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# Facsimile Cover Sheet

## KELEHER & McLEOD, P.A.

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Albuquerque, New Mexico 87103

(505) 346-4646

Date: November 5, 1998

Client/Case No.: (00001-001)

To: **RAND CARROLL, ESQ** Fax: (505) 827-8177

Tel:

To:

Fax:

Tel:

From: **RICK ALVIDRZ**

Fax: (505) 346-1370

Phone: (505) 346-9150

Pages including this cover page: 4

Originals will follow by mail: No

Enclosure: Enclosure that goes with Letter of 11-4-98 to OCD  
which was just faxed to you

Comments: Please comment

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*"RUNNING HORSES"* Copyright, Artist: Gray  
Mercer, 1989, a sculpture provided for  
the City of Albuquerque's Public Art  
Collection at the Albuquerque International  
Airport by the law firm of Keleher & McLeod, P.A.

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**BURLINGTON  
RESOURCES**

SAN JUAN DIVISION

October 28, 1998

*Certified: P 103 693 144*

Mr. Bill Olson  
New Mexico Oil Conservation Division  
2040 S. Pacheco  
Santa Fe, NM 87505

**RE: Hampton 4M  
Unit Letter N, Section 13, Township 30N, Range 11W**

Dear Mr. Olson:

Your September 1, 1998 letter to Burlington Resources (BR) requested that BR submit a remediation and monitoring work plan for groundwater contaminated as a result of BR's activities at the subject well location.

In the process of gathering additional information to determine the source(s) of groundwater contamination, BR drilled two soil borings on the Hampton 4M location. The borings, one near BR's excavation and one near Public Service of New Mexico's (PNM's) former dehydrator pit, were drilled down to the groundwater. The soil borings confirmed that a substantial amount of soil contamination remains in place in the area of PNM's operations and, to a much lesser extent, near BR's pit area that was previously remediated. It also appears that the contamination associated with PNM's operations is migrating not only downgradient into groundwater, but also upgradient through sand lenses in the soils. In this regard, BR believes that no effort to clean up the groundwater at this site will be effective until the area surrounding the old PNM unlined dehydrator pit is remediated.

As a result of these recent findings, BR has submitted a letter dated October 26, 1998 to PNM concerning the Hampton 4M well. As the letter states, BR has requested PNM to immediately begin the remediation of the contamination at the Hampton 4M location. If PNM does not agree to undertake this action by Friday, October 30, then BR is prepared to immediately remediate the contamination on the entire location, including the pit area where PNM's operations took place.

In the event that PNM does not initiate action to clean up its contamination by Friday, October 30, BR will conduct source removal work for the entire Hampton 4M location, starting in the area of PNM's former dehydrator pit and working towards the old BR pit area. A PID and/or lab analyses will be utilized to determine the extent of the excavation. Clean overburden will be stockpiled on location or used as fill. Impacted soil that is excavated will be landfarmed on BR locations (i.e., within the same lease) or will be disposed at a permitted commercial disposal facility.

Upon the completion of the source removal work and the backfilling of the excavation with clean soils, the location of necessary monitoring wells will be determined. At a minimum, a monitoring well will be installed in the source area near PNM's former dehydrator pit. As mentioned in the action plan of BR's May 28, 1998 letter, a monitoring well will also be installed in the area of BR's original excavation in the southeast corner of the Hampton 4M location. These monitoring wells and other existing monitoring wells will then be periodically tested to show improvement in water quality.

If you require additional details concerning the remediation and monitoring work plan prior to BR initiating source removal work, please let me know. If PNM is unwilling to take action, BR plans to start the remediation work as soon as the necessary equipment is available. Please contact me at (505) 326-9841 if you have questions or additional information is needed.

Sincerely,



Ed Hasely  
Sr. Staff Environmental Representative

Attachment: October 26, 1998 letter from William F. Carr

- cc: Denny Foust - NMOCD Aztec
- Johnny Ellis - BR
- Bruce Gantner - BR
- John Bemis - BR
- Maurene Gannon - PNM Albuquerque
- Hampton 4M File

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October 26, 1998

**VIA FACSIMILE**

Richard Alvidrez, Esq.  
Keleher & McLeod, P.A.  
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Albuquerque, New Mexico 87103

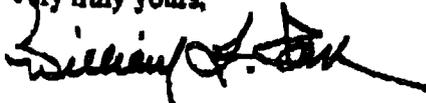
Re: *Hampton Well No. 4M*  
*Unit N, Section 13,*  
*Township 30 North, Range 11 West, NMPM,*  
*San Juan County, New Mexico*

Dear Mr Alvidrez:

Recent sampling near the Hampton Well No. 4M confirms that the prior activities of the Public Service Company of New Mexico, and in particular the discharge of hydrocarbons into an unlined pit from its dehydrator, are a continuing active source at this well site. This source is not the result of the activity at this well of Burlington Resources Oil & Gas Company or its predecessors. Until the contamination caused by PNM's discharge of hydrocarbons from its dehydrator is remediated, problems will continue. Furthermore, no effort to clean up this site will be effective until the area surrounding the old PNM unlined dehydrator pit is remediated.

Burlington Resources Oil & Gas Company believes that the delays by PNM in remediation of contamination caused by PNM's discharge of hydrocarbons from its dehydrator can no longer be tolerated and therefore demands that PNM immediately undertake the remediation of the contamination at the Hampton 4M Well. If PNM does not agree to undertake the full remediation of its contamination by 5:00 p.m. on Friday October 30, 1998, Burlington will promptly remediate the contamination resulting from PNM's operation of its dehydrator at the Hampton 4M Well site. Thereafter, Burlington Resources will pursue all remedies available to it for PNM's continued unwillingness to clean up its contamination.

Very truly yours,



WILLIAM F. CARR  
Attorney for Burlington Resources Oil & Gas Company  
WFC:mlh  
cc: Bruce Gantner, Burlington Resources Oil & Gas Company