

Finally, we noted the existence of an emergency pit located about 200 feet northeast of the well. The pit has been used in the past but appears not to be in use currently. However, there is oil residue in the pit, and the fence is not preventing access to the pit by livestock, as evidenced by the tracks in the pit.

An inspection on June 8, 1989, revealed that an earthen berm has been constructed around the facility. Calculations reveal that the berm will contain the contents of the tanks. This is our primary concern, and construction of a berm around the facility would be a requirement, had it not been accomplished. Other steps required to remedy the compliance problems are as follows:

- 1.) Post legible signs, identifying the right-of-way. One sign should be placed at the well site. Another sign should be placed at the point the pipeline crosses the New Mexico-Texas boundary. The signs should identify the owner and the BLM serial number (NM27493)
- 2.) The fiberglass tank should be removed if it is not going to be used in the immediate future.
- 3.) The emergency pit should be filled in and compacted, and the pipe and fencing should be removed.

We will require that the above steps be accomplished within 30 days of your receipt of this notice. We will also require that you meet with Alan Kraus, of this office, on site, before any remedial action is taken.

The facility must be maintained in a manner that will not cause any further environmental damage. Please be advised that failure to do so, or failure to rectify the above mentioned items could result in the cancellation of this right-of-way. Also be advised, that we can order the immediate suspension of all operations if the spillage of salt water is reported again. We will not hesitate to do so.

Please contact Alan Kraus at (505)887-6544 to arrange for the required meeting, or if you have any questions.

Sincerely,

Orig. Signed by Richard L. Manus

Richard Manus
Area Manager

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