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APPROVALS

YEAR(S):



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

June 12, 2006

Mr. Daniel Bryant
Plains Marketing, L.P.
3705 E. Highway 158
Midland, TX 79706

RE: Soil Remediation Plan
Vacuum to Jal 14" Mainline #5
Plains EMS Number: 2003-00134
Unit Letter A, Section 2, Township 22 South, Range 37 East
Lea County, New Mexico
NMOCD File Number 1R-0464

Dear Mr. Bryant:

The New Mexico Oil Conservation Division (NMOCD) has received and reviewed the above plan submitted on behalf of Plains Marketing, L.P. (Plains) by Premier Environmental Services, Inc. This plan is hereby approved with the following understandings and conditions:

1. Additional soil samples will be collected at the points indicated in Section 7.2 of the plan entitled "Remedial Plan Details."
2. Over-excavation will take place at any point in these locations where the analyses for TPH and BTEX shows contamination above NMOCD regulatory standards.
3. No further vertical excavation, i.e. removal of contamination source, will be done at the site due to the instability of the surface soil.
4. The bottom of the existing excavation will be re-sampled and analyzed for TPH and BTEX.
5. If any areas that exceed NMOCD regulatory levels still exist in the bottom of the current excavation, Plains will install a 20-mil prior to backfilling as described in Section 7.2 of the plan.
6. If, after further sampling and analyses of the bottom of the excavation, Plains finds no areas above NMOCD regulatory limits, Plains shall contact the NMOCD Santa Fe office for approval to backfill at the site without installing a liner.
7. After backfilling is complete, Plains will further delineate groundwater contamination at the site as described in Section 7.4 of the plan entitled "Groundwater Remediation."
8. Plains will continue quarterly groundwater monitoring at the site and semi-monthly phase-separated hydrocarbons recovery.
9. Plains will submit a final report of soil remediation activities at the site within four weeks of backfilling the excavation and grading the site to original slopes.

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NMOCD approval does not relieve Plains of responsibility should its operations at this site prove to have been harmful to public health or the environment. Nor does it relieve Plains of its responsibility to comply with the rules and regulations of any other governmental agency.

If you have any questions, contact me at (505) 476-3470, (505) 690-2365 or ed.martin@state.nm.us

NEW MEXICO OIL CONSERVATION DIVISION



Ed Martin
Environmental Bureau

Copy: NMOCD, Hobbs
Chan Patel, Premier