

Subject: Re: Oxy-NEL #2

Date: Friday, April 22, 2011 4:41:22 PM MT

From: Cliff P. Brunson <cbrunson@bbcinternational.com>

To: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>

CC: Kelton Beaird <Kelton_Beaird@oxy.com>, Ken Swinney <kswinney@bbcinternational.com>, Jennifer Gilkey <jgilkey@bbcinternational.com>

Thanks Mike.

Cliff Brunson, CEI, CRS
President
BBC International, Inc.
World-Wide Environmental Specialists
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From: Mike Bratcher <Mike.Bratcher@state.nm.us>

Date: Fri, 22 Apr 2011 22:39:19 +0000

To: Cliff Brunson <cbrunson@bbcinternational.com>

Cc: Kelton Beaird <Kelton_Beaird@oxy.com>, Ken Swinney <kswinney@bbcinternational.com>, Jennifer Gilkey <jgilkey@bbcinternational.com>

Subject: RE: Oxy-NEL #2

Reference: OXY * NEL 002 * 30-015-23759 * I-9-23s-28e * Eddy County, New Mexico

OCD Tracking: **2RP-497** Date of release: 11/20/2010

Cliff,

Based on the analytical data provided, your proposal to remove 3'-5' of impacted material is approved with the following conditions/stipulations:

- Notify OCD 48 hours prior to commencement of remedial activities.
- Notify OCD 48 hours prior to obtaining samples where analyses will be submitted to OCD.
- Notify OCD upon reaching the proposed excavation depth, or the maximum depth as is practicable due to rock.
- Remedial requirements may be subject to modification as site conditions may warrant.
- Submit a closure report and a Form C-141 Final Report upon satisfactory completion of project.
- Like approval by BLM as may be applicable.

It is OCD's understanding that ground water was not encountered during soil boring operations.

Be advised, OCD approval does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment. In addition, OCD approval does not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

If you have any questions or concerns, please contact me.

MIKE BRATCHER

NMOCD District 2
1301 W. Grand Ave.
Artesia, NM 88210
575-748-1283 Ext.108
575-626-0857
mike.bratcher@state.nm.us

From: Cliff P. Brunson [<mailto:cbrunson@bbcinternational.com>]
Sent: Friday, April 22, 2011 10:21 AM
To: Bratcher, Mike, EMNRD
Cc: Kelton Beaird; Ken Swinney; Jennifer Gilkey
Subject: Oxy-NEL #2

Mike,

This e-mail is to confirm our conversation yesterday morning, April 21, 2011 concerning the above referenced site for Oxy. As discussed and agreed upon, Oxy will excavated the impacted soil to a depth of 3 to 5 feet or as practicable to the hard rock layer that was encountered during the delineation phase at this site. The Impacted soil will be disposed of at an OCD-approved disposal facility. The site will then be backfilled with clean soil. I have attached the data that we discussed for your files.

Please reply back to all with your concurrence of this path forward. I appreciate your assistance in getting this remediation plan approved.

Regards,

Cliff

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