc: Williams, Chris
Subject: Drilling Activities

PPL will be drilling Thursday, April 6, 2000 at approximately 8 AM Rocky Mountain Time at the following leak sites for the reasons described:

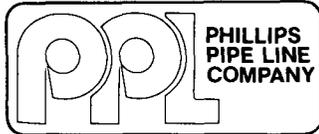
Line NM-1-1 (AP-10) - Drilling activities are to set a new "clean" monitoring well. A measurable level of Benzene was detected in last quarter's monitoring activities.

East Hobbs Junction (AP-15) - Drilling activities are to further define the plume. Some of the "defining" wells that were "observed" to be "clean" actually tested positive for benzene.

If you have any questions regarding the drilling activities, please contact at your convenience on my cell phone at 918-232-1507 or leave a message in my office at 918-661-3557.

Thanks.

Tony Walker
<awalker@ppco.com>
Phillips Pipe Line Company
3B10 Adams Building
Bartlesville, OK 74004
918-661-3557



January 28, 2000

**Hydrocarbon Removal
Line NM-1-1 & East Hobbs Junction**



Mr. Bill Olson
New Mexico Oil Conservation Division
2040 S. Pacheco St.
Santa Fe, NM 87505

Dear Mr. Olson:

The purpose of this letter is to advise the New Mexico Oil Conservation Division (NMOCD) that Phillips Pipe Line (PPL) Company believes additional measures may need to be implemented to prevent hydrocarbon plume migration at the Line NM-1-1 and East Hobbs Junction sites located near Hobbs, NM. Accordingly, PPL intends to install systems, including free product recovery and soil bioventing wells, to remove free-phase and absorbed hydrocarbons from the release areas. PPL's plan is to determine optimal locations for hydrocarbon removal at both sites and implement these systems as quickly as practical. These systems are intended to supplement the ongoing cleanup efforts and will be compatible with the overall cleanup program subject to review and approval by the NMOCD under 19 NMAC 15.A.19. Consequently, the removal systems that are implemented will be included in future Abatement Plans submitted to the Oil Conservation Division.

PPL discovered the Line NM-1-1 leak on October 27, 1998, and the East Hobbs Junction leak on March 23, 1999. Upon discovering these releases, PPL acted in accordance with the requirements of 19 NMAC 15.A.19 and intends to continue to act in accordance with these regulations. The activities planned by PPL are intended only to prevent the possibility of plume migration.

If you have any questions regarding the information obtained in this letter, please contact me at 918-661-3557.

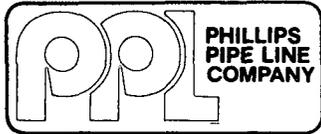
Sincerely,

Anthony "Tony" C. Walker
Phillips Pipe Line Company
Environmental Representative
3 B11 Adams Building

ACW: NotificationFutActEhjLinenm.doc

cc: Mr. Chris Williams
New Mexico Oil Conservation Division
District 1
1625 N. French Drive
Hobbs, NM 88240

Mr. Chris Higgins
Higgins and Associates, L.L.C.
9940 East Costilla Avenue
Suite B
Englewood, CO 80112



December 30, 1999

**Comprehensive Report Addendum for
Ground Water Abatement Plan AP-10
Line NM-1-1 Site
Phillips Pipe Line Company**

Mr. Bill Olson
New Mexico Oil Conservation Division
2040 S. Pacheco St.
Santa Fe, NM 87505

RECEIVED

JAN 04 2000

ENVIRONMENTAL BUREAU
OIL CONSERVATION DIVISION

Dear Mr. Olson:

Phillips Pipe Line Company (PPL) submits this addendum to the comprehensive report for the Stage 1 Abatement Plan (AP-10) for the Line NM-1-1 leak site in Lea County, New Mexico.

If you have any questions regarding this report, please contact me at 918-661-3557.

Sincerely,

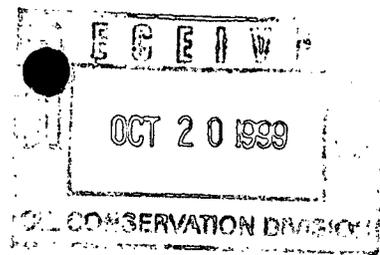
A handwritten signature in cursive script that reads 'Anthony C. Walker'.

Anthony "Tony" C. Walker
Phillips Pipe Line Company
Staff Environmental Representative
3 B10 Adams Building

ACW: ReportForStage1Ap.doc

cc: Mr. Chris Williams w/report
State of New Mexico
Energy Minerals and Natural Resources Dept.
Oil Conservation Division
District 1
1625 N. French Drive
Hobbs, New Mexico 88240

Mr. Chris Higgins w/out report
Higgins and Associates, L.L.C.
9940 East Costilla Avenue
Suite B
Englewood, CO 80112



**Stage 1 Abatement Plan (AP-10)
Line NM-1-1
Phillips Pipe Line Company**

*Fax received on
10/15/99
[Signature]*

NMOCD
Bill Olson
2040 S. Pacheco
Santa Fe, NM 87505

Dear Mr. Olson:

Attached is a work plan for continued activities at the Line NM-1-1 leak site located near Hobbs, NM. The proposed activities will aid in further plume definition and in the assessment of remedial activities for the Stage 2 Abatement Plan. This work will be conducted in accordance with the previously approved Stage 1 Abatement Plan (AP-10) and its conditions. Phillips Pipe Line will continue activities on Monday, October 18, 1999. The work will commence through October 28, 1999.

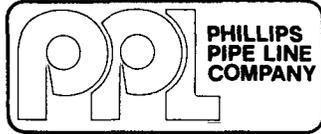
If you have any questions regarding this work plan, please contact me at 918-661-3557 or 918-232-1507.

Sincerely

A handwritten signature in cursive script that reads 'Anthony C. Walker'.

Anthony C. Walker
Environmental Representative
Phillips Pipe Line Company
3B10 Adams Bldg.
Bartlesville, OK 74004

cc: Chris Williams
NMOCD
Hobbs District Office
1625 N. French Drive
Hobbs, NM 88240



September 15, 1999

**Comprehensive Report for
Ground Water Abatement Plan AP-10
Line NM-1-1 Site
Phillips Pipe Line Company**

RECEIVED

SEP 16 1999

ENVIRONMENTAL BUREAU
OIL CONSERVATION DIVISION

Mr. Bill Olson
New Mexico Oil Conservation Division
2040 S. Pacheco St.
Santa Fe, NM 87505

Dear Mr. Olson:

Phillips Pipe Line Company (PPL) submits this comprehensive report for the Stage 1 Abatement Plan (AP-10) for the Line NM-1-1 leak site in Lea County, New Mexico.

If you have any questions regarding this report, please contact me at 918-661-3557.

Sincerely,

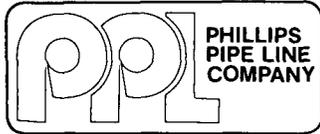
A handwritten signature in cursive script that reads 'Anthony C. Walker'.

Anthony "Tony" C. Walker
Phillips Pipe Line Company
Staff Environmental Representative
3 B11 Adams Building

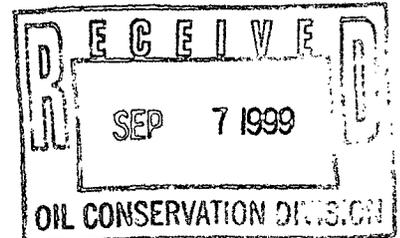
ACW: ReportForStage1Ap.doc

cc: Mr. Chris Williams w/report
State of New Mexico
Energy Minerals and Natural Resources Dept.
Oil Conservation Division
District 1
1625 N. French Drive
Hobbs, New Mexico 88240

Mr. Chris Higgins w/out report
Higgins and Associates, L.L.C.
9940 East Costilla Avenue
Suite B
Englewood, CO 80112



August 30, 1999



**Comprehensive Report for
Ground Water Abatement Plan AP-10
Line NM-1-1 Site
Phillips Pipe Line Company**

Mr. Bill Olson
New Mexico Oil Conservation Division
2040 S. Pacheco St.
Santa Fe, NM 87505

Dear Mr. Olson:

Phillips Pipe Line Company (PPL) submits this letter to confirm our conversation of Monday, August 30, 1999. During this conversation, NMOCD granted PPL an extension for the submittal of the comprehensive report required by Condition 4 of the NMOCD's approval letter for Ground Water Abatement Plan (AP-10) for PPL's Line NM-1-1 Site in Lea County, New Mexico. The report is currently under development and will be submitted by September 17, 1999.

If you need more information regarding this letter, please contact me at 918-661-3557.

Sincerely,

Anthony "Tony" C. Walker
Phillips Pipe Line Company
Staff Environmental Representative
3 B11 Adams Building

ACW: ReportForStage1ApExt.doc

cc: Mr. Chris Williams
State of New Mexico
Energy Minerals and Nat. Res. Dept.
Oil Conservation Division
District 1
P.O. Box 1980
Hobbs, New Mexico 88241-1980

Mr. Chris Higgins
Higgins and Associates, L.L.C.
9940 East Costilla Avenue
Suite B
Englewood, CO 80112



Date: 07/07/99

FACSIMILE TRANSMISSION COVER SHEET

THIS TELECOPY IS INTENDED FOR THE SOLE USE OF THE PERSON TO WHOM IT IS SPECIFICALLY ADDRESSED AND SHOULD NOT BE READ BY, OR DELIVERED TO, ANYONE ELSE. It may contain privileged or confidential information, the disclosure of which may result in the breach of certain laws or the infringement of rights of third parties. If you have received this telecopy in error, please call immediately (collect if necessary) at the number below. We thank you for your cooperation and assistance.

To: Roger Anderson - NMOCD

phone: 505-827-7154

fax: 505-827-8177

From: Tony Walker

address: 3B11 Adams Building
Bartlesville, OK 74004
phone: (918)661-3557
fax: (918)662-2304

RE: Notification of Beginning of Activities associated with AP-10 (Line NM-1-1 Site)

COMMENTS: Mr. Olson, In accordance with Condition 5 of the approved Stage 1 Abatement Plan (AP-10) for PPL's Line NM-1-1 Site located in Hobbs, NM, PPL is providing notification that activities associated with this Plan will begin at approximately 8:00 am local time on Monday, July 12, 1999. If you need more information regarding the scheduled activities please contact me this week at 918-661-3557. I will be out of the office overseeing this project beginning the week of July 11, 1999.

Thanks,
Tony Walker

Page(s) to follow: 0



June 2, 1999

JUN - 7 1999

**Public Comment Period
Ground Water Abatement Plan AP-10
Line NM-1-1 Site
Phillips Pipe Line Company**

Mr. Bill Olson
New Mexico Oil Conservation Division
2040 S. Pacheco St.
Santa Fe, NM 87505

Dear Mr. Olson:

Phillips Pipe Line Company has enclosed copies of the following documents relating to the Public Notification for a Stage 1 Abatement Plan for a crude oil release that occurred near Hobbs, New Mexico in Lea County on October 27, 1998:

- An "Affidavit of Publication" from the *Lovington Daily Leader*,
- An "Affidavit of Publication" from the *Albuquerque Journal*,
- An affidavit for the mailing of the Public Notice to the persons provided by the NMOCD,
- Two envelopes marked "Return To Sender" from the list provided by the NMOCD,
- An affidavit for the mailing of the Public Notice via Certified Mail to landowners in the area, and
- Eight "Domestic Return Receipts" from the Public Notices sent to Landowners.

Please note that nine (9) Public Notices were sent via Certified Mail on April 21, 1999. Eight (8) of the nine (9) had been returned at the date of this letter. For that reason, the affidavit for the mailing of the Public Notice via Certified Mail is attached.

Please note, also, that the Public Notice in the *Albuquerque Journal* was issued on the April 28, 1999. The notice in the *Loving ton Daily Leader* was on April 27, 1999. The notices sent via USPS and the notices sent via Certified Mail were mailed on April 21, 1999. Therefore, the thirty-day public comment period has passed.

Since, as discussed previously, no comments were received on the proposed Plan, PPL wishes to implement the proposed Plan as soon as possible in order to determine the limits of impacts of this release.

If you need more information regarding the attached documentation of the proposed Plan, please contact me at 918-661-3557.

Sincerely,

Anthony "Tony" C. Walker
Phillips Pipe Line Company
Staff Environmental Representative
3 B11 Adams Building

ACW: CvrLtrComPerEnd.doc

cc: Mr. Chris Williams
State of New Mexico
Energy Minerals and Natural Resources Dept.
Oil Conservation Division
District 1
P.O. Box 1980
Hobbs, New Mexico 88241-1980

Mr. Chris Higgins (cover letter only)
Higgins and Associates, L.L.C.
9940 East Costilla Avenue
Suite B
Englewood, CO 80112

Affidavit of Publication

STATE OF NEW MEXICO)
) ss.
COUNTY OF LEA)

Joyce Clemens being first duly sworn on oath deposes and says that he is Adv. Director of THE LOVINGTON DAILY LEADER, a daily newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled

Notice of Publication

~~and numbered~~ _____ ~~xxxxxx~~

~~County of Lea~~ _____ ~~County of Lea~~
~~County of New Mexico~~ was published in a regular and entire issue of THE LOVINGTON DAILY LEADER and not in any supplement thereof, ~~once each week on the~~

~~same day of the week~~ for One(1) Day

~~consecutive weeks~~ beginning with the issue of _____
April 27 99

_____ 19_____

and ending with the issue of _____

April 27 99

_____ 19_____

And that the cost of publishing said notice is the sum of \$ 49.02

which sum has been (Paid) ~~(Assessed)~~ as Court Costs

Joyce Clemens

Subscribed and sworn to before me this _____
April 27 99
day of _____ 19_____

Debbie Schilling
Notary Public, Lea County, New Mexico

My Commission Expires June 22 192002

hydrocarbon (PSH) has been observed on the ground water. The Stage 1 Abatement Plan Proposal presents the following subsurface investigation activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; and prepare a report summarizing field activities and laboratory results.

**LEGAL NOTICE
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, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

Phillips Pipe Line Company, Anthony C. Walker, Project Manager, Telephone (918)661-3557, 3B11 Adams Bldg., Bartlesville, Oklahoma 74004, has submitted a Stage 1 Abatement Plan Proposal for the Line NM-1-1 site, located south of Hobbs, New Mexico in Unit N of Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico. Phillips Pipe Line Company operates a crude oil pipeline at the site. Phase-separated

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 Hobbs 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 Proposal, 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.

Published in the Lovington Daily Leader April 27, 1999.

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, 2049 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7431:

Phillips Pipe Line Company, Anthony C. Walker, Project Manager, Telephone (918) 861-3557, 3811 Stage 2nd, Bartlesville, Oklahoma 74004, has submitted a Stage 1 Abatement Plan Proposal for the Line NM-1-1a1a, located south of Hobbs, New Mexico in Unit N of Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico. Phillips Pipe Line Company operates a crude oil pipeline at the site. Phase-separated hydrocarbon (PSH) has been observed on the ground water. The Stage 1 Abatement Plan Proposal presents the following subsurface investigation activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each spring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; and prepare a report summarizing field activities and laboratory results.

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 reviewed at the above address or at the Oil Conservation Division Hobbs District Office, 1625 N. French Drive, Hobbs, New Mexico 88240, Telephone (505) 893-6161 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed Stage 1 Abatement Plan Proposal, 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.
Journal: April 28, 1999

STATE OF NEW MEXICO
County of Bernalillo SS

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 _____ times, the first publication being on the 28 day of April, 1999, and the subsequent consecutive publications on _____, 1999.

OFFICIAL SEAL
Corrina Duncan
NOTARY PUBLIC
STATE OF NEW MEXICO
Expires: 4/28/99

Corrina Duncan

Bill Tafoya

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 28 day of April of 1999

PRICE 33.99

Statement to come at end of month.

ACCOUNT NUMBER 188058

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

AFFIDAVIT OF ANTHONY C. WALKER

STATE OF OKLAHOMA)
)SS
COUNTY OF WASHINGTON)

ANTHONY C. WALKER, of lawful age, being first duly sworn, deposes and states:

I, Anthony C. Walker, a representative of Phillips Pipe Line Company, do hereby certify that on the 21st day of April, 1999, I mailed, via U. S. Postal Service, a true and correct copy of the attached Notice of Publication, State of New Mexico, Energy, Mineral and Natural Resources Department Oil Conservation Division, to the persons as set out below, whose addresses are contained on the attachments.

State Land Office - Hobbs District
Chris Shuey - Southwest Research & Information Center
Director - State Parks & Recreation
Marcia Simmons - KOAT-RV
Dr. Jay Sorenson
Bob Steele - Land & Mineral Resources
Westinghouse Electric Corp.
George Vlahos - Sierra Club
Lee Wilson & Associates
Secretary - New Mexico Environment Department
Thomas Kellahin - Kellahin & Kellahin
Director - Department of Game & Fish
Jackie Jennings - Core Laboratories, Inc.
Olson Plunk - Southwestern Public Service
Soil and Water Conservation Bureau
Environmental Affairs - Public Service Company of New Mexico
Governor - Pueblo of Laguna
State Engineer - Water Resources Division
State Director - Bureau of Land Management
NM Citizens - Clean Air & Water - John Bartlit
William F. Carr - Campbell & Black
NM Municipal League
Jay Lazarus
Director - Water Resources Dept.
NM Water Well Association
Field Supervisor - US Fish & Wildlife Service
Patricia A. D'Andrea

Bruce S. Garber
Mike Matush - State Land Office Building
Science Applications, Inc.
Dr. Harry Bishara
Director - Albuquerque Environmental Health Department
John Draper - Montgomery & Andrews
Perry Pearce - Burlington Resources
Lynn Brandvold - NM Bureau of Mines & Mineral Resources
Kay Grotbeck
Jeanne Haffen - El Paso Natural Gas
Richard P. Chagnon
Regional Forester - USFS Regional Office
Director - Colorado River Comm of Nevada
Gerald R. Zimmerman - Colorado River Board of Calif.
Director - Division of Water Quality
Jack A. Barnett - Colorado River Basin Ctrl. Forum
Chief - Groundwater Bureau
Chief - Hazardous Waste Bureau
Thomas W. Merlan, Director
Chester Rail
Ken Marsh - Controlled Recovery Inc.
Tanis Fox - Attorney General's Office
Colin Adams - Public Service Company of New Mexico
Devon E. Jercinovic - International Technology Corp.
NM Oil & Gas Association
Len Oyenque - The Tewa Company

Further Affiant sayeth not.

Anthony C. Walker
Anthony C. Walker
3B11 Adams Bldg.
Bartlesville, OK 74004

Subscribed and sworn to before me on this 21st day of April, 1999.

Linda K. Dawson
Notary Public

My Comm. Exp: Sept. 25, 2001

(SEAL)

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, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

Phillips Pipe Line Company, Anthony C. Walker, Project Manager, Telephone (918) 661-3557, 3B11 Adams Bldg., Bartlesville, Oklahoma 74004, has submitted a Stage 1 Abatement Plan Proposal for the Line NM-1-1 site, located south of Hobbs, New Mexico in Unit N of Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico. Phillips Pipe Line Company operates a crude oil pipeline at the site. Phase-separated hydrocarbon (PSH) has been observed on the ground water. The Stage 1 Abatement Plan Proposal presents the following subsurface investigation activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; and prepare a report summarizing field activities and laboratory results.

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 Hobbs 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 Proposal, 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.

State Land Office
Hobbs District
3830 North Grimes
Suite C
Hobbs, NM 88240

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

Director
State Parks & Recreation
Villagra Building
Santa Fe, N.M. 87503

Marcia Simmons
KOAT-RV
3801 Carlisle NE
Albuquerque, N.M. 87108

Dr. Jay Sorenson
2800 Charleston NE
Albuquerque, N.M. 87110

Bob Steele
Land & Mineral Resources
P. O. Box 194
Laguna, N.M. 87026

Westinghouse Electric Corp.
Manager - Uranium Resources Div.
P. O. Box 355
Pittsburg, P.A. 15230

George Vlahos
Sierra Club
212 Tulane SE
Albuquerque, N.M. 87106

Lee Wilson & Associates
P. O. Box 931
Santa Fe, N.M. 87501

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

Thomas Kellahin
Kellahin & Kellahin
P. O. Box 2265
Santa Fe, NM 87501

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

Jackie Jennings
Core Laboratories, Inc.
10703 E. Bethany Drive
Aurora, CO 80014

Olson Plunk
Southwestern Public Service
P. O. Box 1261
Amarillo, TX 79170

Soil and Water Conservation Bureau
New Mexico Department of Agriculture
Agriculture Programs and Resources Division
Box 30005/APR
Las Cruces, New Mexico 88003-8005

Environmental Affairs
Public Service Company
of New Mexico
P. O. Box 2267
Albuquerque, NM 87103

Governor
Pueblo of Laguna
P. O. Box 194
Laguna, NM 87026

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

State Director
Bureau of Land Management
P. O. Box 27115
Santa Fe, NM 87502-0115

NM Citizens
Clean Air & Water
John Bartlit, Chairman
113 Monte Ray Dr., North
Los Alamos, NM 87544

William F. Carr
Campbell & Black
P. O. Box 2208
Santa Fe, NM 87501

NM Municipal League
P. O. Box 846
1229 Paseo De Peralta
Santa Fe, NM 87501

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

Director
Water Resources Dept.
p. O. Box 1293
Albuquerque, NM 87103

NM Water Well Association
1205 California NE
Albuquerque, NM 87110

Field Supervisor
US Fish & Wildlife Service
2105 Osuna Road, Northeast
Albuquerque, NM 87113-1001

Patricia A. D'Andrea
P. O. Box 6387
Santa Fe, NM 87502

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

Mike Matush
State Land Office Building
Santa Fe, NM 87503

Science Applications, Inc.
P. O. Box 3344
Boulder, CO 80303

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

Director
Albuquerque Environmental
Health Department
P. O. Box 1293
Albuquerque, NM 87103

John Draper
Montgomery & Andrews
P. O. Box 2307
Santa Fe, NM 87504

Perry Pearce
Burlington Resources
300 Galisteo, Suite 101
Santa Fe, NM 87501

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

Kay Grotbeck
RR 3, Box 109 JK
Santa Fe, NM 87505-9532

Jeanne Haffen
El Paso Natural Gas
P. O. Box 1492
El Paso, TX 79978

Richard P. Chagnon
Hydrologist
2825 E. Malvern Drive
Tucson, AZ 85716

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

Director
Colorado River Comm
of Nevada
555 East Washington Avenue,
Suite 3100
Las Vegas, NV 89158

Gerald R. Zimmerman
Colorado River Board of Calif.
770 Fairmont Ave., Ste. 100
Glendale, CA 91203-1035

Director
Division of Water Quality
288 North 1460 West
Salt Lake City, UT 84114

Jack A. Barnett
Colorado River Basin Ctrl. Forum
106 West 500 South,
Suite 101
Bountiful, UT 84010

Chief
Groundwater Bureau
Runnels Building
Santa Fe, NM 87504

Chief
Hazardous Waste Bureau
Runnels Building
Santa Fe, NM 87504

Thomas W. Merlan, Director
228 East Palace Avenue
Villa Rivera Room 101
Santa Fe, NM 87503

Chester Rail
10613 Calle De Elena NW
Albuquerque, NM 87048

Ken Marsh
Controlled Recovery Inc.
P. O. Box 369
Hobbs, NM 88241

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

Colin Adams
Environmental Counsel
Public Service Company
of New Mexico
414 Silver, Southwest
Albuquerque, NM 87158

Devon E. Jercinovic
International Technology Corp.
5301 Central Avenue, N.E.
Suite 700
Albuquerque, NM 87108

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

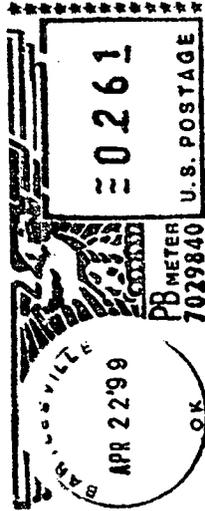
Len Oyenque
The Tewa Company
P.O. Box 1261
San Juan Pueblo, NM 87566



BARTLESVILLE, OKLAHOMA 74004

GROUP SHIPMENT
AUTHORIZATION 5
MAILED AT TULSA OK
PRESORTED FIRST-CLASS

PRESORTED
FIRST CLASS



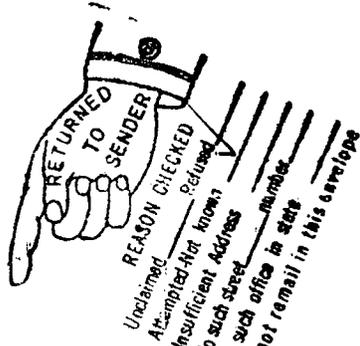
Jeanne Haffen

RETURN TO SENDER

NO LONGER AN EMPLOYEE

PLEASE REMOVE INDIVIDUAL'S

NAME FROM MAILING LIST



01522E0288

AUTO

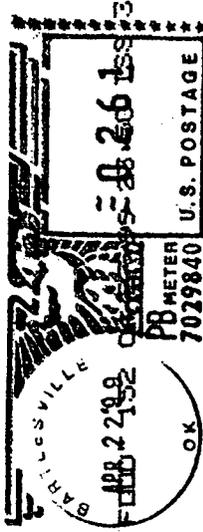
##79978





BARTLESVILLE, OKLAHOMA 74004

JUMP SHIPMENT
AUTHORIZATION &
MAILING AT TULSA OK
PRESORTED FIRST-CLASS



RETURN TO SENDER
 RETURN TO SENDER
 Westinghouse Electric Corp.
 Manager, Uranium Resources Div.
 Dept. Box 353es
 Pittsburg, PA Company
 Pittsburg, PA 15230

Incorrect Address
 No Longer with Company
 Other UNKNOWN

[REDACTED]

01522E0288

AFFIDAVIT OF ANTHONY C. WALKER

STATE OF OKLAHOMA)
)SS
COUNTY OF WASHINGTON)

ANTHONY C. WALKER, of lawful age, being first duly sworn, deposes and states:

I, Anthony C. Walker, a representative of Phillips Pipe Line Company, do hereby certify that on the 21st day of April, 1999, I mailed, via U. S. Postal Service – Certified Mail – Return Receipt Requested, a true and correct copy of the attached Notice of Publication, State of New Mexico, Energy, Mineral and Natural Resources Department Oil Conservation Division, to the persons as set out below.

Will N. Terry
Trust et. al.
P. O. Box 686
Hobbs, NM 88241

TEXACO, INC.
ATTN: Marte D. Lightstone
500 Marquette Ave., NW
Suite 1100
Albuquerque, NM 87102

William Turner
Natural Resources Trustee
c/o American Ground Water
Consultants
610 Gold St. SW - Suite 111
Albuquerque, NM 87102

Dee A. Cochran
P. O. Box 145
Hobbs, NM 88241

Lea County Commissioner
Dennis Holmberg
100 N. Main
Suite 4
Lovington, NM 88260

Charles De Saillan
Office of the Attorney General
Environmental Enforcement Division
P. O. Drawer 1508
Santa Fe, NM 87504

Amoco Production
200 North Loraine, Suite 1205
Midland, TX 79701

Mr. Ray Powell, Jr.
State Land Commissioner
New Mexico State Land Office
310 Old Santa Fe Trail
Santa Fe, NM 87501

Hobbs City Manager
Bo Thomas
300 N. Turner
Hobbs, NM 88240

Further Affiant sayeth not.

Anthony C. Walker
Anthony C Walker
3B11 Adams Bldg.
Bartlesville, OK 74004

Subscribed and sworn to before me on this 21st day of April, 1999.

Charlotte A. Perry
Notary Public

My Comm. Exp: September 18, 2000

(SEAL)

NOTICE OF PUBLICATION

STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION

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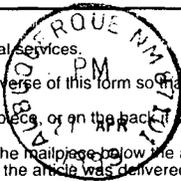
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Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.



I also wish to receive the following services (for an extra fee):

1. Addressee's Address

2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

William Turner
 Natural Resources Trustee
 c/o American Ground Water Consultants
 610 Gold St. SW - Suite 111
 Albuquerque, NM 87102

4a. Article Number
29E101

4b. Service Type

Registered Certified

Express Mail Insured

Return Receipt for Merchandise COD

7. Date of Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

Thank you for using Return Receipt Service.

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1. Addressee's Address

2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Hobbs City Manager
 Bo Thomas
 300 N. Turner
 Hobbs, NM 88240

4a. Article Number
59E101

4b. Service Type

Registered Certified

Express Mail Insured

Return Receipt for Merchandise COD

7. Date of Delivery
4/22/94

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

Thank you for using Return Receipt Service.

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Consult postmaster for fee.

3. Article Addressed to:

Mr. Ray Powell, Jr.
 State Land Commissioner
 New Mexico State Land Office
 310 Old Santa Fe Trail
 Santa Fe, NM 87501

4a. Article Number
09E101

4b. Service Type

Registered Certified

Express Mail Insured

Return Receipt for Merchandise COD

7. Date of Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

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- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Lea County Commissioner
Dennis Holmberg
100 N. Main
Suite 4
Lovington, NM 88260

4a. Article Number

101364

4b. Service Type

- Registered Certified
- Express Mail Insured
- Return Receipt for Merchandise COD

7. Date of Delivery

4/27/94

5. Received By: (Print Name)

SALAY GRANO

6. Signature: (Addressee or Agent)

X *Salay Grano*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Charles De Saillan
Office of the Attorney General
Environmental Enforcement Division
P. O. Drawer 1508
Santa Fe, NM 87504

4a. Article Number

101361

4b. Service Type

- Registered Certified
- Express Mail Insured
- Return Receipt for Merchandise COD

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

APR 26 1994

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Henry Swank*

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

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- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

TEXACO, INC.
ATTN: Marte D. Lightstone
500 Marquette Ave., NW
Suite 1100
Albuquerque, NM 87102

4a. Article Number

101363

4b. Service Type

- Registered Certified
- Express Mail Insured
- Return Receipt for Merchandise COD

7. Date of Delivery

4/26/94

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X *Marte D. Lightstone*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

SENDER:

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I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Will N. Terry
Trust et. al.
P. O. Box 686
Hobbs, NM 88241

4a. Article Number
682107

4b. Service Type

Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
5-5-99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
Will N. Terry

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-98-8-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
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I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Amoco Production
200 North Loraine, Suite 1205
Midland, TX 79701

4a. Article Number
082107

4b. Service Type

Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
4-26-99

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X *Scott Brewer*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 102595-98-8-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

New Mexico Ecological Services Field Office

2105 Osuna NE

Albuquerque, New Mexico 87113

Phone: (505) 346-2525 Fax: (505) 346-4542

May 24, 1999

Cons. #2-22-99-I-269

Director, Oil Conservation Division
State of New Mexico Energy, Minerals
and Natural Resources Department
2040 South Pacheco
Santa Fe, New Mexico 87505

Dear Sir:

This is in response to your Notice of Publication regarding a Stage 1 Abatement Plan Proposal. The U.S. Fish and Wildlife Service (Service) received this notice on April 26, 1999. It is our understanding that Phillips Pipe Line Company has submitted a Stage 1 Abatement Plan Proposal for the Line NM-1-1 site, located south of Hobbs, Lea County, New Mexico (Section 9, Township 10 south, Range 38 East). Phillips Pipe Line Company operates a crude oil pipeline at the site. Phase-separated hydrocarbon has been observed on the ground water. The Stage 1 Abatement Plan Proposal presents the following subsurface investigation activities: determine site geology and hydrogeology; conduct a registered water well search within a 1-mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analyses from each monitoring well; obtain depth-to-ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; and prepare a report summarizing field activities and laboratory results.

We have enclosed our list of endangered, threatened, candidate species, and species of special concern that may be found in Lea County, New Mexico. If appropriate, authorization from the Service for the "incidental take" of endangered or threatened species should be obtained prior to initiating the proposed project in order to avoid potential violations of the Endangered Species Act of 1973, as amended (Act). It is the responsibility of the Federal action agency and/or project proponent to determine whether the proposed action "may affect" or result in take of any listed or proposed species. We recommend that an adequate species-specific survey be conducted during the appropriate flowering/breeding season and within suitable habitat to address project-related impacts on these species. Although candidates are not protected under the Act, the Service is required to monitor their status. If any candidates or species of special concern decline precipitously, they could be listed as endangered or threatened

species. Therefore, actions which may contribute to the decline of these species should be avoided. We recommend that candidates and species of special concern be included in the site surveys.

Regarding fish and wildlife resources, the final environmental document should assess fully the impacts of the proposal and its alternatives on species populations and their habitats, with an emphasis on wetlands, waters of the United States, and native wildlife and plants. The final environmental document should clearly state the purpose and need for the project. The environmental document should include a thorough description of the development areas that are part of the proposal. A map accurately depicting proposed project features in relation to natural features in the project area also should be included. The Service should be contacted for further assistance if adverse impacts to these resources cannot be avoided.

Please keep in mind that the scope of the environmental analysis and federally listed species compliance also includes indirect and cumulative effects, and interrelated and interdependent actions to the project. In addition, wetlands, riparian vegetation, and/or suitable or potential species' habitat, within or near the proposed project area, should be protected. Potential impacts to migratory birds, nests, or eggs can be avoided or minimized by conducting habitat disturbance activities outside of the general nesting season which extends from March through August. The Service should be contacted for further assistance if adverse impacts to these resources cannot be avoided.

We suggest you contact the New Mexico Department of Game and Fish, and the New Mexico Energy, Minerals, and Natural Resources Department, Forestry and Resources Conservation Division for information concerning fish, wildlife and plants of State concern.

In future communications regarding these projects, please refer to Consultation # 2-22-99-I-269. If you have any questions, please feel free to contact Sarah Rinkevich of my staff at (505) 346-2525, ext. 110.

Sincerely,



Jennifer Fowler-Propst
Field Supervisor

Enclosure

cc: (w/o enc)

Director, New Mexico Department of Game and Fish, Santa Fe, New Mexico
Director, New Mexico Energy, Minerals, and Natural Resources Department, Forestry
and Resources Conservation Division, Santa Fe, New Mexico

ENDANGERED, THREATENED, AND CANDIDATE SPECIES
AND SPECIES OF CONCERN FOR LEA COUNTY, NEW MEXICO

May 24, 1999

Black-footed ferret, Mustela nigripes, E
Cave myotis, Myotis velifer, SC
Swift fox, Vulpes velox, C
American peregrine falcon, Falco peregrinus anatum, E
Arctic peregrine falcon, Falco peregrinus tundrius, E (S/A)
Baird's sparrow, Ammodramus bairdii, SC
Bald eagle, Haliaeetus leucocephalus, T
Ferruginous hawk, Buteo regalis, SC
Loggerhead shrike, Lanius ludovicianus, SC
Northern aplomado falcon, Falco femoralis septentrionalis, E
Western burrowing owl, Athene cunicularia hypugaea, SC
Lesser prairie chicken, Tympanuchus pallidicinctus, C
Sand dune lizard, Sceloporus arenicolus, SC
Texas horned lizard, Phrynosoma cornutum, SC

Index

E	=	Endangered
PE	=	Proposed Endangered
PE w/CH	=	Proposed Endangered with critical habitat
T	=	Threatened
PT	=	Proposed Threatened
PT w/CH	=	Proposed Threatened with critical habitat
PCH	=	Proposed critical habitat
C	=	Candidate Species (taxa for which the Service has sufficient information to propose that they be added to list of endangered and threatened species, but the listing action has been precluded by other higher priority listing activities).
SC	=	Species of Concern (taxa for which further biological research and field study are needed to resolve their conservation status)
S/A	=	Similarity of Appearance
*	=	Introduced population
XN	=	Nonessential experimental



NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

April 9, 1999

CERTIFIED MAIL

RETURN RECEIPT NO: Z-274-520-640

Mr. Anthony C. Walker
Phillips Pipeline Company
3B11 Adams Bldg.
Bartlesville, Oklahoma 74004

**RE: GROUND WATER ABATEMENT PLAN (AP-10)
LINE NM-1-1 SITE**

Dear Mr. Walker:

The New Mexico Oil Conservation Division (OCD) has reviewed Phillips Pipeline Company's (PPL) March 24, 1999 "GROUND WATER ABATEMENT PLAN AP-10, LINE NM-1-1 SITE, PHILLIPS PIPE LINE COMPANY". This document contains PPL's Stage 1 Abatement Plan Proposal for investigating soil and ground water contamination resulting from a crude oil spill at PPL's Line NM-1-1 leak site in Unit N, Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico.

The OCD has determined that the Stage 1 Abatement Plan Proposal is administratively complete. Before the OCD can issue approval of the Stage 1 proposal, the OCD requires that:

1. PPL issue by April 24, 1999 the attached public notice of the Stage 1 proposal in the Albuquerque Journal and the Lovington Daily Leader pursuant to OCD Rule 19.G.(2).
2. Prior to issuing the public notice, PPL will also issue written notice of the Stage 1 proposal pursuant to OCD Rule 19.G.(1). Enclosed you will find a 3.5" disk containing a "WordPerfect" listing of "those persons, as identified by the Director, who have requested notification" pursuant to OCD Rule 19.G.(1).(d).

Please provide the OCD with proof of notice upon completing issuance of the written and public notice. If you have any questions, please contact Bill Olson of my staff at (505) 827-7154.

Sincerely,

Roger C. Anderson
Environmental Bureau Chief

xc: Chris Williams, OCD Hobbs District Office

Z 274 520 640

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (*See reverse*)

Sent to	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

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, 2040 South Pacheco, Santa Fe, New Mexico 87505, Telephone (505) 827-7131:

Phillips Pipe Line Company, Anthony C. Walker, Project Manager, Telephone (918) 661-3557, 3B11 Adams Bldg., Bartlesville, Oklahoma 79702, has submitted a Stage 1 Abatement Plan Proposal for the Line NM-1-1 site, located south of Hobbs, New Mexico in Unit N of Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico. Phillips Pipe Line Company operates a crude oil pipeline at the site. Phase-separated hydrocarbon (PSH) has been observed on the ground water. The Stage 1 Abatement Plan Proposal presents the following subsurface investigation activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; and prepare a report summarizing field activities and laboratory results.

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 Hobbs 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 Proposal, 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.



February 17, 1999

**Ground Water Abatement Plan AP-10
Line NM-1-1 Site
Phillips Pipe Line Company**

Mr. Bill Olson
New Mexico Oil Conservation Division
2040 S. Pacheco St.
Santa Fe, NM 87505

FEB 22 1999

Dear Mr. Olson:

Phillips Pipe Line Company (PPL) submits this letter to confirm our conversation of Tuesday, February 17, 1999. During this conversation, NMOCD granted PPL an extension for the submittal of the Ground Water Abatement Plan (AP-10) for PPL's Line NM-1-1 Site in Lea County, New Mexico. The extended date for the submittal of this Plan is March 25, 1999.

The purpose for this extension is to allow PPL and its Consultants time to evaluate data collected via non-intrusive methods to better determine the lateral and vertical extent of the contamination. This information will aid in the development of the Ground Water Abatement Plan requested by the NMOCD.

If you need more information regarding this letter, please contact me at 918-661-3557.

Sincerely,

A handwritten signature in cursive script that reads 'Anthony C. Walker'.

Anthony "Tony" C. Walker
Phillips Pipe Line Company
Staff Environmental Representative
3 B11 Adams Building

ACW: GwAbatePlanExt.doc

cc: Mr. Chris Williams
State of New Mexico
Energy Minerals and Nat. Res. Dept.
Oil Conservation Division
District 1
P.O. Box 1980
Hobbs, New Mexico 88241-1980

Mr. Chris Higgins
Higgins and Associates, L.L.C.
9940 East Costilla Avenue
Suite B
Englewood, CO 80112



STATE OF NEW MEXICO
 ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
 2040 S. PACHECO
 SANTA FE, NEW MEXICO 87505
 (505) 827-7131

Z 274 520 594

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

January 25, 1999

CERTIFIED MAIL
RETURN RECEIPT NO: Z-274-520-594

Mr. Anthony C. Walker
 Phillips Pipeline Company
 3B11 Adams Bldg.
 Bartlesville, Oklahoma 74004

**RE: GROUND WATER ABATEMENT PLAN (AP-10)
 LINE NM-1-1 SITE**

Dear Mr. Walker:

The New Mexico Oil Conservation Division (OCD) has reviewed Phillips Pipeline Company's (PPC) January 11, 1999 correspondence and accompanying C-141 which contains PPC's notification of ground water contamination resulting from a crude oil pipeline spill at PPC's Line NM-1-1 site located in Unit N, Section 9, Township 19 South, Range 38 East, NMPM, Lea County, New Mexico.

Pursuant to 19 NMAC 15.A.19.C.1, the OCD requires an abatement plan for the NM-1-1 site to abate ground water pollution. To initiate the abatement plan process, the OCD requires that PPC submit to the OCD by February 25, 1999 a Stage 1 abatement plan investigation proposal pursuant to OCD Rule 19.E.1. and OCD Rule 19.E.3 (attached).

If you have any questions, please contact Bill Olson of my staff at (505) 827-7154.

Sincerely,

Roger C. Anderson
 Environmental Bureau Chief

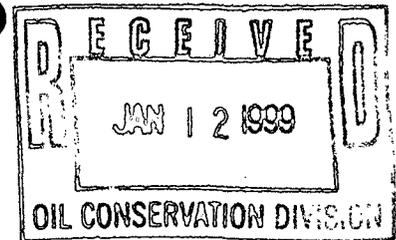
xc: Chris Williams, OCD Hobbs District Office

PS Form 3800, April 1995

Sent to	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	



January 11, 1999



**Spill Report - Update
West Texas Area - New Mexico
Phillips Pipe Line Company**

Mr. Roger Anderson
New Mexico Oil Conservation Division
2040 S. Pacheco St.
Santa Fe, NM 87505

Dear Mr. Anderson:

Phillips Pipe Line Company has enclosed an updated Form C-141 for a spill that occurred in Lea County, New Mexico on October 27, 1998. A copy of the initial report has been provided. Changes have been made in *Italics*.

The spill was initially considered a "Minor Release". Upon further investigation, it was determined that the spill had reached groundwater. PPL has been in contact with Chris Williams of the District 1 office of the NMOCD and Bill Olson of the Environmental Bureau of the NMOCD.

As noted in the updated C-141, a permanent monitoring well has been drilled. Currently, a baling program has been initiated. An abatement plan will follow shortly for State approval.

If you need more information regarding this notification, please contact me at 918-661-3557.

Sincerely,

A handwritten signature in cursive script that reads 'Anthony C. Walker'.

Anthony "Tony" C. Walker
Phillips Pipe Line Company
Staff Environmental Representative
3 B11 Adams Building

ACW: NMCOTSpillUpdate.doc

cc: (In Duplicate)

State of New Mexico
Energy Minerals and Natural Resources Dept.
Oil Conservation Division
District 1
P.O. Box 1980
Hobbs, New Mexico 88241-1980

State of New Mexico
Energy Minerals and Natural Resources Dept.
Oil Conservation Division
2040 South Pacheco St.
Santa Fe, New Mexico 87505

District I - (505) 393-6161
 P. O. Box 1980
 Hobbs, NM 88241-1980
 District II - (505) 748-1283
 811 South First
 Artesia, NM 88210
 District III - (505) 334-6178
 1000 Rio Brazos Road
 Aztec, NM 87410
 District IV - (505) 827-7131

State of New Mexico
Energy Minerals and Natural
Resources Department
Oil Conservation Division
 2040 South Pacheco Street
 Santa Fe, New Mexico 87505
 (505) 827-7131

Form C-141
 Originated 2/13/97

Submit 2 copies to
 Appropriate District
 Office in accordance
 with Rule 116 on
 back side of form

Release Notification and Corrective Action
 OPERATOR

Initial Report Final Report

Name Phillips Pipe Line Company	Contact Anthony C. Walker
Address 3B11 Adams Building Bartlesville, OK 74004	Telephone No. 918-661-3557
Facility Name Line NM-1-1	Facility Type Crude Oil Gathering Line

Surface Owner Bill McNeil	Mineral Owner Bill McNeil	Lease No. N/A
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LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
N	9	19S	38E	--	--	--	--	Lea County, NM

NATURE OF RELEASE

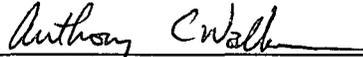
Type of Release Crude Oil	Volume of Release MAJOR	Volume Recovered 0 bbls
Source of Release Pipe Line Gathering System	Date and Hour of Occurrence 10-27-98 2:30 PM	Date and Hour of Discovery 10-27-98 2:30 PM
Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required	If YES to Whom? NA	
By Whom? NA	Date and Hour? NA	
Was a Watercourse Reached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If YES, Volume impacting the Watercourse to Whom? Unknown	

If a Watercourse was Impacted, Describe Fully. (Attach Additional Sheets if Necessary)
Upon excavation of contaminated soils, it was discovered that the release extended deeper than suspected from initial investigations. At 15-20 feet the vertical extent of the contamination had not been determined. At this point, we ceased excavation of unsaturated soils and arranged for drilling to determine the vertical depth of the contamination. Upon drilling, it was discovered that the release had reached groundwater. The well was permanently set. Baling activities were initiated. An abatement plan is in development.

Describe Cause of Problem and Remedial Action Taken. (Attach Additional Sheets if Necessary)
Internal Corrosion of the pipeline was the cause of the leak. The line was repaired with a leak clamp.

Describe Area Affected and Cleanup Action Taken. (Attach Additional Sheets if Necessary)
The area affected by the spill was rocky soil. The area of impact was approximately 100' in length x 6' in width. The depth of contamination is to groundwater in some areas, which is approximately 40'.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Signature: 	OIL CONSERVATION DIVISION	
Printed Name: Anthony C. Walker	Approved By Direct Supervisor:	
Title: Staff Environmental Representative	Approval Date:	Expiration Date:
Date: 01/11/99 Phone: 918-661-3557	Conditions of Approval:	Attached <input type="checkbox"/>

District I - (505) 393-6161
 P. O. Box 1980
 Hobbs, NM 88241-1980
 District II - (505) 748-1283
 811 South First
 Artesia, NM 88210
 District III - (505) 334-6178
 1000 Rio Brazos Road
 Aztec, NM 87410
 District IV - (505) 827-7131

State of New Mexico
 Energy Minerals and Natural
 Resources Department
 Oil Conservation Division
 2040 South Pacheco Street
 Santa Fe, New Mexico 87505
 (505) 827-7131

Form C-141
 Originated 2/13/97

Submit 2 copies to
 Appropriate District
 Office in accordance
 with Rule 116 on
 back side of form

Release Notification and Corrective Action
 OPERATOR

Initial Report Final Report

Name Phillips Pipe Line Company	Contact Anthony C. Walker
Address 3B11 Adams Building Bartlesville, OK 74004	Telephone No. 918-661-3557
Facility Name Line NM-1-1	Facility Type Crude Oil Gathering Line

Surface Owner Bill McNeil	Mineral Owner Bill McNeil	Lease No. N/A
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LOCATION OF RELEASE

Unit Letter N	Section 9	Township 19S	Range 38E	Feet from the --	North/South Line --	Feet from the --	East/West Line --	County Lea County, NM
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NATURE OF RELEASE

Type of Release Crude Oil	Volume of Release 20 bbls	Volume Recovered 0 bbls
Source of Release Pipe Line Gathering System	Date and Hour of Occurrence 10-27-98 2:30 PM	Date and Hour of Discovery 10-27-98 2:30 PM
Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required	By Whom? NA	IF YES to Whom? NA
By Whom? NA	Date and Hour? NA	IF YES, Volume impacting the Watercourse to Whom? NA
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If a Watercourse was Impacted, Describe Fully. (Attach Additional Sheets if Necessary) NA	
Describe Cause of Problem and Remedial Action Taken. (Attach Additional Sheets if Necessary) Internal Corrosion of the pipeline was the cause of the leak. The line was repaired with a leak clamp.		
Describe Area Affected and Cleanup Action Taken. (Attach Additional Sheets if Necessary) The area affected by the spill was rocky soil. The area of impact was approximately 100' in length x 6' in width x 4' in depth. Affected soils were excavated and piled. Permission for on-site bioremediation of the soil is being sought from the landowner. If permission is granted, the soil will then be mixed and remediated on-site to the required action levels per NMOCD Guidelines. Follow-up reports will be submitted upon changes.		
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that poses a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.		
Signature: Anthony C. Walker	OIL CONSERVATION DIVISION Approved By Direct Supervisor:	
Printed Name: Staff Environmental Representative		
Title: 10-29-98	Approval Date: 918-661-3557	Expiration Date:
Date: 10-29-98	Phone: 918-661-3557	Conditions of Approval: Attached <input type="checkbox"/>



STATE OF
 NEW MEXICO
 OIL
 CONSERVATION
 DIVISION

MEMORANDUM OF MEETING OR CONVERSATION

<input checked="" type="checkbox"/> Telephone	<input type="checkbox"/> Personal	Time 0830	Date 12/16/98
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<u>Originating Party</u>	<u>Other Parties</u>
Tony Walker - Phillips Pipeline (918) 661-3557 (3557)	Bill Olson - Environmental Bureau

SUBJECT
 Ground Water Notification

Discussion
 Pipeline spill on Bill McNeil land south of Hobbs
 on 10/27
 Excavated contaminated soils, put in borehole/monitor well to
 determine vertical extent.
 Discovered product (crude oil) on ground water, approx - 3 feet
 Ground water at approx. 40 feet

Conclusions or Agreements
 He will file amended C-141 with Roger Anderson
 within 10 days

Distribution

Signed *Bill Olson*