



AE Order Number Banner

Report Description

This report shows an AE Order Number in Barcode format for purposes of scanning. The Barcode format is Code 39.



App Number: pMLB0912436574

2RP - 301

BURNETT OIL CO INC

Bratcher, Mike, EMNRD

From: Bratcher, Mike, EMNRD
Sent: Monday, May 04, 2009 10:44 AM
To: 'seay04@leaco.net'
Cc: 'James_Amos@nm.blm.gov'
Subject: Burnett Oil Co. Jackson A 28

Reference: Burnett Oil Company Jackson A 28 30-015-34766 B-13-17s-30e Eddy County, New Mexico
BLM Notice of Written Order # 09-JA-041W (OCD: 2RP-301)

Dear Mr. Seay,

As discussed, the corrective action work plan submitted for cleanup at the above referenced site is approved by NMOCD. Please provide 48 hour notification prior to obtaining samples where analyses of samples obtained are to be submitted to OCD. Submit analytical documentation to OCD for review, prior to backfilling excavated areas. Also, please submit a final closure report upon satisfactory completion of project. Approval is subject to like approval by BLM.

Please be advise that approval by NMOCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment. In addition, approval by NMOCD does not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

Sincerely,

Mike Bratcher
NMOCD District 2
1301 W. Grand Ave.
Artesia, NM 88210
575-748-1283 Ext.108
mike.bratcher@state.nm.us

APR 16 2009

**BURNETT OIL CO.
JACKSON A LEASE
ABANDON TANK BATTERY
NE 1/4 SECT. 13, T. 17 S., RNG. 30 E.
GPS: 32° 50' 15'
103° 55' 22'**

WORKPLAN

**Prepared By
Eddie Seay Consulting
April 2009**

Jackson A 28 30-015-34766
2 RP-301
n MCB0912437049
BLM NOTICE OF WRITTEN ORDER # 09-JA-041W

April 14, 2009

APR 16 2009

NMOCD , District II
ATTN: Sherry Bonham
1301 W. Grand Ave.
Artesia, NM 88210

RE: Burnett Oil Co. Inc.
Abandoned Site Jackson A
Section 13

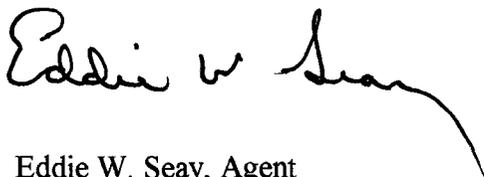
Mrs. Bonham:

At the request of BLM, we are required to remediate the above listed site. The area is an old tank battery location dismantled years earlier. The site measures 40 x 200 ft. We plan to remediate as BLM and OCD approves.

We are filing the attached workplan to remediate the site.

Copies are being sent to James Amos with BLM. Should you have any questions, please call.

Sincerely,

A handwritten signature in black ink that reads "Eddie W. Seay". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Eddie W. Seay, Agent
Eddie Seay Consulting
601 W. Illinois
Hobbs, NM 88242
575-392-2236
seay04@leaco.net

cc: Burnett Oil
cc: BLM, James Amos

WORKPLAN

General:

No C-141, this is an old historic site which was abandoned years earlier. BLM has requested cleanup and remediation.

Groundwater:

According to State Engineer and groundwater information, the depth of water occurs at approximately 300 feet below surface.

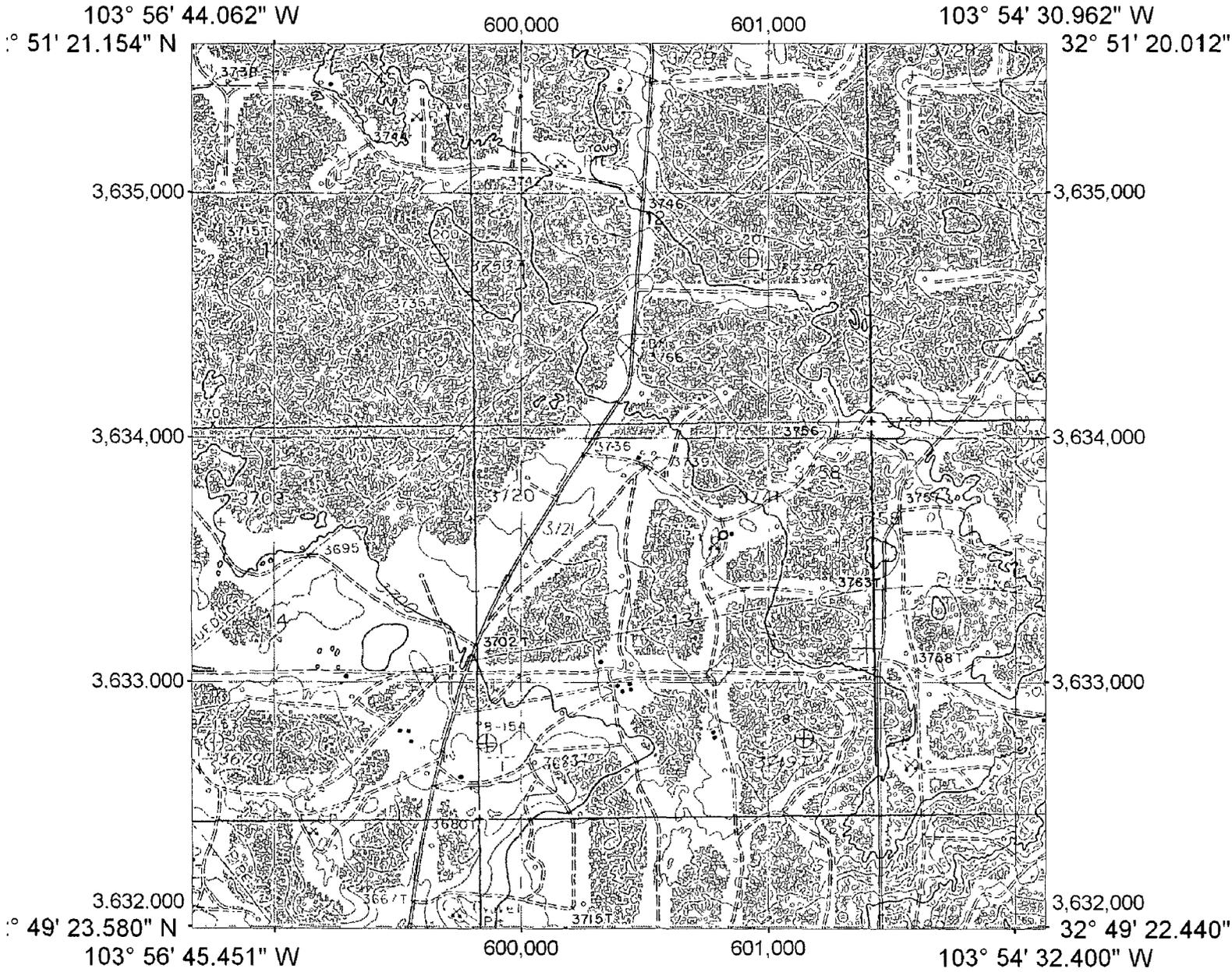
Remediation Proposal:

No fluids, only hardened asphalt material. Our cleanup will be to excavate contaminated soil, haul to an OCD approved facility and replace with clean soil and seed. Before backfilling, the area will be tested for TPH, BTEX and Chloride to assure we meet OCD guidelines, and only after OCD and BLM approve, we will backfill and level.

The OCD and BLM will be notified of all activities and a report will be filed upon completion.

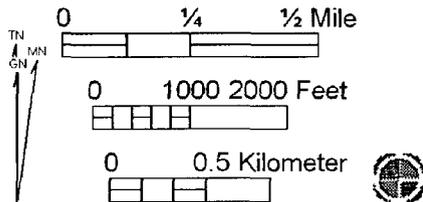
Ranking Criteria Score - 0

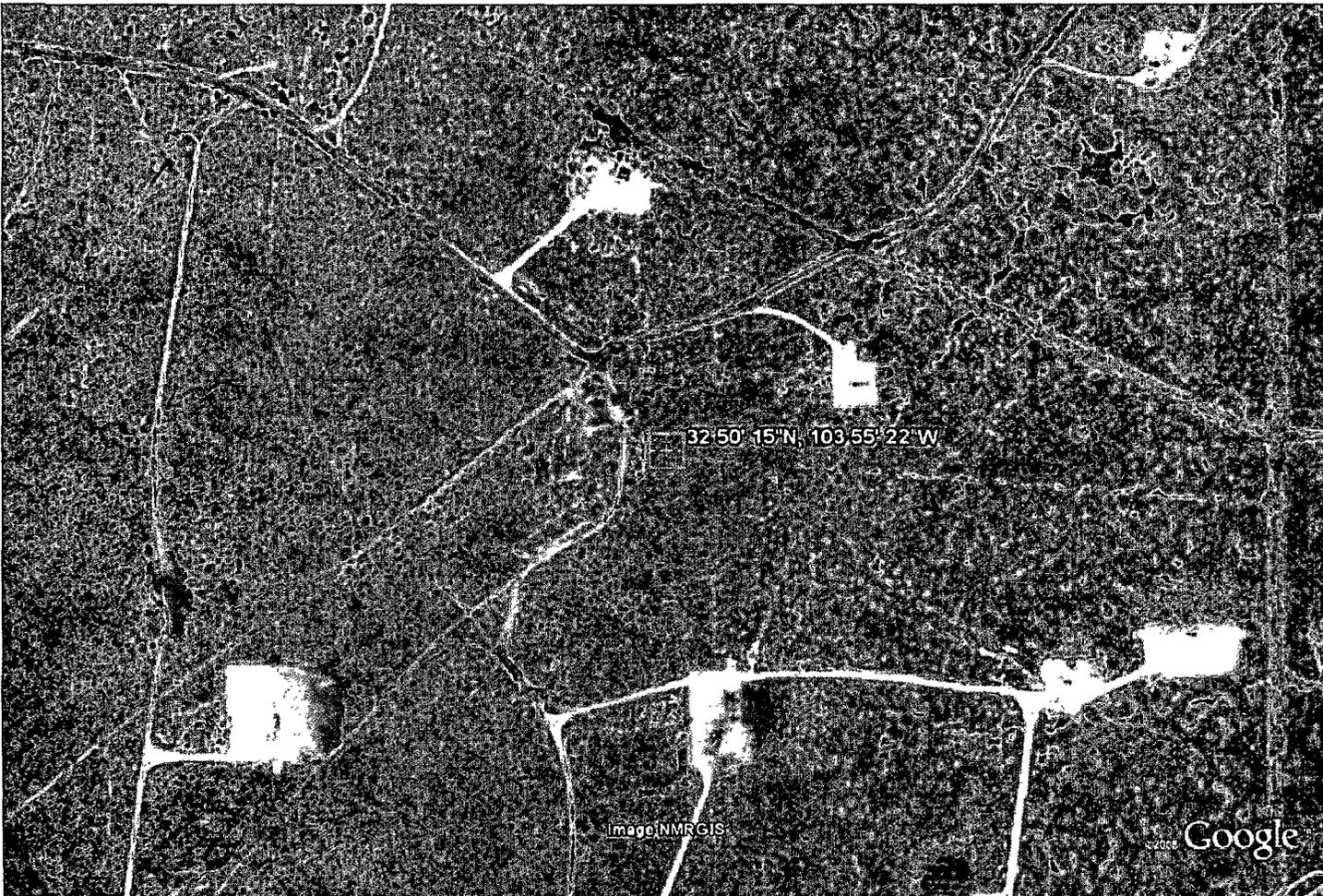
This site has a 5000 ppm TPH cleanup and will cleanup BTEX and Chloride per OCD.



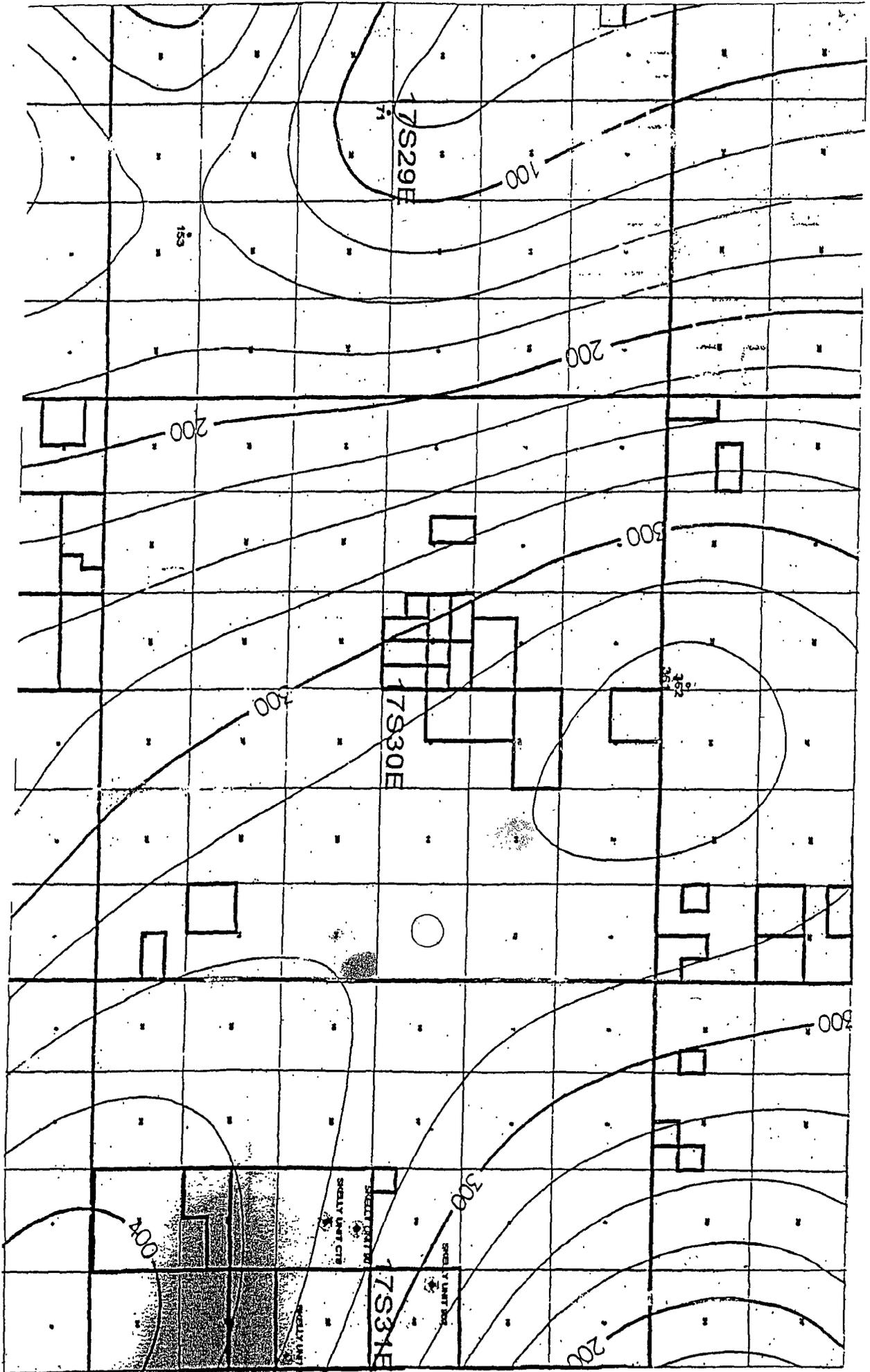
1983 North American Datum. UTM grid zone 13
 generated by BigTop07 (www.igage.com)
 map compiled from USGS Quads Loco Hills.

UTM Grid and 2009 Magnetic North
 Declination at Center of Sheet
 GN to TN -0 582" (-10 mills)
 TN to MN 8 085" (144 mills)





Groundwater Map



Form 3160-18
(October, 1999)

Number 09-JA-041W

Page of

Certified Mail - Return Receipt Requested
7008183000000712221

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
NOTICE OF WRITTEN ORDER**

IDENTIFICATION	
TID	
Lease	NM/C029336A
CA	
Unit	
FA	

Bureau of Land Management Office CARLSBAD FIELD OFFICE	Operator BURNETT OIL COMPANY INC
Address 620 E GREENE STREET CARLSBAD NM 88220	Address BURNETT PLAZA STE 1500 801 CHERRY STREET UT 9 FORT WORTH TX 76102-6881
Telephone 575-234-5909	Attention
Inspector AMOS	Attn Addr

Site Name JACKSON A	Well or Facility 28	1/4 1/4 Section NWNE 13	Township 17S	Range 30E	Meridian NMP	County EDDY	State NM
Site Name	Well or Facility	1/4 1/4 Section	Township	Range	Meridian	County	State
Site Name	Well or Facility	1/4 1/4 Section	Township	Range	Meridian	County	State

The following condition(s) were found by Bureau of Land Management Inspectors on the date and at the site(s) listed above.

Date	Time (24-hour clock)	Corrective Action to be Completed by	Date Corrected	Authority Reference
04/04/2009	14:00	06/05/2009		43 CFR 3162.1.a, 3162.5-1 a,b,c

Remarks:

An area to the south and west, on the south side of the blacktop is saturated with oil. The area has a pipeline junction with several lines commingling into one line. The area is quite large with oil saturation and has been this way for some time. Remove the heavy saturation, the material underneath can be blended and tilled to a level that will meet OCDs standards. Once this has been done the location is to be seeded with seed mixture #2. If you have any questions contact Jim Amos at 575-234-5909.

When the Written Order is complied with, sign this notice and return to above address.

Company Representative Title _____ Signature _____ Date _____

Company Comments _____

Warning

The Authorized Officer has authority to issue a Written Order in accordance with 43 CFR 3161.2. Written Order correction and reporting time frames begin upon receipt of this Notice or 7 business days after the date it is mailed, whichever is earlier. Each stipulation must be corrected within the prescribed time from receipt of this Notice and reported to the Bureau of Land Management Office at the address shown above. If you do not comply as noted above under "Corrective Action to be Completed By", you shall be issued an Incident of Noncompliance (INC) in accordance with 43 CFR 3163.1(a). Failure to comply with the INC may result in assessments as outlined in 43 C. R. 3163.1 and may also incur civil penalties (43 CFR 3163.2). All self-certified corrections must be postmarked no later than the next business day after the prescribed time frame for correction.

Section 105(d)(1) of the Federal Oil and Gas Royalty Management Act of 1982, as implemented by the applicable provisions of the operating regulations at Title 43 CFR 3163.2(f)(1), provides that any person who "knowingly or willfully" prepares, maintains, or submits false, inaccurate, or misleading reports, notices, affidavits, records, data or other written information required by this part shall be liable for a civil penalty of up to \$25,000 per violation for each day such violation continues, not to exceed a maximum of 20 days.

Review and Appeal Rights

A person contesting a decision shall request a State Director review of the Written Order. This request must be filed within 20 working days of receipt of the Notice with the appropriate State Director (see 43 CFR 3165.3). The State Director review decision may be appealed to the Interior Board of Land Appeals, 801 North Quincy Street, Suite 300, Arlington, VA 22203 (see 43 CFR 3165.4). Contact the above listed Bureau of Land Management office for further information.

Signature of Bureau of Land Management Authorized Officer <i>James L. Amos</i>	Date 4-5-09	Time 14:00
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FOR OFFICE USE ONLY

Number 3	Date	Type of Inspection ES
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