

AP - 11

APPROVALS

YEAR(S):

2008



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



October 28, 2008

M. Paul Peacock
Marathon Oil Company
P.O. Box 3128
Houston, TX 77253-3128

**RE: 2007 Annual Groundwater Monitoring Report for the Marathon's
Former Bertha Barber Tank Battery Release Site
Section 5, T20S, R37E, Lea County, New Mexico
Abatement Plan (AP-11) Termination**

Dear Mr. Peacock:

The New Mexico Oil Conservation Division (OCD) has received Marathon's report and request to close the above-referenced site (dated May, 2008). The report is acceptable to the OCD. However, the material used to plug the groundwater monitoring wells must be a cement grout with 1% to 3% bentonite. Please submit to the OCD a final plugging report within 60 days of receipt of this letter.

The above-referenced report, submitted in accordance with Rule 19.K, indicates that Marathon has met the requirements of Rule 19.B; therefore, the OCD approves the report and hereby notifies you that the abatement plan (AP-11) is terminated in accordance with Rule 19.K.(2).

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



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Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Edward Hansen of my staff at 505-476-3489 or edwardj.hansen@state.nm.us.

Sincerely,



Wayne Price
Environmental Bureau Chief

WP:EJH:ejh

cc: OCD; Hobbs District Office
Terry Persaud, P.E., Marathon Oil Company, P.O. Box 3128, Houston, TX 77253-3128

