

AP -

96

# GENERAL CORRESPONDENCE

YEAR(S):

2009 - 2010

**Hansen, Edward J., EMNRD**

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**From:** Jason Henry [JHenry@paalp.com]  
**Sent:** Wednesday, January 13, 2010 12:55 PM  
**To:** Hansen, Edward J., EMNRD  
**Subject:** AP-96 Notification Letters  
**Attachments:** AP-96 (WTI) Mailed notification letters 2.pdf; AP-96 (WTI) Mailed notification letters 1.pdf;  
Notification List for Lovington Gathering WTI 12-15-09.xls

Ed,

I may have messed up. I neglected to send the letters from the mailing list as "return receipt". I have attached scanned copies of every letter that I sent but if this isn't sufficient from a documentation standpoint then please let me know and I will re-send the letters using the "return receipt" option.

I also attached the mailing list that I used when sending the letters.

Thanks,

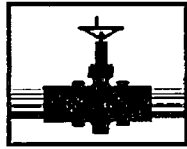
Jason Henry  
575-441-1099

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This inbound email has been scanned for malicious software and transmitted safely to you using Webroot Email Security.

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| Name1          | Name2                                    | Company   | Address                                 | City         | State | Zip   | email                         |
|----------------|--|---|---|--------------|-------|-------|-------------------------------|
|                | Chris Shuey                              | Southwest Research & Information Center         | P. O. Box 4524                          | Albuquerque  | NM    | 87106 | srcdon@earthlink.net          |
|                | Field Supervisor                         | US Fish & Wildlife Service                      | 2105 Osuna Road, Northeast              | Albuquerque  | NM    | 87113 |                               |
| William Fether | New Mexico Trustee for Natural Resources | c/o American Ground Water Consultants           | 610 Gold St. SW, Suite 111              | Albuquerque  | NM    | 87102 |                               |
|                | Ron Dutton                               | Southwestern Public Service                     | P. O. Box 1261                          | Amarillo     | TX    | 79170 | ron.dutton@xcelenergy.com     |
|                |  | Dr. Harry Bishara                               | P. O. Box 748                           | Cuba         | NM    | 87013 |                               |
| Soil and Water | New Mexico Agriculture Department        | Ag Programs and Resources Division              | Box 30005/APR                           | Las Cruces   | NM    | 88003 |                               |
|                | Director                                 | State Parks & Recreation                        | 1220 S. St. Francis                     | Santa Fe     | NM    | 87505 | trujillo@state.nm.us          |
|                | Secretary                                | New Mexico Environment Department               | P. O. Box 26110                         | Santa Fe     | NM    | 87504 | Cathy_Tyson@nmenv.state.nm.us |
|                | Director                                 | NM Department of Game & Fish                    | Villagra Building                       | Santa Fe     | NM    | 87503 |                               |
|                | 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 |                               |
|                |  | Jay Lazarus                                     | P. O. Box 5727                          | Santa Fe     | NM    | 87502 | lazarus@gloriageo.com         |
|                | Bruce S. Garber                          | Attorney at Law                                 | P. O. Box 0850                          | Santa Fe     | NM    | 87504 | bsg@gardhall.com              |
|                | Chief                                    | Groundwater Bureau                              | Runnels Building                        | Santa Fe     | NM    | 87504 |                               |
|                | Chief                                    | Hazardous Waste Bureau                          | Runnels Building                        | Santa Fe     | NM    | 87504 |                               |
|                |  | State Historic Preservation Officer             | 228 E Palace Ave, Villa Rivera Room 101 | Santa Fe     | NM    | 87503 |                               |
|                |  | Attorney General's Office                       | P. O. Box 1508                          | Santa Fe     | NM    | 87504 |                               |
|                |  | NM Oil & Gas Association                        | P. O. Box 1864                          | Santa Fe     | NM    | 87504 |                               |
|                | Ned Kendrick                             | Attorney at Law                                 | 325 Paseo de Peralta                    | Santa Fe     | NM    | 87501 | ekendrick@montand.com         |
|                | Lynn Brandvold                           | NM Bureau of Mines & Mineral Resources          | NM Institute of Mining & Tech.          | Socorro      | NM    | 87801 |                               |
|                |  | Lea County Commission                           | 100 N. Main                             | Lovington    | NM    | 88260 |                               |
|                | Cabinet Secretary                        | Indian Affairs Department                       | 1220 South Saint Francis Drive          | Santa Fe     | NM    | 87505 |                               |
|                | Randy Hicks                              | R. T. Hicks Consultants, Ltd                    | 901 Rio Grande NW, Suite F-142          | Albuquerque  | NM    | 87104 |                               |
|                | Regional Forester                        | USFS Regional Office                            | 517 Gold Avenue SW                      | Albuquerque  | NM    | 87102 |                               |
| Claudette Horn | Environmental Counsel                    | Public Service Company of New Mexico            | 414 Silver SW                           | Albuquerque  | NM    | 87158 |                               |
|                |  | Independent Petroleum Association of New Mexico | P.O. Box 1836                           | Roswell      | NM    | 88201 |                               |
|                |  |   |   |              |       |       |                               |
|                |  | C. Robert Rice Jr.                              | 74 Sycamore Rd                          | Redding      | PA    | 19606 |                               |
|                |  | James L Walker Trust                            | 2900 North Dal Paso                     | Hobbs        | NM    | 88240 |                               |
|                |  | Robert C Meyer                                  | 7137 Route 119 Hwy N                    | Marioncenter | PA    | 15759 |                               |
|                |  | Site specific notifications - landowners        |   |              |       |       |                               |



# PLAINS

## MARKETING L.P.

January 6, 2010

State Historic Preservation Officer  
228 E Palace Ave, Villa Rivera Room 101  
Santa Fe, NM 87503

Dear Sir or Madam:

Notice is hereby given that pursuant to New Mexico Oil Conservation Commission Rules (19.15.30 NMAC), the following Stage 1 and Stage 2 Abatement Plan Proposals have been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Drive, Santa Fe, New Mexico, 87505, Telephone (505) 476-3440:

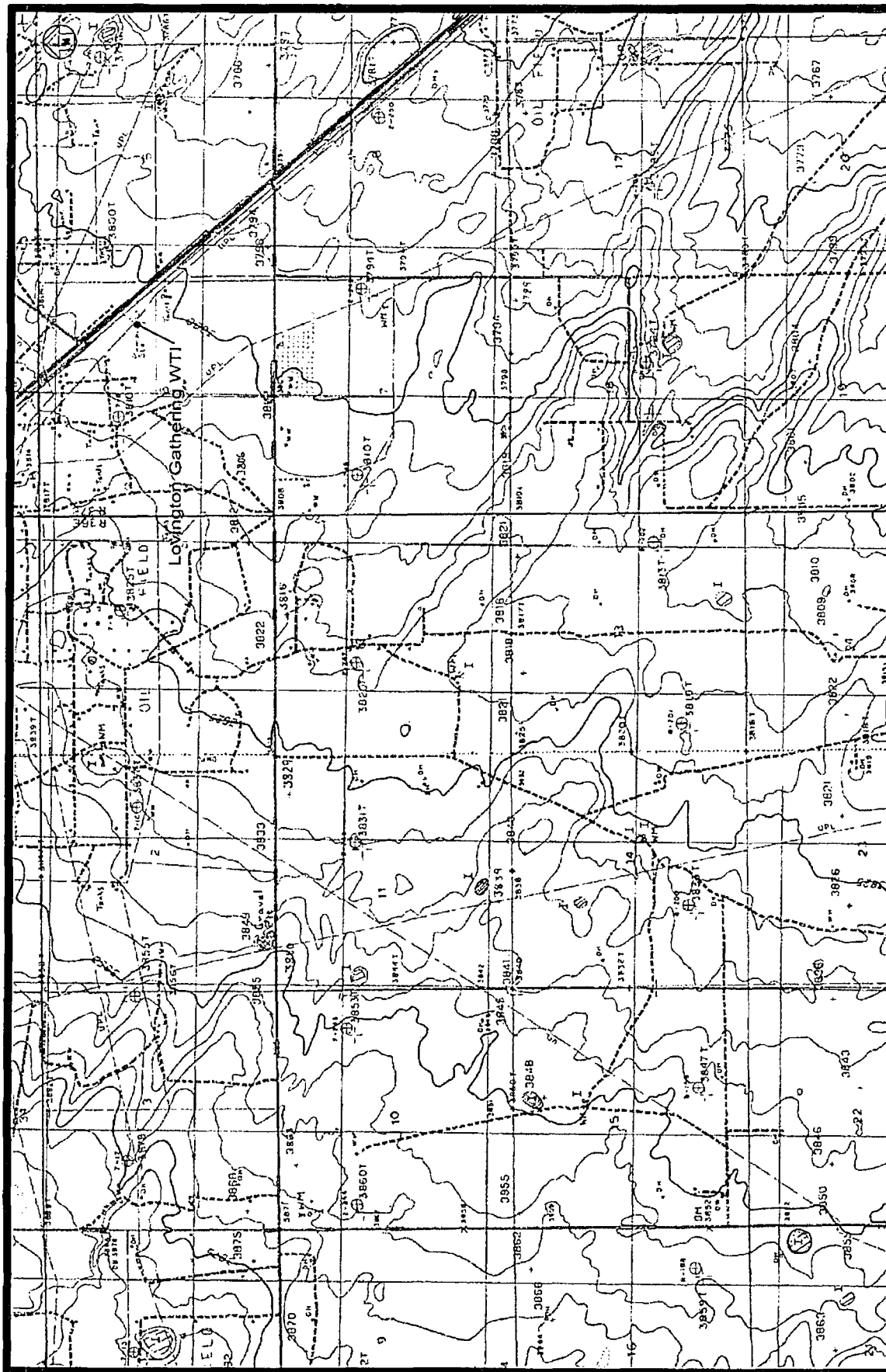
Plains Marketing, L.P., Jason Henry, Remediation Coordinator, Telephone (575) 441-1099, 3112 W. US Hwy 82, Lovington, New Mexico 88260 has submitted a Stage 1 and Stage 2 Abatement Plan Proposal for the Lovington Gathering WTI leak site, located in Unit Letter H of Section 6, Township 17 South, Range 37 East, NMPM, Lea County, New Mexico. Plains Marketing, L.P. operates a crude oil pipeline at the site. An estimated volume of 12 barrels of crude oil was released from a pipeline at the site. Crude oil and benzene contamination in excess of the New Mexico Water Quality Control Commission standards has been observed in groundwater at the site. The Stage 1 and Stage 2 Abatement Plan Proposal presents the following activities: designate a responsible person relative to plan submittal, describes and maps the site, provides historical information including previous investigation, characterizes the site as to geology and hydrogeology; determines vertical and horizontal extent and magnitude of vadose zone and groundwater contamination, determines rate and direction of contamination migration, provides inventory of water wells in the vicinity, provided location and number of wells actually or potentially affected by the pollution, defined surface water hydrology, determined seasonal stream flow characteristics, determined groundwater/surface water relationships, determined the vertical and horizontal extent and magnitude of contamination, establishes a monitoring program, establishes a Quality Assurance Plan, soil and groundwater remediation strategies, and surface restoration strategies.

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 includes reasons why a hearing should be held. The Stage 1 and Stage 2 Abatement Plan Proposals may be viewed at the above address or at the Oil Conservation Division Hobbs District Office, 1625 North French Drive, Hobbs, New Mexico 88240, telephone (575) 393-6161, between 8:00 a.m. and 4:00 p.m., Monday through Friday or may also be viewed at the Oil Conservation Division website: <http://www.emnrd.state.nm.us/ocd/>. Prior to ruling on the proposed Stage 1 and Stage 2 Abatement Plan Proposals, the Director of the Oil Conservation Division shall allow 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.

Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 88260

Enclosure



Unit Letter "H", Section 6, Township 17 South, Range 37 East

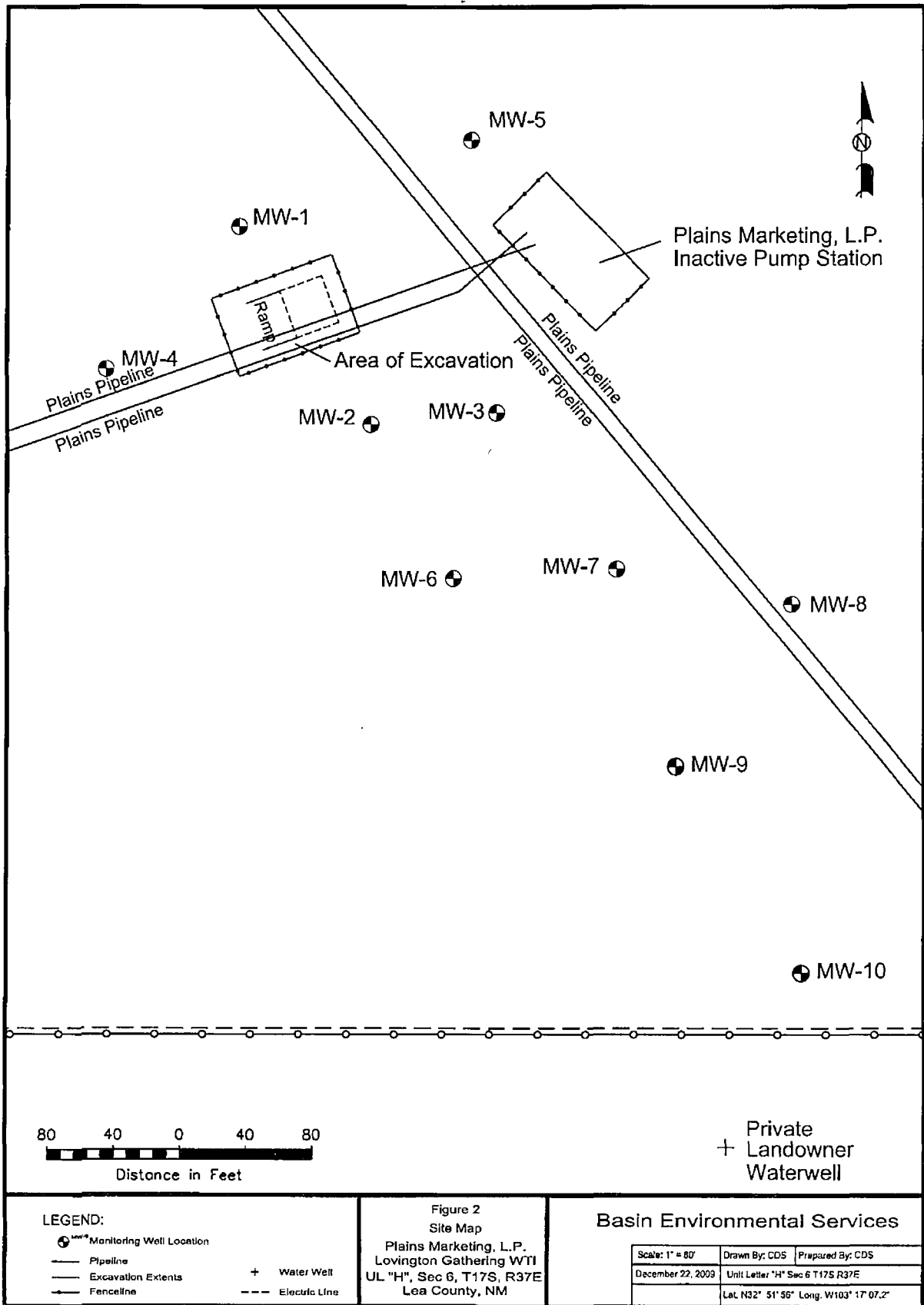
Distance in Feet

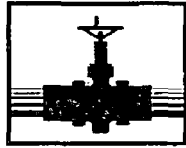
Figure 1  
Site Location Map  
Lovington Gathering WTI  
Plains Marketing, L.P.  
Lea County, New Mexico  
1RP-838

Prep By: CDS  
December 22, 2009

Basin Environmental Services

Checked By: CDS  
Scale 1"=3000'





# PLAINS

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## MARKETING L.P.

January 6, 2010

C. Robert Rice Jr.  
74 Sycamore Rd  
Redding, PA 19606

Dear Sir or Madam:

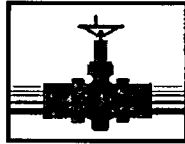
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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 88260



# PLAINS

---

MARKETING L.P.

January 6, 2010

James L Walker Trust  
2900 North Dal Paso  
Hobbs, NM 88240

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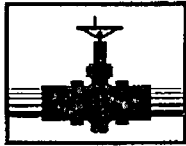
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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 88260





# PLAINS

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## MARKETING L.P.

January 6, 2010

Robert C Meyer  
7137 Route 119 Hwy N  
Marioncenter, PA 15759

Dear Sir or Madam:

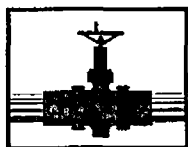
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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 88260



# PLAINS

## MARKETING L.P.

January 6, 2010

Independent Petroleum Association of New Mexico  
P.O. Box 1836  
Roswell, NM 88201

Dear Sir or Madam:

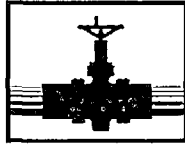
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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

---

## MARKETING L.P.

January 6, 2010

Randy Hicks  
R.T. Hicks Consultants, Ltd.  
901 Rio Grande NW, Suite F-142  
Albuquerque, NM 87104

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Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Cabinet Secretary  
Indian Affairs Department  
1220 South Saint Francis Drive  
Santa Fe, NM 87505

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3112 West U.S. Hwy 82  
Lovington, NM 8826



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## MARKETING L.P.

January 6, 2010

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100 N. Main  
Lovington, NM 88260

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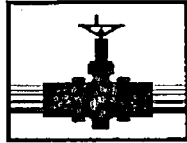
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3112 West U.S. Hwy 82  
Lovington, NM 8826



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---

## MARKETING L.P.

January 6, 2010

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

Dear Sir or Madam:

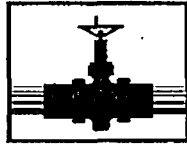
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Plains Marketing, L.P., Jason Henry, Remediation Coordinator, Telephone (575) 441-1099, 3112 W. US Hwy 82, Lovington, New Mexico 88260 has submitted a Stage 1 and Stage 2 Abatement Plan Proposal for the Lovington Gathering WTI leak site, located in Unit Letter H of Section 6, Township 17 South, Range 37 East, NMPM, Lea County, New Mexico. Plains Marketing, L.P. operates a crude oil pipeline at the site. An estimated volume of 12 barrels of crude oil was released from a pipeline at the site. Crude oil and benzene contamination in excess of the New Mexico Water Quality Control Commission standards has been observed in groundwater at the site. The Stage 1 and Stage 2 Abatement Plan Proposal presents the following activities: designate a responsible person relative to plan submittal, describes and maps the site, provides historical information including previous investigation, characterizes the site as to geology and hydrogeology; determines vertical and horizontal extent and magnitude of vadose zone and groundwater contamination, determines rate and direction of contamination migration, provides inventory of water wells in the vicinity, provided location and number of wells actually or potentially affected by the pollution, defined surface water hydrology, determined seasonal stream flow characteristics, determined groundwater/surface water relationships, determined the vertical and horizontal extent and magnitude of contamination, establishes a monitoring program, establishes a Quality Assurance Plan, soil and groundwater remediation strategies, and surface restoration strategies.

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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

---

## MARKETING L.P.

January 6, 2010

Ned Kendrick  
Attorney at Law  
325 Paseo de Peralta  
Santa Fe, NM 87501

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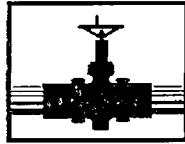
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Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

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

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Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826





# PLAINS

## MARKETING L.P.

January 6, 2010

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

Dear Sir or Madam:

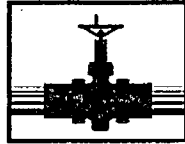
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Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Chief  
Hazardous Waste Bureau  
Runnels Building  
Santa Fe, NM 87504

Dear Sir or Madam:

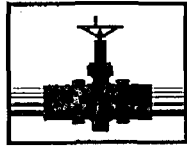
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Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

Chief  
Groundwater Bureau  
Runnels Building  
Santa Fe, NM 87504

Dear Sir or Madam:

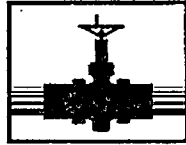
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3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

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

Dear Sir or Madam:

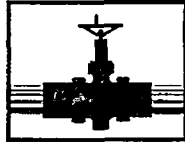
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Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

## MARKETING L.P.

January 6, 2010

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

Dear Sir or Madam:

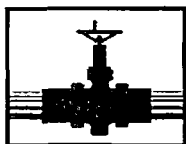
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3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

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## MARKETING L.P.

January 6, 2010

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

Dear Sir or Madam:

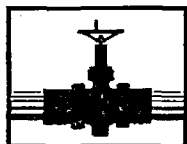
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Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

## MARKETING L.P.

January 6, 2010

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

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Lovington, NM 8826



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MARKETING L.P.

January 6, 2010

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

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Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826





# PLAINS

## MARKETING L.P.

January 6, 2010

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

Dear Sir or Madam:

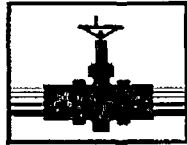
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Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



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## MARKETING L.P.

January 6, 2010

Director  
State Parks & Recreation  
1220 S. St. Francis  
Santa Fe, NM 87505

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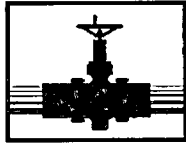
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Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

## MARKETING L.P.

January 6, 2010

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

Dear Sir or Madam:

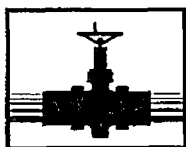
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3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

## MARKETING L.P.

January 6, 2010

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

Dear Sir or Madam:

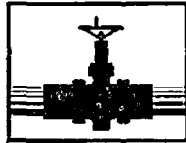
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Lovington, NM 8826



# PLAINS

---

## MARKETING L.P.

January 6, 2010

Ron Dutton  
Southwestern Public Service  
P. O. Box 1261  
Amarillo, TX 79170

Dear Sir or Madam:

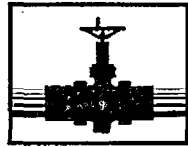
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3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

## MARKETING L.P.

January 6, 2010

William Fetner  
New Mexico Trustee for Natural Resources  
c/o American Ground Water Consultants  
610 Gold St. SW, Suite 111  
Albuquerque, NM 87102

Dear Sir or Madam:

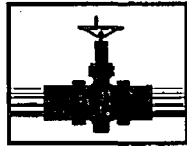
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Lovington, NM 8826



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## MARKETING L.P.

January 6, 2010

Claudette Horn  
Environmental Counsel  
Public Service Co. of New Mexico  
414 Silver, Southwest  
Albuquerque, NM 87158

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3112 West U.S. Hwy 82  
Lovington, NM 8826



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January 6, 2010

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

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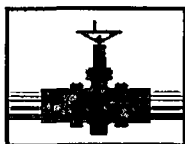
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3112 West U.S. Hwy 82  
Lovington, NM 8826





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## MARKETING L.P.

January 6, 2010

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

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3112 West U.S. Hwy 82  
Lovington, NM 8826



# PLAINS

## MARKETING L.P.

January 6, 2010

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

Dear Sir or Madam:

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Plains Marketing, L.P., Jason Henry, Remediation Coordinator, Telephone (575) 441-1099, 3112 W. US Hwy 82, Lovington, New Mexico 88260 has submitted a Stage 1 and Stage 2 Abatement Plan Proposal for the Lovington Gathering WTI leak site, located in Unit Letter H of Section 6, Township 17 South, Range 37 East, NMPM, Lea County, New Mexico. Plains Marketing, L.P. operates a crude oil pipeline at the site. An estimated volume of 12 barrels of crude oil was released from a pipeline at the site. Crude oil and benzene contamination in excess of the New Mexico Water Quality Control Commission standards has been observed in groundwater at the site. The Stage 1 and Stage 2 Abatement Plan Proposal presents the following activities: designate a responsible person relative to plan submittal, describes and maps the site, provides historical information including previous investigation, characterizes the site as to geology and hydrogeology; determines vertical and horizontal extent and magnitude of vadose zone and groundwater contamination, determines rate and direction of contamination migration, provides inventory of water wells in the vicinity, provided location and number of wells actually or potentially affected by the pollution, defined surface water hydrology, determined seasonal stream flow characteristics, determined groundwater/surface water relationships, determined the vertical and horizontal extent and magnitude of contamination, establishes a monitoring program, establishes a Quality Assurance Plan, soil and groundwater remediation strategies, and surface restoration strategies.

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 includes reasons why a hearing should be held. The Stage 1 and Stage 2 Abatement Plan Proposals may be viewed at the above address or at the Oil Conservation Division Hobbs District Office, 1625 North French Drive, Hobbs, New Mexico 88240, telephone (575) 393-6161, between 8:00 a.m. and 4:00 p.m., Monday through Friday or may also be viewed at the Oil Conservation Division website: <http://www.emnrd.state.nm.us/ocd/>. Prior to ruling on the proposed Stage 1 and Stage 2 Abatement Plan Proposals, the Director of the Oil Conservation Division shall allow 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.

Sincerely,

Jason Henry  
Remediation Coordinator  
Plains Marketing, L.P.  
Telephone (575) 441-1099  
3112 West U.S. Hwy 82  
Lovington, NM 8826

## Hansen, Edward J., EMNRD

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**From:** Jason Henry [JHenry@paalp.com]  
**Sent:** Wednesday, January 13, 2010 10:57 AM  
**To:** Hansen, Edward J., EMNRD  
**Cc:** Jeffrey P Dann; Camille J. Bryant; Curt D. Stanley  
**Subject:** RE: Stage 1 and Stage 2 Abatement Plan (AP-96) Administratively Complete  
**Attachments:** AP-96 (WTI) Public Notice - Albuquerque Newspaper.pdf; AP-96 (WTI) Public Notice - Hobbs Newspaper.pdf

Ed,

Plains respectfully requests that the OCD accept the attached documents as proof of public notice for AP-96.

Please let me know if you have any questions or need more information.

Thank you,  
Jason Henry  
575-441-1099

---

**From:** Hansen, Edward J., EMNRD [mailto:edwardj.hansen@state.nm.us]  
**Sent:** Monday, December 14, 2009 5:04 PM  
**To:** Jason Henry  
**Cc:** Leking, Geoffrey R, EMNRD; Jeffrey P Dann; cdstanley@basin-consulting.com; Camille J. Bryant  
**Subject:** Stage 1 and Stage 2 Abatement Plan (AP-96) Administratively Complete

**RE: Stage 1 and Stage 2 Abatement Plan (AP-96) Administratively Complete  
for the Plains Marketing's  
Lovington Gathering WTI Release Site  
Unit Letter H, Section 6, T17S, R37E, NMPM, Lea County, New Mexico**

Dear Mr. Henry:

The New Mexico Oil Conservation Division (OCD) has received the Stage 1 and Stage 2 Abatement Plan for the Plains Marketing, L.P.'s (Plains) Lovington Gathering WTI Release Site, dated August, 2008, and has conducted a review of the Abatement Plan. The Plan, submitted for the above-referenced site, indicates that Plains has met the requirements of OCD Part 30 (formerly, Rule 19) for a Stage 1 and Stage 2 Abatement Plan. Therefore, the OCD hereby deems administratively complete the Stage 1 and Stage 2 Abatement Plan (AP-96) for the above-referenced site, in accordance with 19.15.30.15 NMAC.

Also, the OCD hereby conditionally approves the proposed Public Notice for the Stage 1 and Stage 2 Abatement Plan (AP-96) as submitted (see attached) for the above-referenced Abatement Plan:

Plains must edit the notice as indicated (i.e., strikethroughs are deletions and underlines are additions) on the attached draft notice.

Plains must submit proof of public notice to demonstrate compliance with 19.15.30.15 NMAC to the OCD within 45 days.

Please be advised that OCD approval of this Public Notice and Administrative Completeness does not relieve the owner/operator of responsibility should operations pose a threat to ground water, surface

**\*\*\* Proof \*\*\***  
**Albuquerque Publishing Company**  
**7777 Jefferson NE**  
**Albuquerque, NM 87109**  
**(505)823-7777**

| Account Information                | Ad Information              |
|------------------------------------|-----------------------------|
| <b>Phone:</b> (575) 441-1099       | <b>Classification:</b> -    |
| <b>Name:</b> PLAINS PIPELINE       | <b>Start date:</b> 01-08-10 |
| <b>Account #:</b> C82698           | <b>Stop date:</b>           |
| <b>Address:</b> 2530 STATE HWY 214 | <b>Insertions:</b>          |
|                                    | <b>Description:</b>         |
| <b>DENVER CITY, TX 79323</b>       | <b>Rate code:</b>           |
| <b>Client:</b>                     | <b>Publications:</b>        |
| <b>Email:</b>                      |                             |
| <b>Placed by:</b>                  |                             |
| <b>Fax #:</b>                      |                             |

|                       |         |
|-----------------------|---------|
| <b>Ad Cost:</b>       | \$ 0.00 |
| <b>Tax @ 6.6250%:</b> | \$      |
| <b>Tax @ 7.3125%:</b> | \$      |
| <b>Tax @ 8.0625%:</b> | \$      |
| <b>Total:</b>         | \$ 0.00 |

Ad Copy:

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 Commission Rules (19.15.30 NMAC), the following Stage 1 and Stage 2 Abatement Plan Proposals have been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Drive, Santa Fe, New Mexico, 87505, Telephone (505) 476-3440:

Plains Marketing, L.P., Jason Henry, Remediation Coordinator, Telephone (575) 441-1099, 3112 W. US Hwy. 82, Lovington, New Mexico 88260, has submitted a Stage 1 and Stage 2 Abatement Plan Proposal for the Lovington Gathering WTI leak site, located in Unit Letter H of Section 6, Township 17 South, Range 37 East, NMPM, Lea County, New Mexico. Plains Marketing, L.P. operates a crude oil pipeline at the site. An estimated volume of 12 barrels of crude oil was released from a pipeline at the site. Crude oil and benzene contamination in excess of the New Mexico Water Quality Control Commission standards has been observed in groundwater at the site. The Stage 1 and Stage 2 Abatement Plan Proposal presents the following activities: designate a responsible person relative to plan submittal, describes and maps the site, provides historical information including previous investigation, characterizes the site as to geology and hydrogeology, determines vertical and horizontal extent and magnitude of vadose zone and groundwater contamination, determines rate and direction of contamination/migration, provides inventory of water wells in the vicinity, provided location and number of wells actually or potentially affected by the pollution, defined surface water hydrology, determined seasonal stream flow characteristics, determined groundwater/surface water relationships, determined the vertical and horizontal extent and magnitude of contamination, establishes a monitoring program, establishes a Quality Assurance Plan, soil and groundwater remediation strategies, and surface restoration strategies.

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 includes reasons why a hearing should be held. The Stage 1 and Stage 2 Abatement Plan Proposals may be viewed at the above address or at the Oil Conservation Division Hobbs District Office, 1625 North French Drive, Hobbs, New Mexico 88240, telephone (575) 393-6161, between 8:00 a.m. and 4:00 p.m., Monday through Friday or may also be viewed at the Oil Conservation Division website: <http://www.emnrd.state.nm.us/ocd/>. Prior to ruling on the proposed Stage 1 and Stage 2 Abatement Plan Proposals, the Director of the Oil Conservation Division shall allow 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: January 7, 2010

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 2<sup>nd</sup> day of January, 2010 and the subsequent consecutive publications on \_\_\_\_\_, 20\_\_\_\_.

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

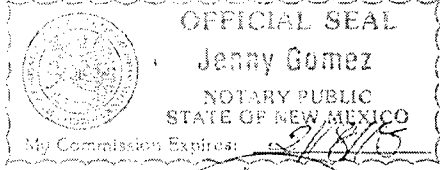
2<sup>nd</sup> day of January of 2010

PRICE 67.17

Statement to come at end of month.

ACCOUNT NUMBER 082698

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



*[Handwritten signature]*

# ADVERTISING INVOICE

Hobbs Daily News-Sun  
P.O. Box 936/201 N. Thorp  
Hobbs, NM 88241-0850  
505)393-2123 • FAX (505)397-0611

JASON HENRY  
2530 STATE HWY 214  
DENVER CITY, TX 79323

Customer#: 3101363  
Ad #: 00043389  
Phone: (303) 605-2176  
Date: 01/12/10  
Ad Taker: CN  
Salesperson: 02

Sort Line: #25470

Classification:

| Description          | Start    | Stop     | Ins. | Cost/Day | Total    |
|----------------------|----------|----------|------|----------|----------|
| 07 07 Daily News-Sun | 01/06/10 | 01/06/10 | 1    | \$ 83.38 | \$ 83.38 |

Total: 83.38

Tax: 5.58

Net: 88.96

Prepaid: 0.00

Total Due: 88.96

 **PAID**

# Affidavit of Publication

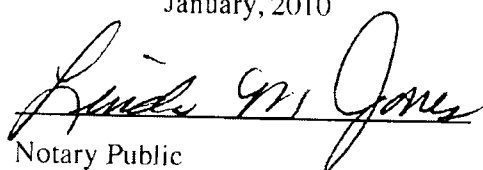
State of New Mexico,  
County of Lea.

I, KENNETH NORRIS  
GENERAL MANAGER  
of the Hobbs News-Sun, a  
newspaper published at Hobbs, New  
Mexico, do solemnly swear that the  
clipping attached hereto was  
published in the regular and entire  
issue of said newspaper, and not a  
supplement thereof for a period

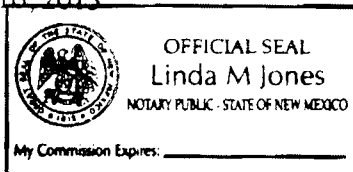
of 1 issue(s).  
Beginning with the issue dated  
January 06, 2010  
and ending with the issue dated  
January 06, 2010

  
GENERAL MANAGER

Sworn and subscribed to before me  
this 11th day of  
January, 2010

  
Notary Public

My commission expires  
June 16, 2013  
(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**  
**JANUARY 6, 2010**  
**NOTICE OF PUBLICATIONS**  
**STATE OF NEW MEXICO**  
**ENERGY, MINERALS, AND NATURAL RESOURCES**  
**DEPARTMENT**  
**OIL CONSERVATION DIVISION**

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#25470

01101546

00044601

LEONARD LOWE  
NEW MEXICO OIL CONSERVATION DIVISION, EMNRD  
1220 S. SAINT FRANCIS DR.  
SANTA FE, NM 87505

## Hansen, Edward J., EMNRD

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**From:** Hansen, Edward J., EMNRD  
**Sent:** Monday, December 14, 2009 4:05 PM  
**To:** 'Jason Henry'  
**Subject:** RE: Plains Lovington Gathering WTI (AP-96) site  
**Attachments:** Mail Merge notification for Lovington Gathering WTI ejh 12-14-09.xls

Jason,

I have attached an updated version of your mailing list – the list at the link below is outdated – I will try to keep that list updated for future use at that link. Please note that the county commission must be notified (not just one Commissioner). Also, please be sure to send a topographic map (excerpt) and site plan map (i.e., a copy of the maps you typically have in your APs – both maps should have the site indicated along with the UL, S, T, R) to the State Historical Preservation Officer.

---

**From:** Jason Henry [mailto:JHenry@paalp.com]  
**Sent:** Wednesday, December 09, 2009 4:04 PM  
**To:** Hansen, Edward J., EMNRD  
**Subject:** Plains Lovington Gathering WTI (AP-96) site

Ed,

Attached is an example of the newspaper ad for the AP-96 public notification.

I spoke with the landowner, Robert Rice, on 11/17/2009 regarding the proposed soil remediation strategy for this site. He had no objections to:

- excavating the soil to 15' bgs,
- excavating the sidewalls to  $\leq 100$  ppm TPH,
- placing a liner in the bottomhole of the excavation,
- backfilling on top of the liner with  $\leq 1,000$  ppm TPH soil,
- and using clean soil for the top 2' during backfilling activities.

Also, please utilize the web link below to view the document that lists the entities requiring notification. I've attached an Excel document that lists the entities that Plains has notified in the past. I plan to compare the names listed on the Excel document against the names listed on the webpage to make sure that I have current addresses and points-of-contacts.

<http://www.emnrd.state.nm.us/OCD/documents/noticelist.pdf>

Thank you for your time and please let me know if you have any questions or need more information.

Jason Henry  
575-441-1099

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This inbound email has been scanned for malicious software and transmitted safely to you using Webroot Email Security.

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| Name1          | Name2                                    | Company   |
|----------------|--|---|
|                | Chris Shuey                              | Southwest Research & Information Center         |
|                | Field Supervisor                         | US Fish & Wildlife Service                      |
| William Fetner | New Mexico Trustee for Natural Resources | c/o American Ground Water Consultants           |
|                | Ron Dutton                               | Southwestern Public Service                     |
|                | Jack A. Barnett                          | Colorado River Basin Ctrl. Forum                |
|                |  | Dr. Harry Bishara                               |
|                | Gerald R. Zimmerman                      | Colorado River Board of California              |
| Soil and Water | New Mexico Agriculture Department        | Ag Programs and Resources Division              |
|                | Director                                 | State Parks & Recreation                        |
|                |  | Lee Wilson & Associates                         |
|                | Secretary                                | New Mexico Environment Department               |
|                | Director                                 | NM Department of Game & Fish                    |
|                | State Engineer                           | Water Resources Division                        |
|                | State Director                           | Bureau of Land Management                       |
|                |  | Jay Lazarus                                     |
|                | Bruce S. Garber                          | Attorney at Law                                 |
|                | Chief                                    | Groundwater Bureau                              |
|                | Chief                                    | Hazardous Waste Bureau                          |
|                | Elmo Baca                                | State Historic Preservation Officer             |
|                |  | Attorney General's Office                       |
|                |  | NM Oil & Gas Association                        |
|                | Ned Kendrick                             | Attorney at Law                                 |
|                | Lynn Brandvold                           | NM Bureau of Mines & Mineral Resources          |
|                | Dale Dunlap                              | Lea County Commission, District 1               |
|                |  | C. Robert Rice Jr.                              |
|                |  | James L Walker Trust                            |
|                |  | Robert C Meyer                                  |
|                |  |   |
|                |  |   |
|                |  |   |
|                |  | Site specific notifications - landowners        |
|                |  |   |
|                |  |   |
|                | Cabinet Secretary                        | Indian Affairs Department                       |
|                | Randy Hicks                              | R.T. Hicks Consultants, Ltd                     |
|                | Regional Forester                        | USFS Regional Office                            |
| Claudette Horn | Environmental Counsel                    | Public Service Company of New Mexico            |
|                |  | Independent Petroleum Association of New Mexico |
|                |  |   |
|                | deletions                                |   |
|                |  |   |
|                | additions or edits                       |   |

| Address                                 | City         | State | Zip     | email                         |  |
|---|--------------|-------|---------|-------------------------------|--|
| P. O. Box 4524                          | Albuquerque  | NM    | 87106   | sricdon@earthlink.net         |  |
| 2105 Osuna Road, Northeast              | Albuquerque  | NM    | 87113   |                               |  |
| 610 Gold St. SW, Suite 111              | Albuquerque  | NM    | 87102   |                               |  |
| P. O. Box 1261                          | Amarillo     | TX    | 79170   | ron.dutton@xcelenergy.com     |  |
| 106 West 500 South, Suite 101           | Bountiful    | UT    | 84010   | jbarnett@barnettwater.com     |  |
| P. O. Box 748                           | Cuba         | NM    | 87013   |                               |  |
| 770 Fairmont Ave., Ste. 100             | Glendale     | CA    | 91203-1 | jcc_crb@pacbell.net           |  |
| Box 30005/APR                           | Las Cruces   | NM    | 88003   |                               |  |
| 1220 S. St. Francis                     | Santa Fe     | NM    | 87505   | ttrujillo@state.nm.us         |  |
| P. O. Box 931                           | Santa Fe     | NM    | 87501   | lwa@lwasf.com                 |  |
| P. O. Box 26110                         | Santa Fe     | NM    | 87504   | Cathy_Tyson@nmenv.state.nm.us |  |
| Villagra Building                       | Santa Fe     | NM    | 87503   |                               |  |
| Bataan Building                         | Santa Fe     | NM    | 87503   |                               |  |
| P. O. Box 27115                         | Santa Fe     | NM    | 87502   |                               |  |
| P. O. Box 5727                          | Santa Fe     | NM    | 87502   | lazarus@glorietageo.com       |  |
| P. O. Box 0850                          | Santa Fe     | NM    | 87504   | bsg@garbhall.com              |  |
| Runnels Building                        | Santa Fe     | NM    | 87504   |                               |  |
| Runnels Building                        | Santa Fe     | NM    | 87504   |                               |  |
| 228 E Palace Ave, Villa Rivera Room 101 | Santa Fe     | NM    | 87503   |                               |  |
| P. O. Box 1508                          | Santa Fe     | NM    | 87504   |                               |  |
| P. O. Box 1864                          | Santa Fe     | NM    | 87504   |                               |  |
| 325 Paseo de Peralta                    | Santa Fe     | NM    | 87501   | ekendrick@montand.com         |  |
| NM Institute of Mining & Tech.          | Socorro      | NM    | 87801   |                               |  |
| 100 N. Main                             | Lovington    | NM    | 88260   |                               |  |
| 74 Sycamore Rd                          | Redding      | PA    | 19606   |                               |  |
| 2900 North Dal Paso                     | Hobbs        | NM    | 88240   |                               |  |
| 7137 Route 119 Hwy N                    | Marioncenter | PA    | 15759   |                               |  |
|   |              |       |         |                               |  |
|   |              |       |         |                               |  |
|   |              |       |         |                               |  |
|   |              |       |         |                               |  |
|   |              |       |         |                               |  |
|   |              |       |         |                               |  |
|   |              |       |         |                               |  |
| 1220 South Saint Francis Drive          | Santa Fe     | NM    | 87505   |                               |  |
| 901 Rio Grande NW, Suite F-142          | Albuquerque  | NM    | 87104   |                               |  |
| 517 Gold Avenue SW                      | Albuquerque  | NM    | 87102   |                               |  |
| 414 Silver, SW                          | Albuquerque  | NM    | 87158   |                               |  |
| P.O. Box 1836                           | Roswell      | NM    | 88201   |                               |  |
|   |              |       |         |                               |  |
|   |              |       |         |                               |  |
|   |              |       |         |                               |  |
|   |              |       |         |                               |  |