

1R - 497

APPROVALS

2009

New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson

Governor
Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

Mark Fesmire
Director
Oil Conservation Division



February 17, 2009

Mr. Chris Biagi
Devon Energy Company
20 North Broadway
Oklahoma City, Oklahoma 73102

**Re: Approval of Restoration Protocol
Historic Drilling Pit at Flintstone Federal #1 Wellsite (1R-497)
Unit Letter F, Section 24, Township 23 South, Range 35 East, NMPM
Lea County, New Mexico**

Mr. Biagi:

The Oil Conservation Division (OCD) approves the amended protocol for restoration of the historic drilling pit at the Flintstone Federal #1 wellsite as proposed by your contractor, Whole Earth Environmental, in their most recent submission (PR-112C) of January 27, 2009. In particular, the restoration effort includes:

- The area of highest chloride concentration measuring approximately 60 by 60 feet will be excavated to a minimum depth of 4 feet below surface and transported off-site for disposal at an approved facility. An equivalent volume of clean topsoil will be transported in as replacement.
- The remainder of the pit area shall be mixed to a relatively uniform state. A composite sample(s) of the mixed material will be analyzed for the presence and concentrations of BTEX, total TPH, GRO-DRO TPH, and chlorides, along with parameters used by Whole Earth Environmental in determining the soil's suitability to promote vegetation. Additional clean soils may be added as necessary.
- The area will be contoured to match the existing terrain and seeded with a BLM-approved mixture.
- A written report will be prepared thereafter for submission to the OCD. In the future, please include reference to this project by the OCD Environmental Bureau designation "1R-497".

The objectives of this effort are groundwater protection, seedbed preparation with like soils, contouring, and re-vegetation as per the surrounding landscape. If these objectives are unfulfilled, additional corrective actions may be required. Approval of this protocol does not relieve Devon Energy Company of responsibility should these efforts, or the presence of remaining contaminated soils result in pollution of surface water, groundwater or the environment. Nor does this approval relieve Devon Energy Company or Whole Earth Environmental of their responsibilities to comply with any other applicable governmental authority's rules and regulations.



Chris Biagi
Devon Energy Company
Flintstone Federal #1 Site Restoration
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If you have any questions, please feel free to contact Jim Griswold at (505) 476-3465 or by email at jim.griswold@state.nm.us. On behalf of the staff at the OCD, I wish to thank you and your staff for your cooperation during this review process.

Sincerely,



Wayne Price
Environmental Bureau Chief

LWP/jg

cc: Larry Johnson, OCD District I
Jim Amos, BLM Carlsbad Office
Mike Griffin, Whole Earth Environmental