

New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor

Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



August 27, 2008

OXY USA WTP LP
PO Box 1988
102 S Main
Carlsbad, NM 88220

RE: Remediation Work Plan
Sterling Silver 33 Federal 002 30-015-25696
G-33-23S-31E Eddy County, New Mexico
2RP-158

Operator:

The New Mexico Oil Conservation Division District II Office (OCD) is in receipt of a remediation work plan prepared and submitted by Safety & Environmental Solutions, Incorporated. The remediation work plan was presented to address the release of 210 barrels of oil in which 0 barrels were recovered.

Soil analytical data of the June 20, 2008 delineation indicates TPH and BTEX are above the remediation action levels. Additionally the chloride levels are above acceptable levels.

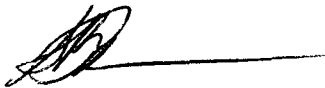
The remediation work plan as presented cannot be approved. An alternate plan to address the contaminated soils must be presented to OCD on or before **September 12, 2008**.

Remediation requirements may be subject to other federal, state, local laws and/or regulations. Additionally, please be advised that 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 the event that a satisfactory response is not received to this letter, further enforcement may occur. Such enforcement may include this office applying to the Division for an order summoning you to a hearing before a Division Examiner in Santa Fe. Such a hearing may result in imposition of civil penalties for your violation of OCD rules.

Thank you for your attention to these matters. If I can be of further assistance regarding this issue, please feel free to contact me.

Respectfully,

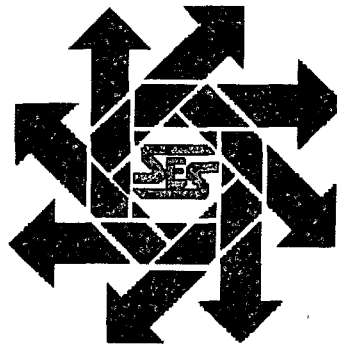


Sherry Bonham
NMOCD District II
1301 West Grand Avenue
Artesia, NM 88210
575.748.1283. ext.109



**Oxy USA Corporation
Sterling Silver 33 Federal Central Battery
Work Plan
Unit G, Section 33, Township 23S, Range 31E
Eddy County, New Mexico**

July 2, 2008



Prepared for:

**Oxy USA WTP LP
P.O. Box 1988
Carlsbad, New Mexico 88221**

DENIED

By:

**Safety & Environmental Solutions, Inc.
703 E. Clinton
Hobbs, New Mexico 88240
(575) 397-0510**

2RP-158

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I. Company Contacts

NAME	Company	Telephone	E-mail
Kelton Beard	Oxy USA	575-390-1903	Kelton_Beard@oxy.com
Isaac Kincaid	SESI	575-390-8841	ikincaid@sesi-nm.com

II. Background

Safety and Environmental Solutions, Inc. (SESI) was engaged by Oxy USA Corporation to perform cleanup services at the Sterling Silver 33 Federal Central Battery spill site. This a battery site in which the tank overflowed, releasing 210 barrels of oil in which 0 bbls were recovered.

III. Surface and Ground Water

The closest groundwater of record on the Office of the State Engineer's online Database is located in Section 2, Township 24S, Section 31E. The depth of water in this well was 160' in September 1994.

IV. Work Performed

On April 11, 2008 SESI was onsite to perform a site investigation from the tank battery release. Two field chloride samples were obtained from the release at the surface. The field results indicated the Chloride concentrations at the surface to be <124 PPM.

On June 20, 2008 SESI was onsite to delineate the area. Two boreholes were installed and grab samples were retrieved in five foot intervals from each borehole. The samples were properly preserved and transported under Chain-of-Custody to Argon Laboratories of Hobbs, New Mexico for analysis. The samples were analyzed for Chlorides (EPA method 300.0), BTEX (Benzene, Toluene, Ethyl benzene, and Xylenes) (EPA method 8021B), and TPH (EPA method 418.1). The results of the analysis are as follows:

Sample Point	Chlorides	Benzene	Toluene	Ethyl benzene	Xylenes	TPH
BH #1 5'	ND	2.1	53	19	88	13,000
BH #1 10'	130	5.6	68	25	110	17,000
BH #1 15'	1,500	ND	ND	ND	ND	56
BH #1 20'	2,000	ND	ND	ND	ND	ND
BH #2 5'	1,700	ND	ND	ND	ND	ND
BH #2 10'	180	ND	ND	ND	ND	ND

BH #1 is located approximately 30' north of the location pad. There were two DCP buried lines 6' south of BH #1.

BH #2 is located approximately 300' north of location pad where the release ended.

V. Closure Plan

The delineation indicated that the TPH contamination from this release has not migrated beyond 15' in depth. The chloride concentrations encountered during delineation are believed to be historical and not related to this release. At the request of the BLM in order

to lessen the disturbance of the area it is requested that the impacted soils be tilled and fertilized in order to neutralize the hydrocarbon levels.

VI. Figures & Appendices

Figure 1 – Vicinity Map

Figure 2 – Site Plan

Appendix A – Archeological Study

Appendix B – Site Photos

Figure 1
Vicinity Map

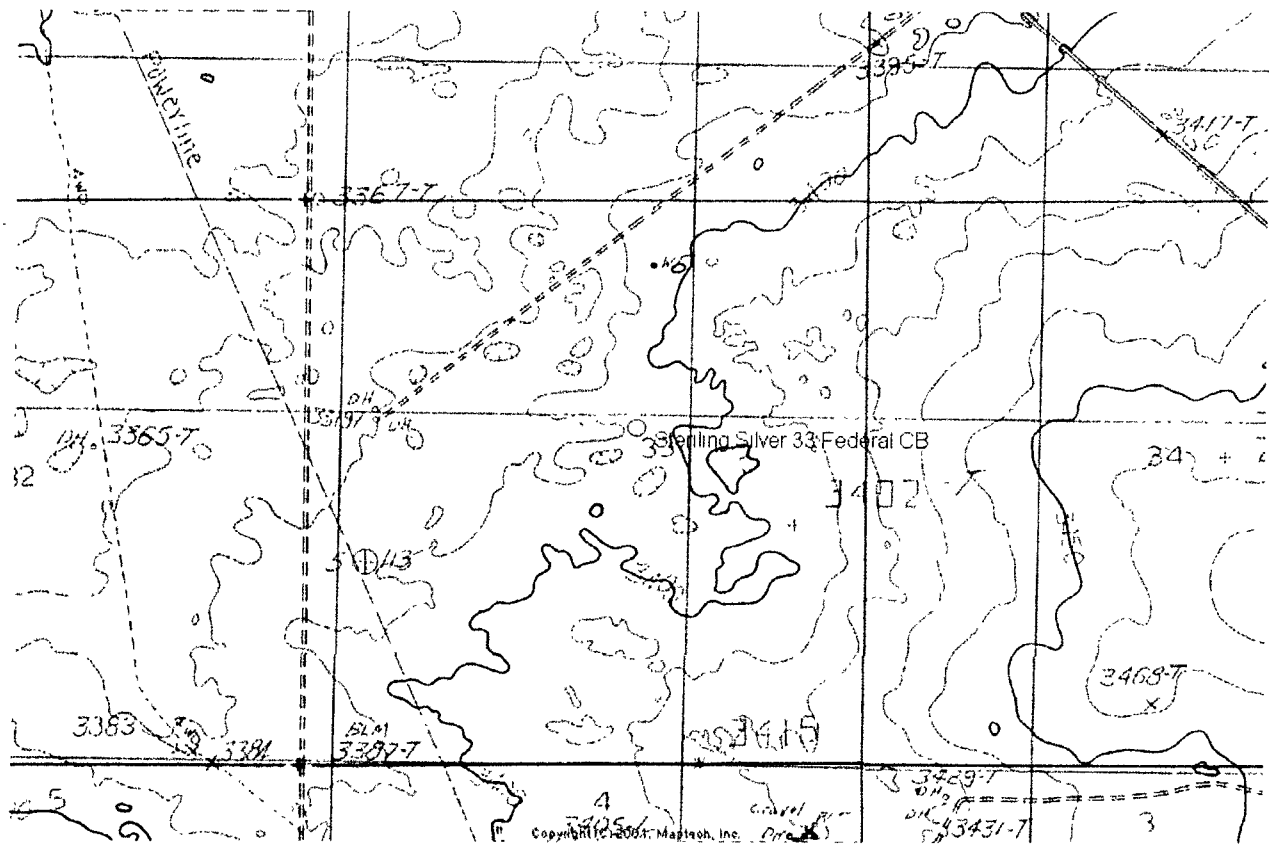
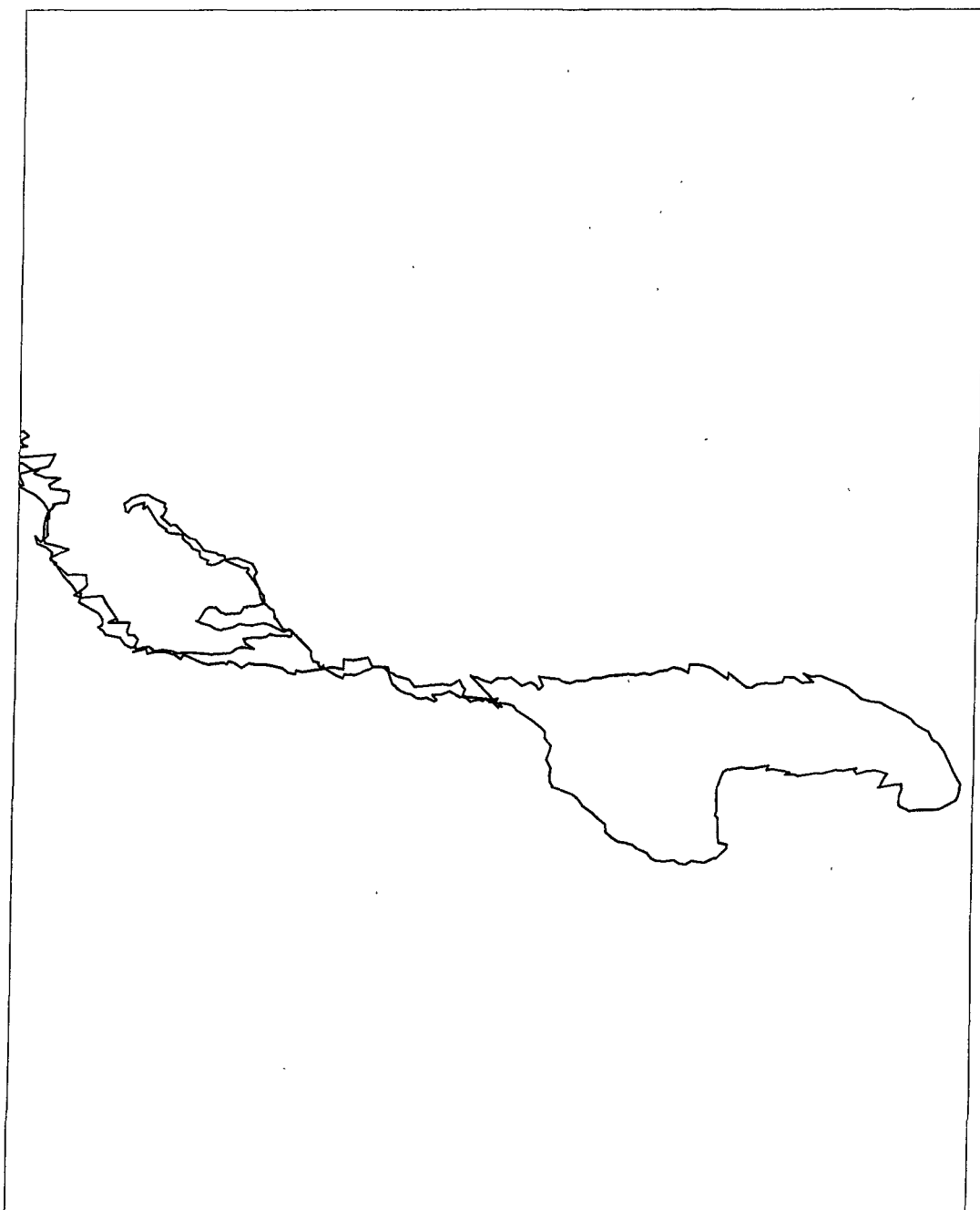


Figure 2 Site Plan



Oxy Sterling Silver

Lat/Long
WGS 1984



Scale 1:1,000
0 125.0
Feet

Multiple Files
5/8/2008

GPS Pathfinder® Office



Appendix A

Archeological Study

NMCRIS INVESTIGATION ABSTRACT FORM (NIAF)

1. NMCRIS Activity No.: 109974	2a. Lead (Sponsoring) Agency: BLM, CFO	2b. Other Permitting Agency(ies):	3. Lead Agency Report No.:
4. Title of Report: OXY Sterling Silver Federal Central Tank Battery Author(s) Ann and Danny Boone			5. Type of Report <input checked="" type="checkbox"/> Negative <input type="checkbox"/> Positive
6. Investigation Type <input type="checkbox"/> Research Design <input checked="" type="checkbox"/> Survey/Inventory <input type="checkbox"/> Test Excavation <input type="checkbox"/> Excavation <input type="checkbox"/> Collections/Non-Field Study <input type="checkbox"/> Overview/Lit Review <input type="checkbox"/> Monitoring <input type="checkbox"/> Ethnographic study <input type="checkbox"/> Site specific visit <input type="checkbox"/> Other			
7. Description of Undertaking (what does the project entail?): An irregular shaped area with a 100 feet buffer zone around it where petroleum fluid ran onto the ground.			
8. Dates of Investigation: (from: 4/23/2008 to:)		9. Report Date: 23 April 08	
10. Performing Agency/Consultant: Boone Archaeological Services, LLC Principal Investigator: Danny Boone Field Supervisor: Danny Boone Field Personnel Names: Danny Boone		11. Performing Agency/Consultant Report No.: BAS 04-08-54	
13. Client/Customer (project proponent): Safety & Environmental Solutions, Inc. Contact: Jerri Lee Address: 703 E. Clinton Hobbs, New Mexico Phone: (505) 397-0510		12. Applicable Cultural Resource Permit No(s): BLM: 190-2920-06-J	
13. Client/Customer (project proponent): Safety & Environmental Solutions, Inc. Contact: Jerri Lee Address: 703 E. Clinton Hobbs, New Mexico Phone: (505) 397-0510		14. Client/Customer Project No.:	
15. Land Ownership Status (<i>Must be indicated on project map</i>):			
Land Owner		Acres Surveyed	Acres in APE
Federal	2.91 (+/-)	0.72 (+/-)	
TOTALS	2.91 (+/-)	0.72 (+/-)	
16. Records Search(es):			
Date(s) of ARMS File Review 22 April 08		Name of Reviewer(s) Ann Boone	
Date(s) of NR/SR File Review		Name of Reviewer(s)	
Date(s) of Other Agency File Review 22 April 08		Name of Reviewer(s) Danny Boone Agency BLM, CFO	
Findings: LA 143563, 155891, 155893 and possible others are within 1.0 mile.			
17. Survey Data:			
a. Source Graphics <input checked="" type="checkbox"/> NAD 27 <input type="checkbox"/> NAD 83 <input checked="" type="checkbox"/> USGS 7.5' (1:24,000) topo map <input type="checkbox"/> Other topo map, Scale: <input type="checkbox"/> GPS Unit Accuracy <input type="checkbox"/> <1.0m <input checked="" type="checkbox"/> 1-10m <input type="checkbox"/> 10-100m <input type="checkbox"/> >100m			
b. USGS 7.5' Topographic Map Name		USGS Quad Code	
Los Medanos, NM (Prov. Ed. 1985)	32103-C7		
c. County(ies): Eddy			

17. Survey Data (continued):

d. Nearest City or Town: Jal, NM

e. Legal Description:

Township (N/S)	Range (E/W)	Section	1/4	1/4	1/4
23S	31E	33	sw	ne, se	nw,

Projected legal description? Yes ☒, No ☒ Unplatted ☒

f. Other Description (e.g. well pad footages, mile markers, plats, land grant name, etc.):

18. Survey Field Methods:

Intensity: ☒ 100% coverage ☐ <100% coverageConfiguration: ☒ block survey units ☐ linear survey units (l x w): ☐ other survey units (specify):Scope: ☒ non-selective (all sites recorded) ☐ selective/thematic (selected sites recorded)Coverage Method: ☒ systematic pedestrian coverage ☐ other method (describe)

Survey Interval (m): 15 Crew Size: 1 Fieldwork Dates: 23 April 08

Survey Person Hours: 1.0 Recording Person Hours: 0 Total Hours: 1.0

Additional Narrative: Survey area is irregular shaped with no plat, location and acres are estimations based on a hand held GPS Unit.

19. Environmental Setting (NRCS soil designation; vegetative community; elevation; etc.):

Topography: Mildly rolling dunal plain.

Vegetative community: Mesquite, shainoak, sage brush, assorted grasses and other flora.

NRCS: Kermit-Berino association: Sandy, deep soils from wind-worked mixed sand deposits.

Elevation: 3,390 feet

20. a. Percent Ground Visibility: 90 overall b. Condition of Survey Area (grazed, bladed, undisturbed, etc.): Most of the affected area has had impact from buried pipelines, a well pad, caliche capped road and electriclines.

21. CULTURAL RESOURCE FINDINGS ☐ Yes, See Page 3 ☒ No, Discuss Why: Unknown

22. Required Attachments (check all appropriate boxes):

☒ USGS 7.5 Topographic Map with sites, isolates, and survey area clearly drawn☒ Copy of NMCRIS Mapserver Map Check☐ LA Site Forms - new sites (*with sketch map & topographic map*)☐ LA Site Forms (update) - previously recorded & un-relocated sites (*first 2 pages minimum*)☐ Historic Cultural Property Inventory Forms☐ List and Description of isolates, if applicable☐ List and Description of Collections, if applicable

23. Other Attachments:

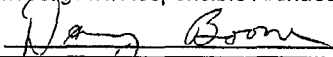
☐ Photographs and Log☐ Other Attachments

(Describe):

24. I certify the information provided above is correct and accurate and meets all applicable agency standards.

Principal Investigator/Responsible Archaeologist: Danny Boone

Signature



Date: 23 April 08 Title (if not PI):

25. Reviewing Agency:

Reviewer's Name/Date

Accepted () Rejected ()

Tribal Consultation (if applicable): ☐ Yes ☐ No

26. SHPO

Reviewer's Name/Date:

HPD Log #:

SHPO File Location:

Date sent to ARMS:

CULTURAL RESOURCE FINDINGS

1. NMCRIS Activity No.: 109974	2. Lead (Sponsoring) Agency: BLM, CFO	3. Lead Agency Report No.:
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SURVEY RESULTS:

Sites discovered and registered: 0
 Sites discovered and NOT registered: 0
 Previously recorded sites revisited (*site update form required*): 0
 Previously recorded sites not relocated (*site update form required*): 0
 TOTAL SITES VISITED: 0
 Total isolates recorded: 0 Non-selective isolate recording? ☒
 Total structures recorded (*new and previously recorded, including acequias*): 0

MANAGEMENT SUMMARY: No cultural resources were encountered therefore clearance of the Petroleum fluid spill area with a 100 feet buffer zone near the OXY Sterling Silver Federal Central Tank Battery for Safty & Environmental Soultions, Inc. is recommended.

IF REPORT IS NEGATIVE YOU ARE DONE AT THIS POINT.

SURVEY LA NUMBER LOG

Sites Discovered:

LA No.	Field/Agency No.	Eligible? (Y/N, applicable criteria)

Previously recorded revisited sites:

LA No.	Field/Agency No.	Eligible? (Y/N, applicable criteria)

MONITORING LA NUMBER LOG (*site form required*)

Sites Discovered (*site form required*): Previously recorded sites (*Site update form required*):

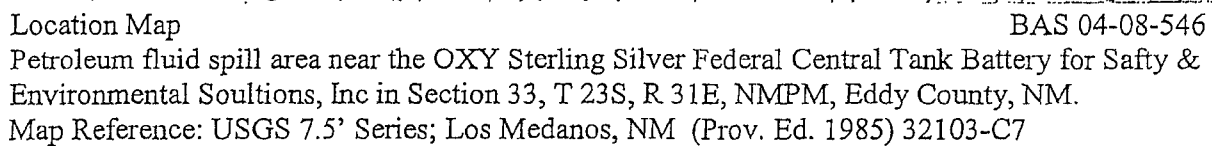
LA No.	Field/Agency No.	LA No.	Field/Agency No.

Areas outside known nearby site boundaries monitored? Yes ☐, No ☐ If no explain why:

TESTING & EXCAVATION LA NUMBER LOG (*site form required*)

Tested LA number(s) Excavated LA number(s)

Tested LA number(s)	Excavated LA number(s)



BAS 04-08-546

Petroleum fluid spill area near the OXY Sterling Silver Federal Central Tank Battery for Safty & Environmental Soultions, Inc in Section 33, T 23S, R 31E, NMPM, Eddy County, NM.

Map Reference: USGS 7.5' Series; Los Medanos, NM (Prov. Ed. 1985) 32103-C7

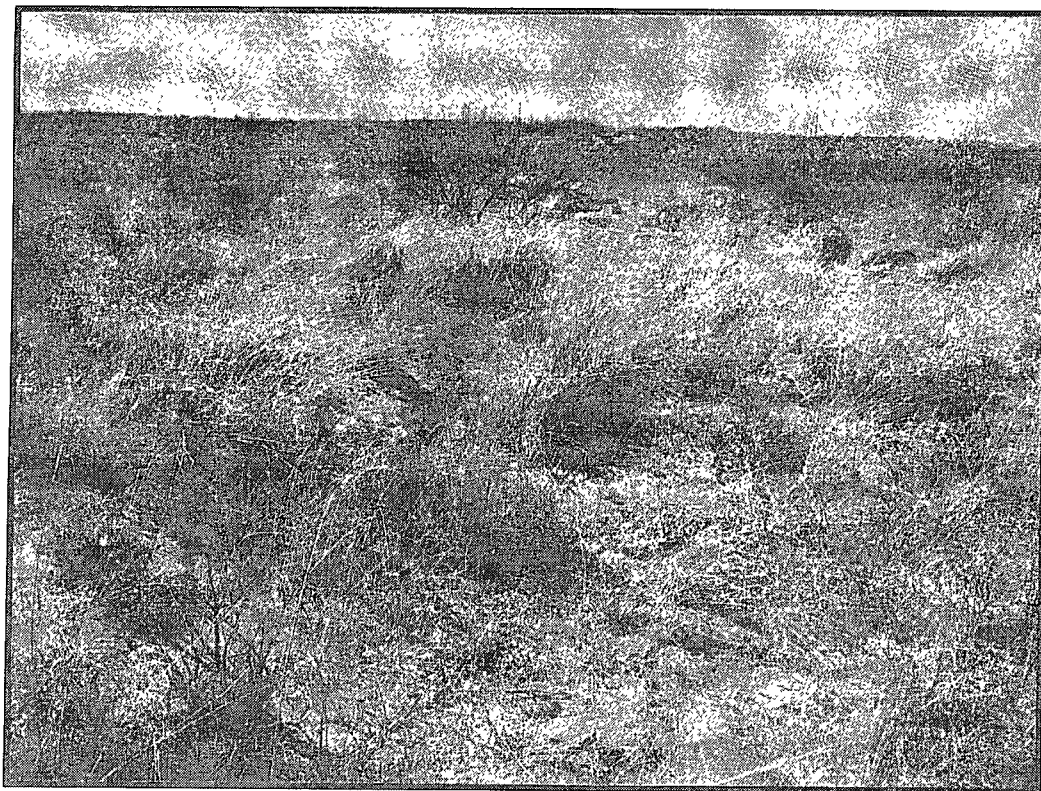


Appendix B

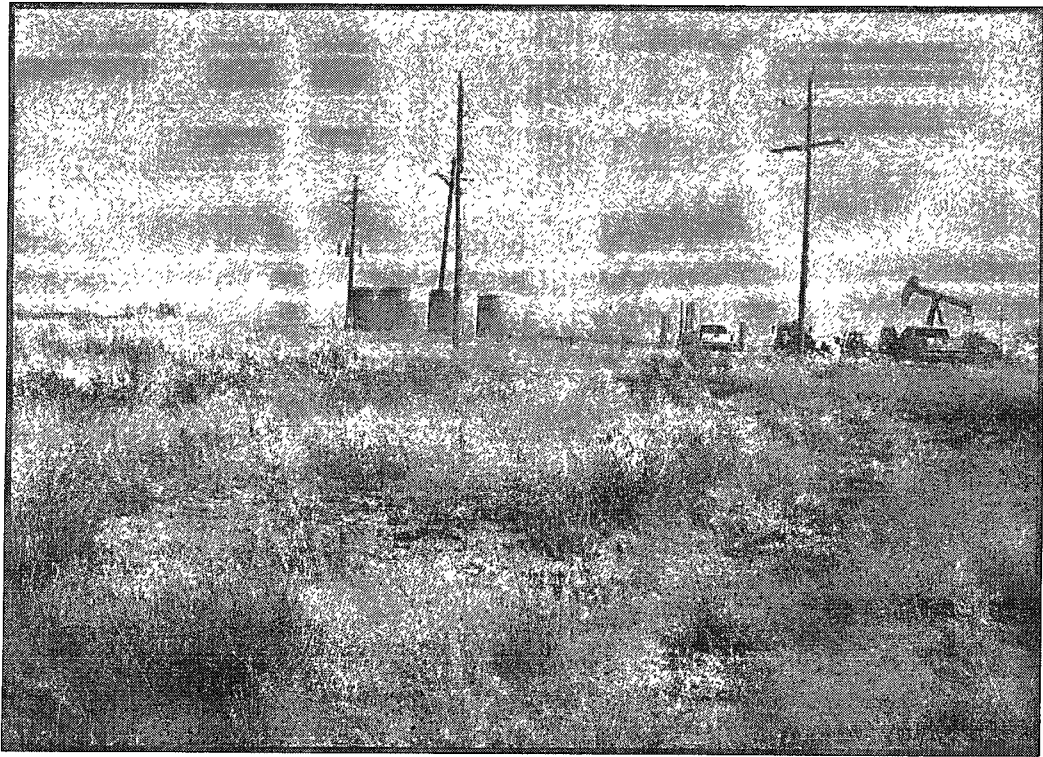
Site Photos



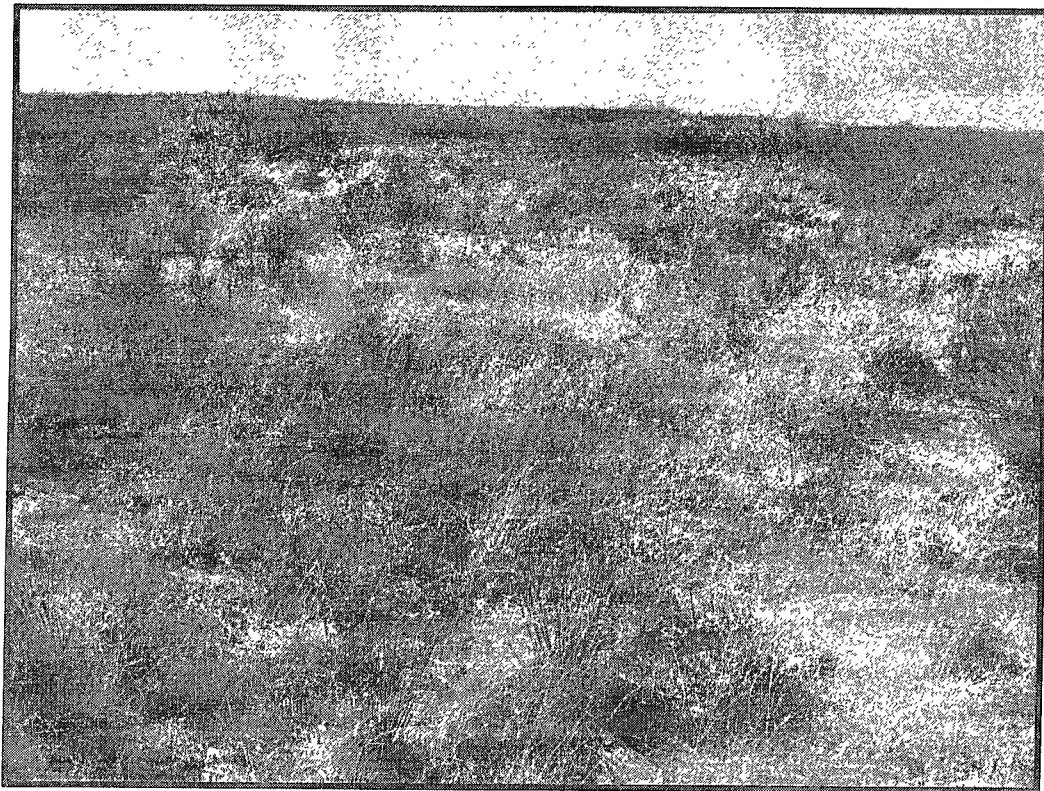
Well sign



Furthest release area facing northwest



Furthest release area facing southeast



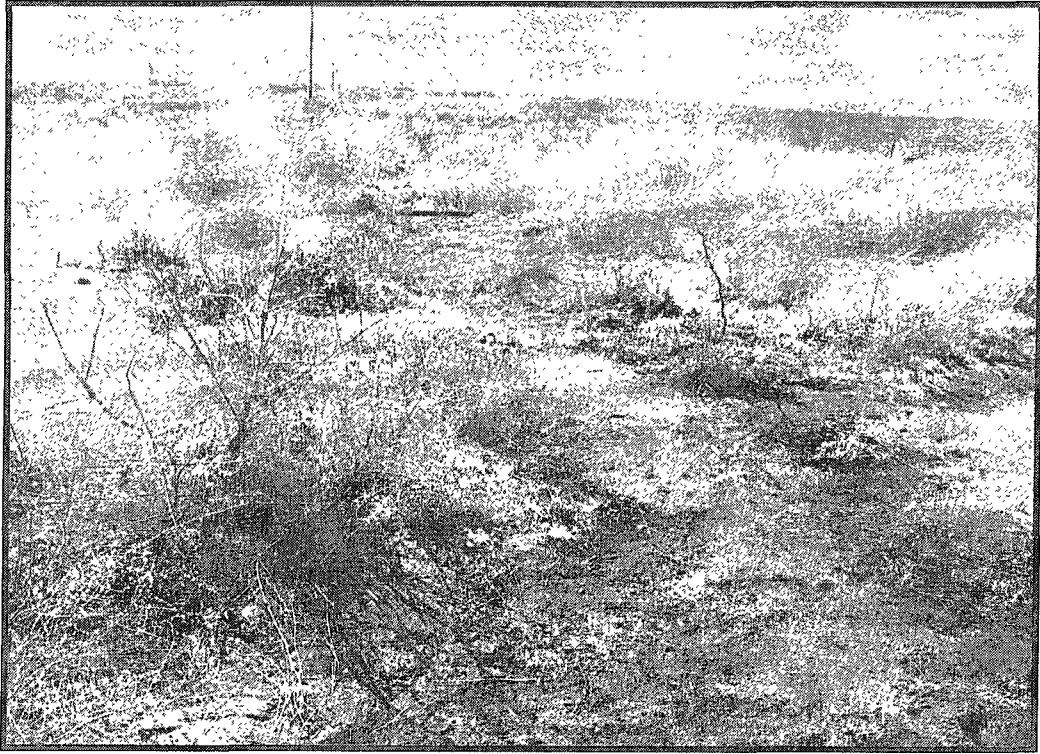
Release area facing northwest



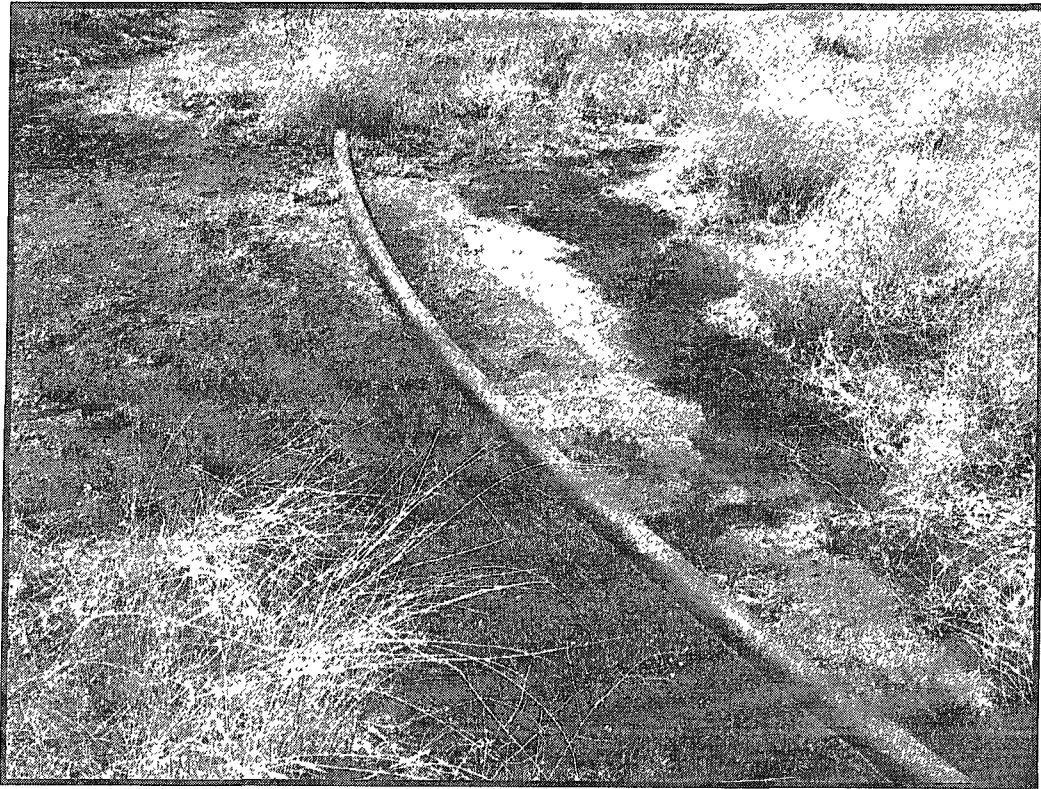
East release area facing northwest



South west release area facing west



Release area facing west



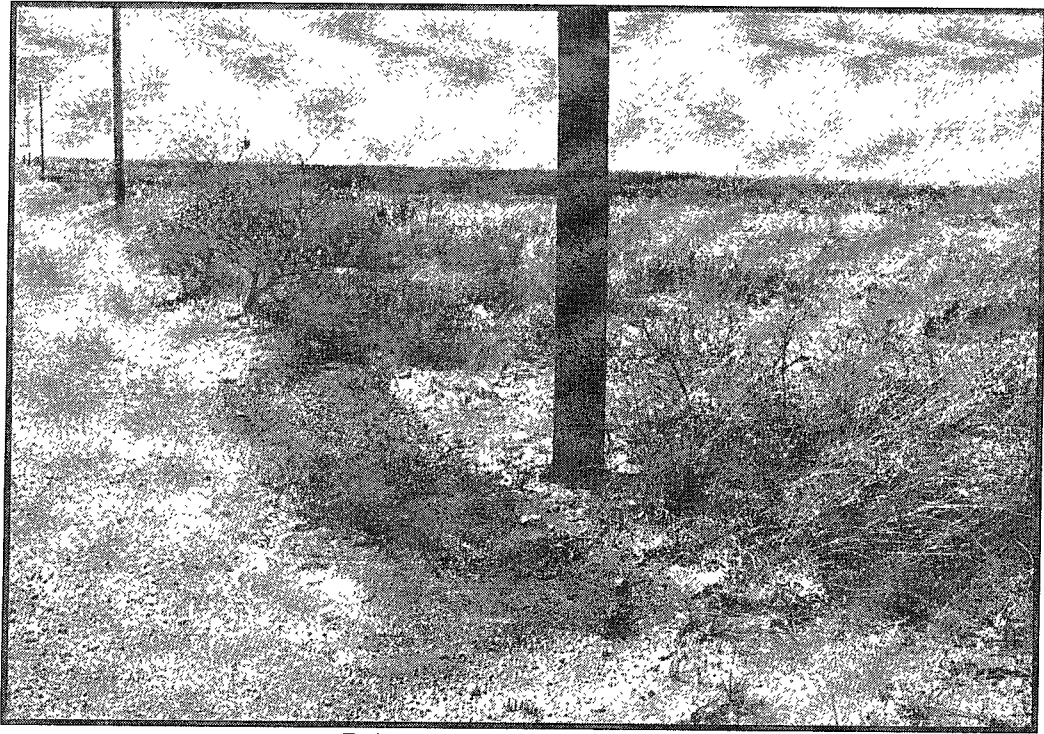
Release area facing northwest



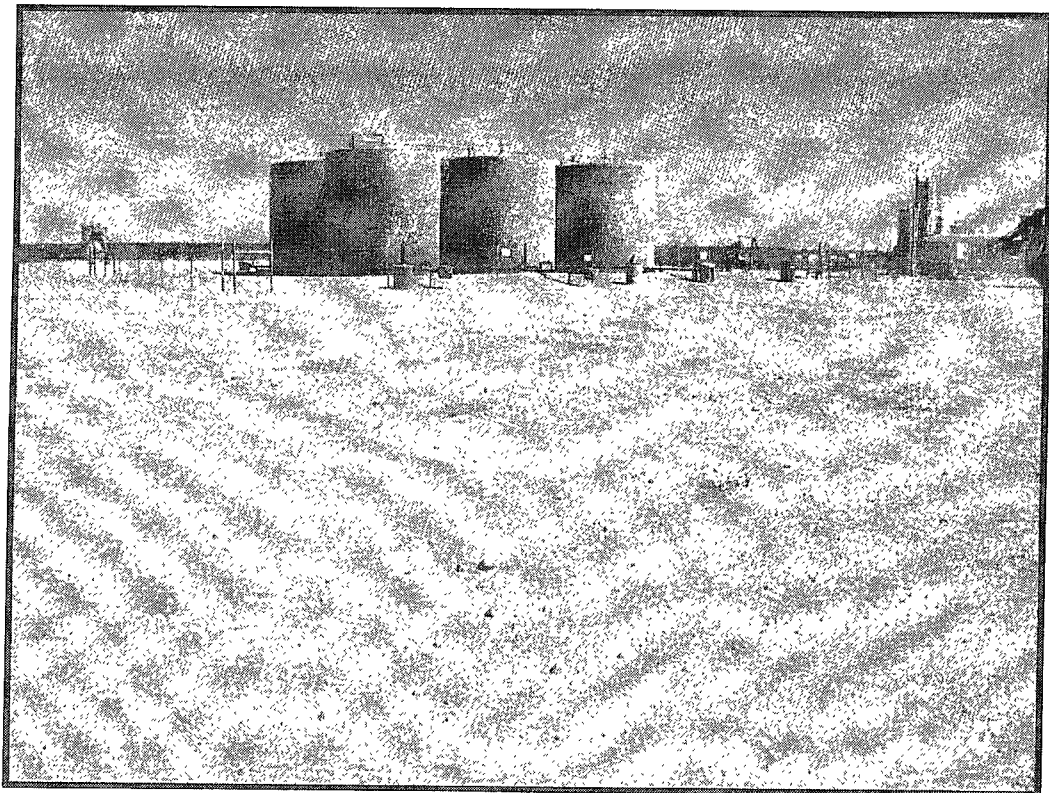
East release area facing northwest



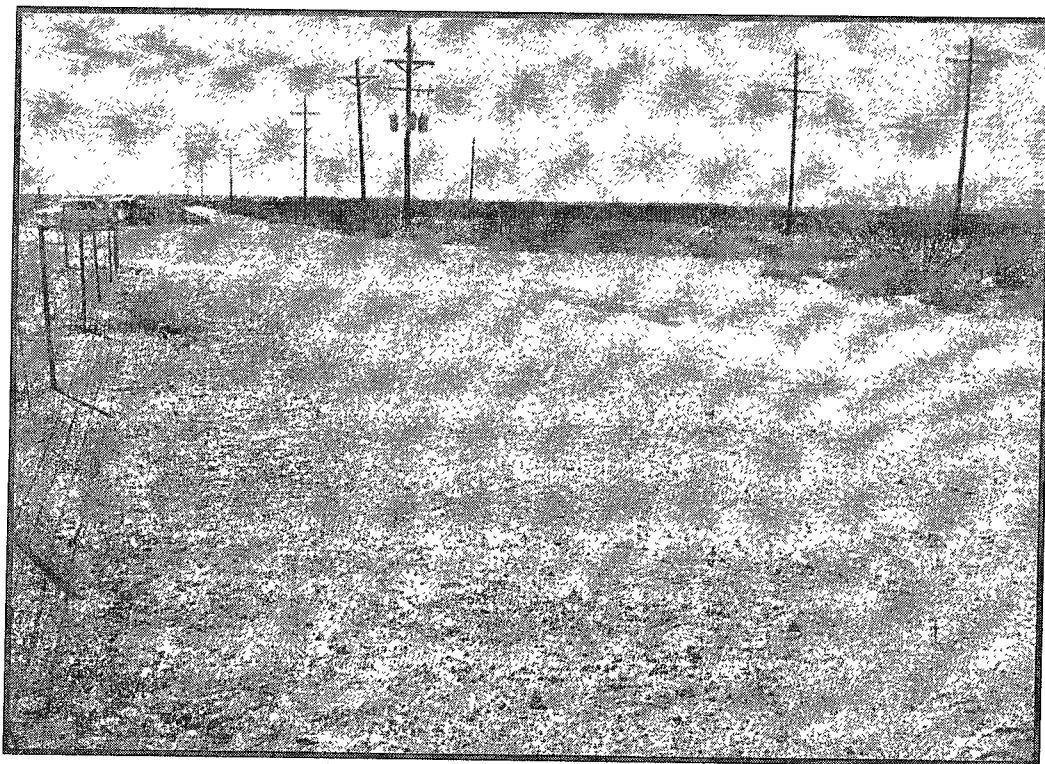
Release area facing south east



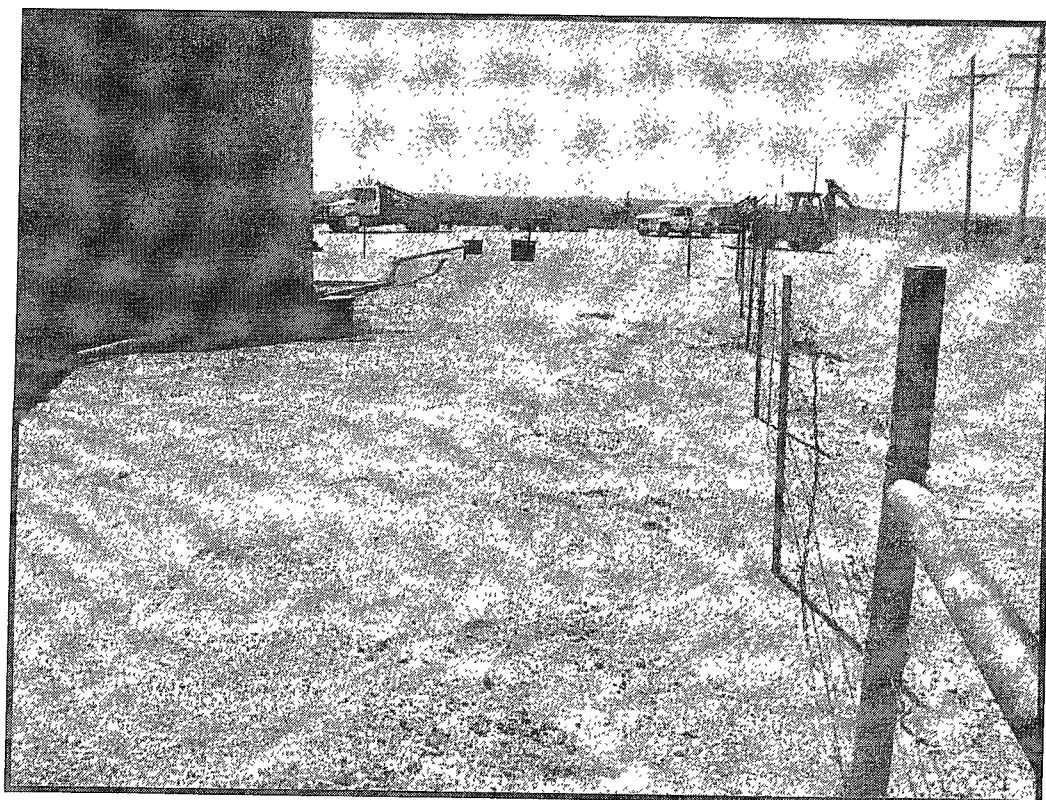
Release area facing northwest



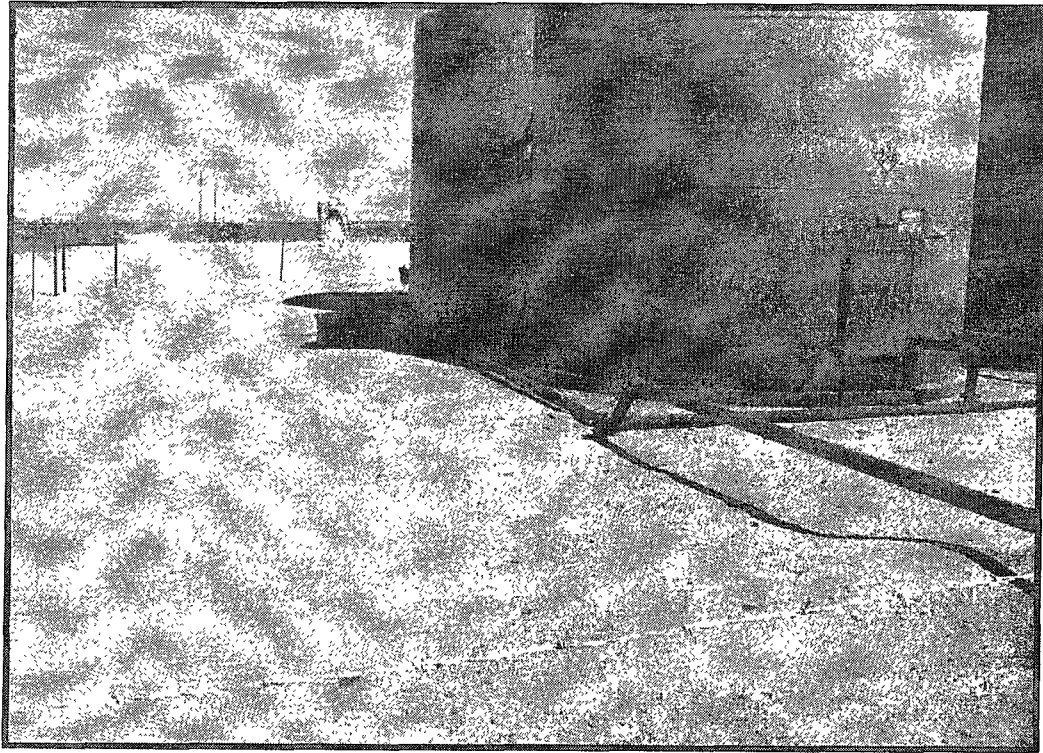
Tank release pad



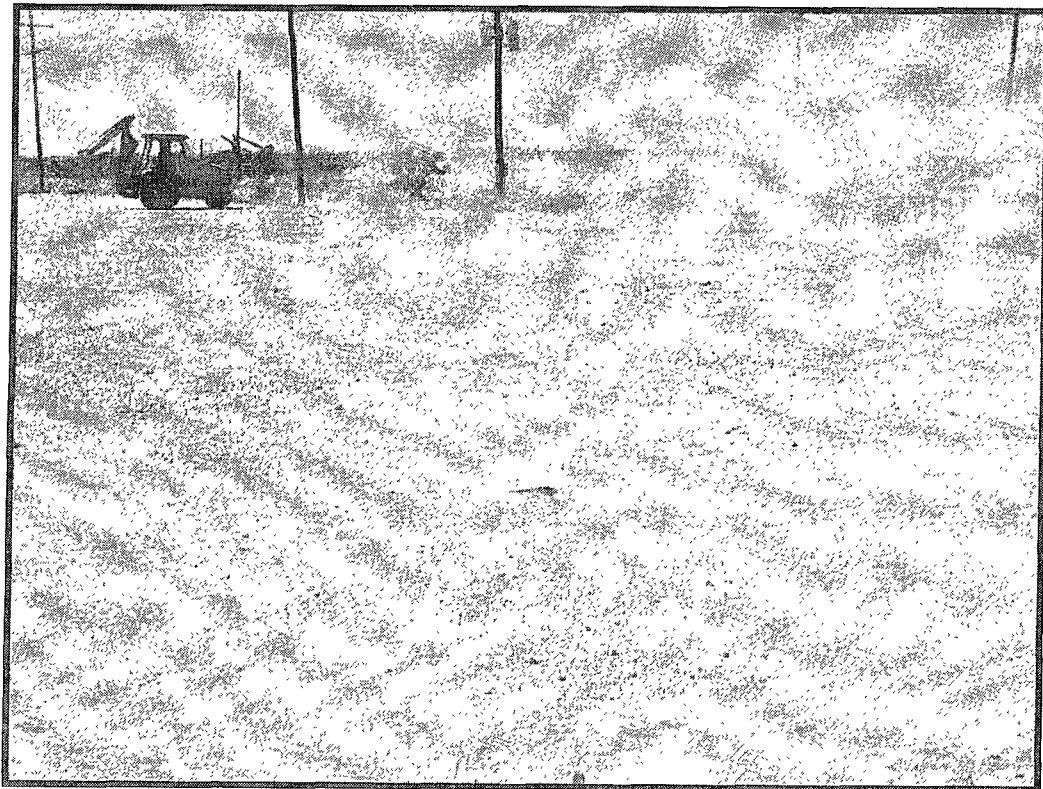
Northeast of tank pad facing west



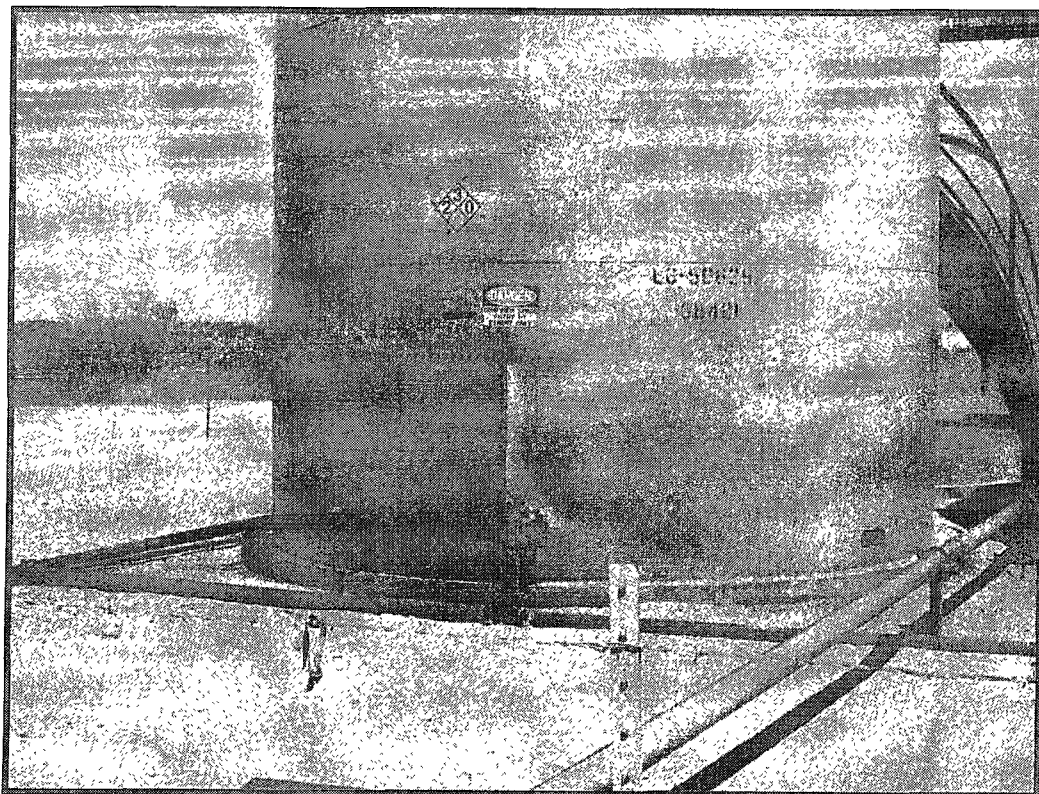
Tank battery berm facing west



Release tank facing east



Location pad facing north



Release tank facing east