



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

**Lori Wrotenbery**

Director

**Oil Conservation Division**

1/22/2004

Merit Energy  
Att: Kevin Bracey  
P.O. Box 69  
Loco Hills, N.M.

Re: Ut. L Sec. 20-17s-31e  
Turner B North Battery.

Dear Mr. Kevin Bracey,

The Artesia Oil Conservation Division is in receipt of the initial C-141 form (copy included) dated 1/12/2004 from Merit Energy.

Please submit a work plan to the Artesia O.C.D. for correction of this release. Please use the "Guidelines For Remediation of leaks, spills, and releases" as your guide.

A copy of the Guidelines for Remediation of Leaks, Spills, and Releases, published 1993, can be found at the O.C.D. web address WWW.EMNRD.STATE.NM.US/OCD. The published document can be found on the O.C.D. web page under Publications/Environmental Handbook/Miscellaneous Guidelines/Spill Prevention Clean up.

The work plan presented to the O.C.D. must include general site characteristics, soil remediation action levels, soil remediation methods, and planned analytical, which will require testing for TPH, B-Tex.

A Final C-141 form is required for closure of the initial C-141 form filed. The Final C-141 Form filed must include a report of remediation actions taken with analytical results attached

**Please have the requested work plan in the Artesia office on or before 2/6/2004.**

The Artesia O.C.D. must be notified 24 hours prior to any remediation actions and/or subsequent soil samples taken for analytical.

**In the event that a satisfactory response is not received to this letter** further enforcement will occur. Such enforcement may include this office applying to the Division for an order summoning you to a hearing before a Division Examiner in Santa Fe. Such a hearing may result in imposition of **CIVIL PENALTIES** for your violation of OCD rules.

If I can be of assistance in this matter please do not hesitate to contact me at 505-748-1283  
Or E-mail me at MSTUBBLEFIELD@STATE.NM.US.

Sincerely,

*(copy)*  
Mike Stubblefield

Environ. Eng. Spec.

N.M.O.C.D.