

Bonham, Sherry, EMNRD

From: Bonham, Sherry, EMNRD
Sent: Monday, May 03, 2010 3:08 PM
To: hobprod@mewbourne.com
Attachments: State JL 36 001 .docx

Manny,
Per our conversation on Friday, please find letter attached.

Should you have any questions or concerns regarding this matter, please contact me.

Please be advised that NMOCD acceptance and/or approval of documents or work plans 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 and/or approval of documents or work plans do not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

Respectfully,
Sherry Bonham
NMOCD District II

Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message. -- This email has been scanned by the Sybari - Antigen Email System.

New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor

Jon Goldstein
Cabinet Secretary

Jim Noel
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



April 28, 2010

Mewbourne Oil Company
701 S Cecil
Hobbs, NM 88240

RE: State JL 36 001 30-015-23428
O-36-18S-29E Eddy County, New Mexico

Operator:

The Oil Conservation Division (OCD) is in receipt of a remediation proposal.

OCD is charged with the responsibility to enforce all rules and statutes pertaining to oil and gas regulation and production in New Mexico. Included in that duty, it is OCD's obligation to protect ground water, surface water, human health, and the environment. (Rule 19.15.2.8; Rule 19.15.30.9)

In response to a leak, spill, or release, OCD normally asks the operator to delineate vertically and horizontally until the contamination reaches background levels or a site specific acceptable level. The purpose of delineation is to *determine the magnitude of the contamination and to confirm that groundwater has not or will not become contaminated in the future.*

Site assessment results form the basis of any required remediation. OCD may accept an assessment of risk that demonstrates that the *remaining* contaminants will not pose a threat to the present or foreseeable beneficial use of fresh waters and/or the environment. To approve an assessment of risk, OCD requires confirmation analyses that completely define the lateral and vertical extent of contamination. Based on the soil analytical reports submitted to OCD, Mewbourne Oil Company has not demonstrated criteria required for a risk based closure. Therefore, as presented, the submitted remediation work proposal is denied.

The following actions are required to be addressed:

1. Determine the horizontal and vertical delineation—clean plus one
2. Prepare a sketch of the site indicating where and at what depths the samples were taken
3. Submit laboratory results of sampling and a remediation work plan proposal
4. Provide 48 hour notice of sample event(s) where analytical data is to be submitted to OCD



May 3, 2010

Page 2

Please be advised that NMOCD acceptance and/or approval of documents or remediation work proposal(s) does not relieve the operator of liability should their operations have failed to adequately investigate and remediate. In addition, NMOCD acceptance and/or approval of documents or work plans do not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

If I may be of further assistance regarding this matter or if you have any questions, please contact me.

Respectfully,

A handwritten signature in black ink, appearing to read 'Sherry Bonham', with a long horizontal line extending to the right.

Sherry Bonham
NMOCD District II

Bonham, Sherry, EMNRD

From: postmaster@State.nm.us
Sent: Monday, May 03, 2010 3:08 PM
To: Bonham, Sherry, EMNRD
Subject: Delivery Status Notification (Relay)
Attachments: ATT1093879.txt

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

hobprod@mewbourne.com