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July 9, 2004

**Via Facsimile (505) 476-3462 and
Certified Mail, Return Receipt Requested**

Mark E. Fesmire, P.E.
State of New Mexico
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87504

**Via Facsimile (505) 476-3462 and
Certified Mail, Return Receipt Requested**

Environmental Bureau of New Mexico
1220 South St. Francis Drive
Santa Fe, New Mexico 87504

Re: **Case No. 13142 / Order No. R-12152 — Submission for Approval of Remediation Plan to Delineate the Lateral and Vertical Extent of Hydrocarbon Contamination Existing at the Site of Humble State Well No. 3 in Unit A of Section 36, Township 25 South, Range 36 East, NMPM, Lea County, New Mexico**

Dear Director Fesmire:

Pursuant to the Order of the Division dated June 9, 2004, and subject to its pending appeal and request for stay, please accept this as Maralo's submission for approval of a remediation work plan to delineate the lateral and vertical extent of the hydrocarbon contamination existing at the site of the Humble State Well No. 3 in Unit A of Section 36, Township 25 South, Range 36 East, NMPM, Lea County, New Mexico.

The hydrocarbon contamination discussed in the above-referenced Case No. 13142 is on the property of one Jay Anthony.

Maralo proposes to excavate and remediate the top two feet of visual TPH impacted soil to a limit of <5,000 PPM or <100 PPM PDI. Subsequently, Maralo will replace remediated soil back to its original location.

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**Before the OCC
Case 13142 - De Novo
OCD Ex. 28**

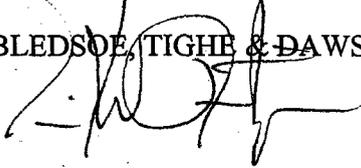
With the data the State has previously accumulated in this case from its own field representatives, as well as the data provided by Mr. Anthony, Maralo submits that no further bores for delineation are needed for the Humble State Well No. 3.

Maralo believes that this remediation work plan will eliminate the source of the contaminated plume, which consequently will eliminate the head necessary to drive contamination to groundwater. To two-foot remediated topsoil <5,000PPM TPH will support vegetation with sufficient annual waterfall for the region. In previous testimony before the OCD, the Division's expert hydrologist, Mr. William C. Olson, indicated that a remediation plan along the lines set out herein would be acceptable to the Division.

Thank you for your attention to this remediation work plan submitted for approval of the Division. As always, if you have any questions or comments, please do not hesitate to contact Rick Strange or me at your convenience. We look forward to hearing from you.

Very truly yours,

COTTON, BLEDSOE, TIGHE & DAWSON


David W. Lauritzen

DWL:kk

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