

2R - 155

**GENERAL
CORRESPONDENCE**

2010

Griswold, Jim, EMNRD

From: Griswold, Jim, EMNRD
Sent: Wednesday, October 20, 2010 8:43 AM
To: 'bgrimes@btaoil.com'
Cc: 'mark@laenvironmental.com'; VonGonten, Glenn, EMNRD; Bonham, Sherry, EMNRD; Macquesten, Gail, EMNRD
Subject: BTA Pardue "C" 8808 JV-P Well #1 facility cleanup

Ben,

I have reviewed the requests to plug groundwater monitoring wells MW-12, -13, and -14 along with removing the well monument on the plugged SWD well as part of the soil reclamation efforts at the facility. Both these requests are approved under the condition that those efforts be completed as described. A properly completed and signed C-103 sundry notice should be filed both with myself and the District II office in Artesia for the disposal well once work has been completed. Please keep a copy of this email for your files as no written approval will be sent. Thank you.

Depending upon the time when a groundwater restoration program can be provided to the OCD for review and approval, the upcoming hearing on November 18 can be rescheduled. Please contact Gail Macquesten, Glenn VonGonten, or myself in that regard.

Jim Griswold
Senior Hydrologist
Environmental Bureau
ENMRD/Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505
direct: 505.476.3465
email: jim.griswold@state.nm.us

Griswold, Jim, EMNRD

From: Mark Larson [Mark@laenvironmental.com]
Sent: Wednesday, October 20, 2010 8:19 AM
To: Griswold, Jim, EMNRD
Cc: VonGonten, Glenn, EMNRD; Bonham, Sherry, EMNRD; Ben Grimes; Stuart Beal; Stuart Beal
Subject: Re: Exemption Request, BTA Oil Producers LLC, Pardue "C" 8808 JV-P Well #1, Eddy County, New Mexico
Attachments: BTA Exemption Request, October 20, 2010.pdf; image001.jpg

Dear Mr. Griswold,

The attached letter is submitted to the New Mexico Oil Conservation Division (OCD) to request an exemption from rule 19.15.4.202B(2) NMAC to remove the above-ground steel marker on the plugged Pardue "C" 8808 JV-P Well #1. The above ground marker will be replaced with a below-ground steel marker that will be welded onto the well casing after it is cut off a sufficient depth below ground as to not interfere with a bentonite and polyethylene liner that will be installed at approximately 5 feet below ground surface. The below ground steel marker will be inscribed with the operator name, well number, API number, well location (section line footages, unit letter, section, township and range) and plugging date. Please contact Mr. Ben Grimes with BTA Oil Producers LLC at (432) 682-3753 or myself if you have questions.

Sincerely,

Mark J. Larson
Sr. Project Manager / President
507 N. Marienfeld St., Ste. 200
Midland, Texas 79701
(432) 687-0901 (office)
(432) 687-0456 (fax)
(432) 556-8656 (cell)
mark@laenvironmental.com



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CARLTON BEAL, JR.
BARRY BEAL
SPENCER BEAL
KELLY BEAL
BARRY BEAL, JR.
STUART BEAL
ROBERT DAVENPORT, JR.

BTA OIL PRODUCERS, LLC

104 SOUTH PECOS
MIDLAND, TEXAS 79701

432-682-3753
FAX 432-683-0311

GULF COAST DISTRICT
FOUR GREENSPOINT PLAZA
16945 NORTHCHASE DRIVE, STE. 1600
HOUSTON, TEXAS 77060
PH. 281-872-5022 FAX 281-872-5054

ROCKY MOUNTAIN DISTRICT
600 17TH STREET, STE. 2230 SOUTH
DENVER, CO 80202
PH. 303-534-4404 FAX 303-534-4661

October 20, 2010

VIA EMAIL: Jim.Griswold@state.nm.us

Mr. Jim Griswold
New Mexico Oil Conservation Division - Environmental
1220 S. St. Francis Drive
Santa Fe, New Mexico 88505

Re: Case No. 14413 - Exemption to Remove Plugged Well Monument
BTA Oil Producers LLC, Pardue "C" 8808 JV-P Well #1, API No. 30-015-26341
Latitude 32° 18' 46.77896 North, Longitude 104° 03' 41.94813 West
Unit N (SE/4, SW/4), Section 11, Township 23 South, Range 28 East NMPM
Eddy County, New Mexico

Dear Mr. Griswold,

This exemption request is submitted to the New Mexico Oil Conservation Division (OCD) to allow BTA Oil Producers LLC (BTA) to remove the plugged well monument on the Pardue "C" 8808 JV-P Well #1, with API #30-015-26341, and cut off the surface casing at a depth sufficient to place the well below the bentonite and polyethylene liner to be installed at approximately 5 feet below ground surface. A steel plate inscribed with the well information (i.e., well name, well owner, API number, footage from section line(s), unit letter, section number, township, range and plugging date) will be welded to the top of the well casing. Your approval of this request is appreciated. Please contact me if you have questions.

Sincerely,

BTA Oil Producers LLC

Ben Grimes
Operations Manager
BGrimes@btaoil.com

Cc: Sherry Bonham – OCD District 2
Mark Larson – Larson & Associates, Inc.

Griswold, Jim, EMNRD

From: mark@laenvironmental.com
Sent: Thursday, October 14, 2010 9:36 AM
To: Griswold, Jim, EMNRD; VonGonten, Glenn, EMNRD; Bonham, Sherry, EMNRD; Ben Grimes
Subject: Fw: OCD Case No. 14413, Pardue "C" 8808 JV-P Well #1, Unit K (NE/4, SW/4), Sec 11, T. 23 S., R. 28 E., Eddy County, NM
Attachments: PA120001.JPG; PA120003.JPG; PA120007.JPG; PA120008.JPG; PA120009.JPG; PA120011.JPG; Figure - Proposed Wells For Plugging.pdf

Sent from my Verizon Wireless BlackBerry

From: "Mark Larson" <Mark@laenvironmental.com>
Date: Thu, 14 Oct 2010 07:52:05 -0500
To: Mark Larson<Mark@laenvironmental.com>
Subject: FW: OCD Case No. 14413, Pardue "C" 8808 JV-P Well #1, Unit K (NE/4, SW/4), Sec 11, T. 23 S., R. 28 E., Eddy County, NM

Dear Mr. Griswold,

This message is submitted to the New Mexico Oil Conservation Division (OCD) on behalf of BTA Oil Producers LLC (BTA) by Larson & Associates, Inc. (LAI), its consultant, to update the OCD on the progress of soil remediation activities and request approval to plug three (3) monitoring wells (MW-12, MW-13 and MW-14) and a variance to remove the monument from the plugged well (Pardue "C" 8808 JV-P Well #1) to eliminate protrusions through the bentonite and polyethylene liner and pathways for water to infiltrate beneath the liner which will be installed in the bottom of the excavation at about 5 feet bgs. The monitoring wells will be plugged by cutting the PVC casing at a depth below the liner and plugging the wells with bentonite chips. The plugged monument will be removed, casing cut off and welding a steel plate over the casing at a sufficient depth below the liner. The attached drawing shows the liner installation area, wells to be plugged and plugged Pardue "C" 8808 JV-P Well #1.

The attached photographs show the progress of soil remediation through October 12, 2010.

Image PA120001 – View to east of chain ditcher cutting conglomerate to assist with soil removal (exposed casing of MW-12 in foreground);

Image PA120003 – View to south of soil excavation to approximately 5 feet bgs near east and south area (exposed casing of MW-14 in background);

Image PA120004 – View to southwest of soil excavation to approximately 5 feet bgs near central area (exposed casing of MW-14 in background);

Image PA120007 - View to east of soil excavation to approximately 5 feet bgs near east and south area (exposed casing of MW-14 in background);

Image PA120008 - View to northeast of soil excavation to approximately 5 feet bgs near east and south area (exposed casing of MW-14 in background);

Image PA120009 - View to north of soil excavation to approximately 5 feet bgs near central area (exposed casing of MW-14 in background);

Image PA120011 – Exposed casing of plugged well;

LAI requests an expedited approval from OCD to plug the monitoring wells and variance to remove the monument from the plugged well to minimize disruption of soil remediation and installing the bentonite and polyethylene liner. Please contact Ben Grimes with BTA at (432) 682-3753 or myself with questions.

Sincerely,

Mark J. Larson

Sr. Project Manager / President
507 N. Marienfeld St., Ste. 202
Midland, Texas 79701
(432) 687-0901 (office)
(432) 687-0456 (fax)
(432) 556-8656 (cell)
mark@laenvironmental.com

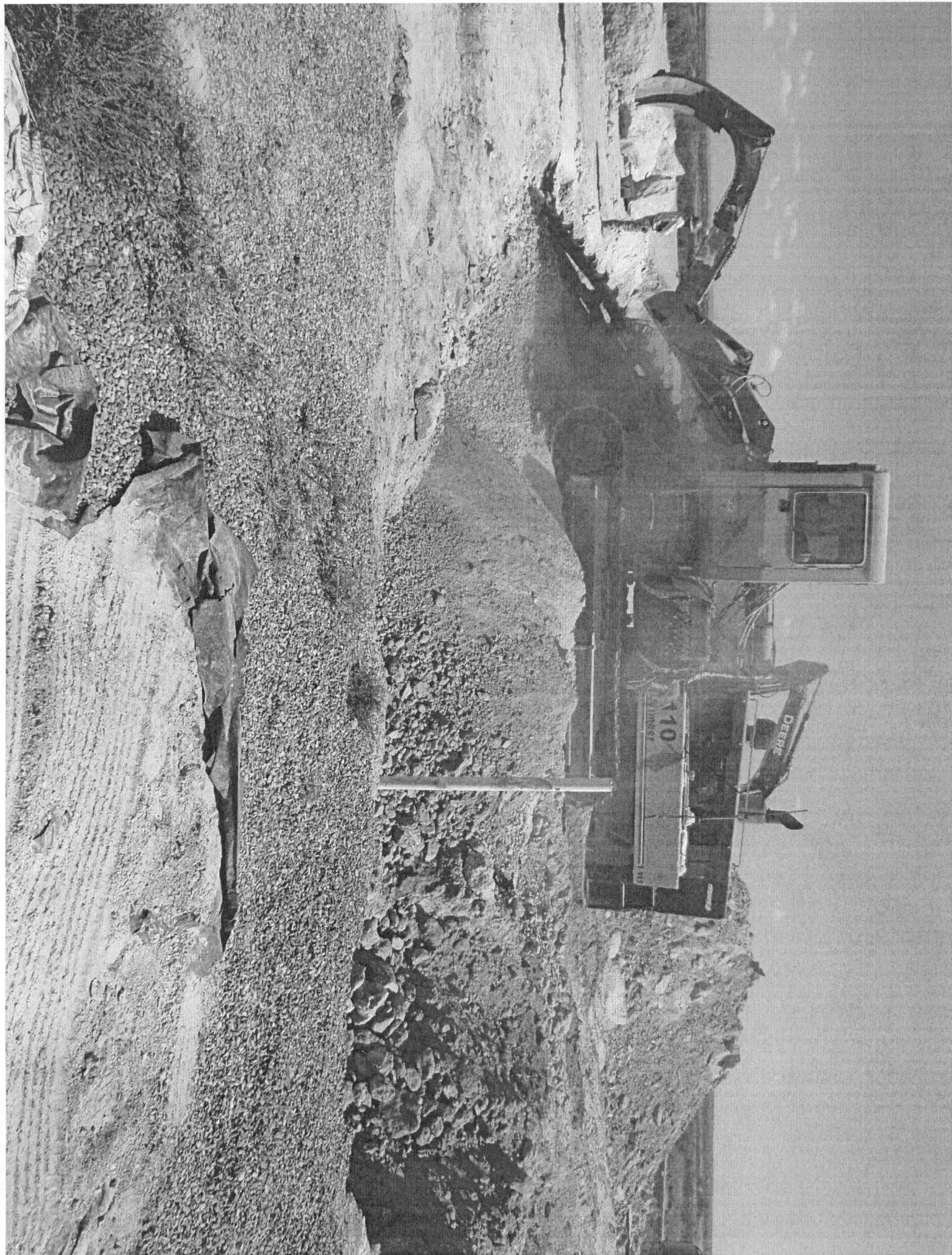


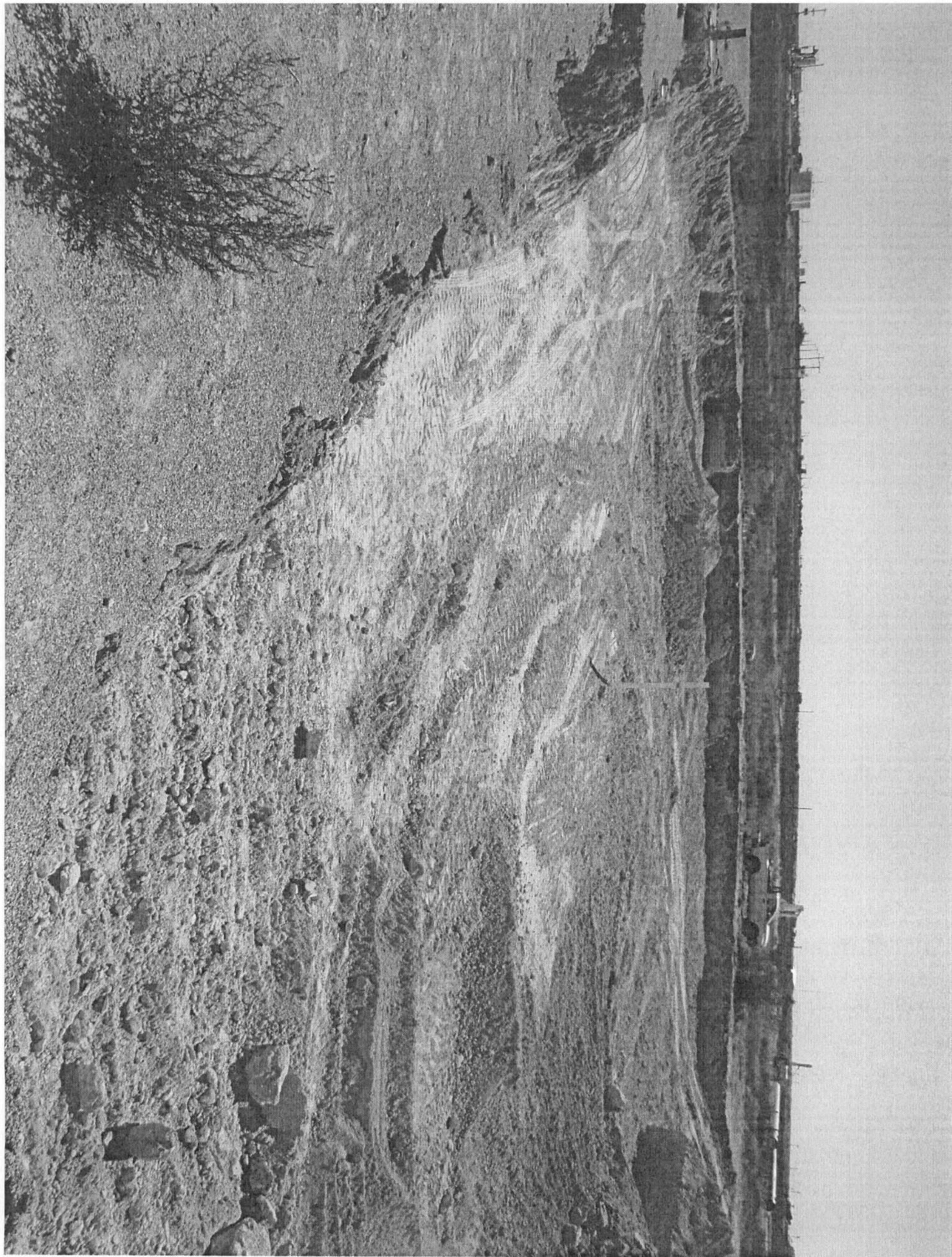
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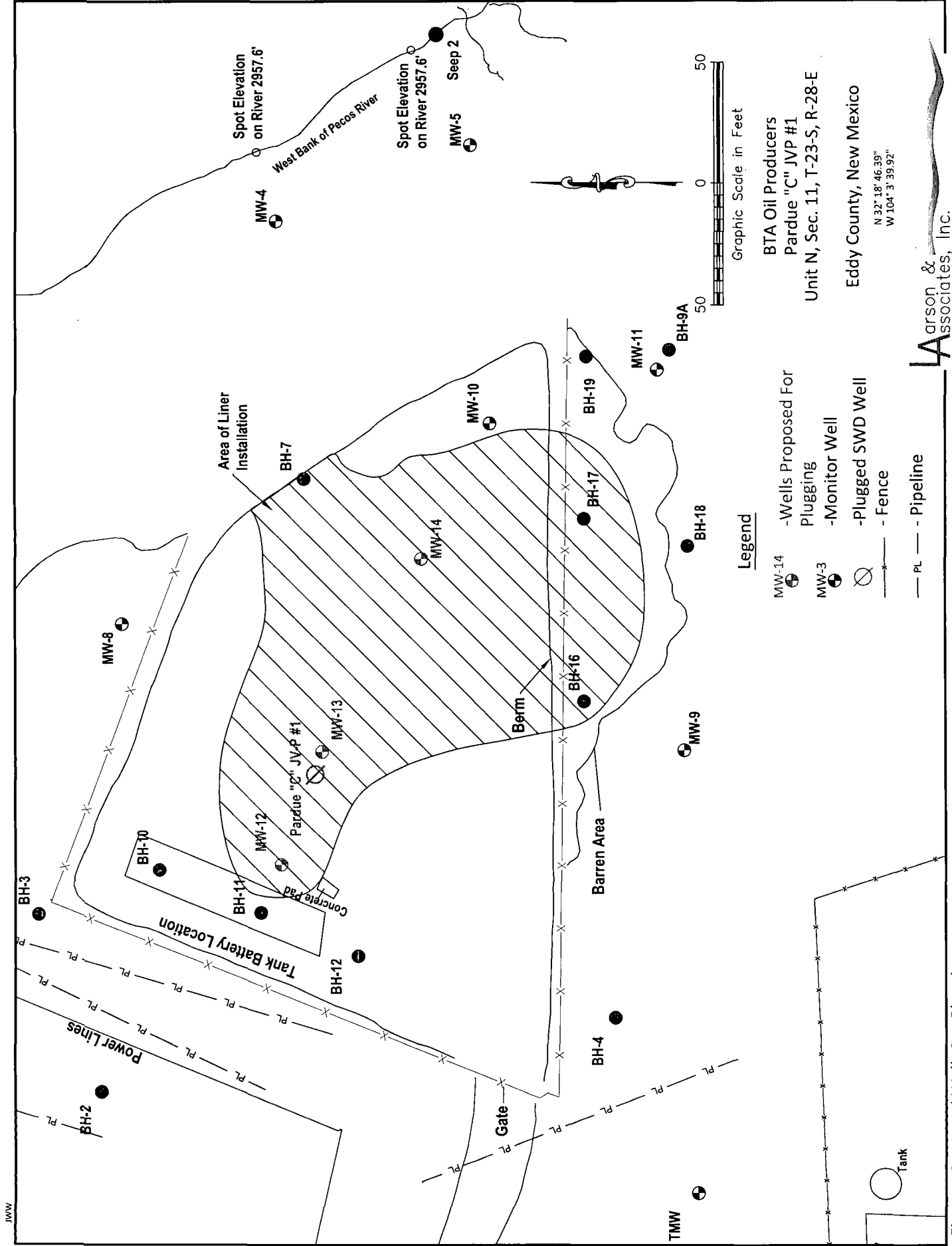


Figure - Proposed Wells For Plugging

Griswold, Jim, EMNRD

From: Mark Larson [Mark@laenvironmental.com]
Sent: Friday, October 15, 2010 3:19 PM
To: Griswold, Jim, EMNRD
Cc: VonGonten, Glenn, EMNRD; Bonham, Sherry, EMNRD; Ben Grimes; Stuart Beal; Skip Baca
Subject: Re: Soil Remediation Status Report, Week of October 11 - 15, 2010, BTA Oil Producers LLC, Pardue "C" 8808 JV-P Well #1, Eddy County, New Mexico
Attachments: image001.jpg

All,

This soil remediation status report is for the week of October 11 - 15, 2010:

10-11-10

- Cross ditched west and north remediation area with chain ditcher to facilitate excavating soil and rock to 5 feet bgs;
- Continued excavating soil/rock using trackhoe from central and north remediation area to 5 feet bgs;
- Transported 6 loads of contaminated soil to Lea Land Landfill;

Soil Volume Disposed: 120 cubic yards

10-12-10

- Cross ditched west and north remediation area with chain ditcher to facilitate excavating soil and rock to 5 feet bgs;
- Continued excavating soil/rock using trackhoe from central and north remediation area to 5 feet bgs;
- Transported 10 loads of contaminated soil to Lea Land Landfill;

Soil Volume Disposed: 200 cubic yards

10-13-10

- Completed cross ditching west and north remediation area with chain ditcher to facilitate excavating soil and rock to 5 feet bgs;
- Began cross ditching west and north remediation area with chain ditcher to facilitate excavating soil and rock to 10 feet bgs;
- Continued excavating soil/rock using trackhoe from central and north remediation area to 5 feet bgs;
- Transported 25 loads of contaminated soil to Lea Land Landfill;

Soil Volume Disposed: 500 cubic yards

10-14-10

- Completed cross ditching west and north remediation area with chain ditcher to facilitate excavating soil and rock to 10 feet bgs and released chain ditcher;
- Continued excavating soil/rock using trackhoe from central and north remediation area to 5 feet bgs;
- Transported 32 loads of contaminated soil to Lea Land Landfill;

Soil Volume Disposed: 640 cubic yards

10-15-10

- Completed excavating soil/rock using trackhoe from central and north remediation area to 5 feet bgs;
- Began extending excavation using trackhoe to 10 feet bgs in west and north remediation area;
- Transported 27 loads of contaminated soil to Lea Land Landfill;

Soil Volume Disposed: 540 cubic yards

Total Loads Hauled (to date): 294

Total Soil Volume disposed (to date): 5,880 cubic yards

Mark J. Larson
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Griswold, Jim, EMNRD

From: Mark Larson [Mark@laenvironmental.com]
Sent: Tuesday, October 19, 2010 2:28 AM
To: Griswold, Jim, EMNRD
Cc: VonGonten, Glenn, EMNRD; Bonham, Sherry, EMNRD; Ben Grimes; Stuart Beal; Skip Baca
Subject: FW: OCD Case No. 14413, Pardue "C" 8808 JV-P Well #1, Unit K (NE/4, SW/4), Sec 11, T. 23 S., R. 28 E., Eddy County, NM
Attachments: PA120001.JPG; PA120003.JPG; PA120007.JPG; PA120008.JPG; PA120009.JPG; PA120011.JPG; Figure - Proposed Wells For Plugging.pdf; image001.jpg

Jim,
I forwarded blackberry on Thursday, October 14, 2010 but wanted to resend just in case. The message pertains to a request for approval to plug three (3) monitoring wells and a variance to remove the monument and cut off the casing of the plugged Pardue "C" 8808 JV-P well #1 so as to not protrude through the bentonite and polyethylene liner that will be installed in the bottom of the excavation. Your expedited approval is appreciated as we should complete excavating soil from the area this week in preparation for installing the liner. Please contact Ben Grimes with BTA Oil Producers LLC at (432) 682-3753 or myself if you have questions.
Sincerely,

Mark J. Larson
Sr. Project Manager / President
507 N. Marienfeld St., Ste. 202
Midland, Texas 79701
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(432) 687-0456 (fax)
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mark@laenvironmental.com



From: Mark Larson
Sent: Thursday, October 14, 2010 7:52 AM
To: Mark Larson
Subject: FW: OCD Case No. 14413, Pardue "C" 8808 JV-P Well #1, Unit K (NE/4, SW/4), Sec 11, T. 23 S., R. 28 E., Eddy County, NM

Dear Mr. Griswold,
This message is submitted to the New Mexico Oil Conservation Division (OCD) on behalf of BTA Oil Producers LLC (BTA) by Larson & Associates, Inc. (LAI), its consultant, to update the OCD on the progress of soil remediation activities and request approval to plug three (3) monitoring wells (MW-12, MW-13 and MW-14) and a variance to remove the monument from the plugged well (Pardue "C" 8808 JV-P Well #1) to eliminate protrusions through the bentonite and polyethylene liner and pathways for water to infiltrate beneath the liner which will be installed in the bottom of the excavation at about 5 feet bgs. The monitoring wells will be plugged by cutting the PVC casing at a depth below the liner and plugging the wells with bentonite chips. The plugged monument will be removed, casing cut off and welding a steel

plate over the casing at a sufficient depth below the liner. The attached drawing shows the liner installation area, wells to be plugged and plugged Pardue "C" 8808 JV-P Well #1.

The attached photographs show the progress of soil remediation through October 12, 2010.

Image PA120001 – View to east of chain ditcher cutting conglomerate to assist with soil removal (exposed casing of MW-12 in foreground);

Image PA120003 – View to south of soil excavation to approximately 5 feet bgs near east and south area (exposed casing of MW-14 in background);

Image PA120004 – View to southwest of soil excavation to approximately 5 feet bgs near central area (exposed casing of MW-14 in background);

Image PA120007 - View to east of soil excavation to approximately 5 feet bgs near east and south area (exposed casing of MW-14 in background);

Image PA120008 - View to northeast of soil excavation to approximately 5 feet bgs near east and south area (exposed casing of MW-14 in background);

Image PA120009 - View to north of soil excavation to approximately 5 feet bgs near central area (exposed casing of MW-14 in background);

Image PA1200011 – Exposed casing of plugged well;

LAI requests an expedited approval from OCD to plug the monitoring wells and variance to remove the monument from the plugged well to minimize disruption of soil remediation and installing the bentonite and polyethylene liner. Please contact Ben Grimes with BTA at (432) 682-3753 or myself with questions.
Sincerely,

Mark J. Larson
Sr. Project Manager / President
507 N. Marienfeld St., Ste. 202
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Griswold, Jim, EMNRD

From: Mark Larson [Mark@laenvironmental.com]
Sent: Friday, September 24, 2010 8:14 AM
To: VonGonten, Glenn, EMNRD
Cc: Griswold, Jim, EMNRD; Bonham, Sherry, EMNRD; Ben Grimes; Skip Baca
Subject: Re:: Notification of Soil Remediation, BTA Oil Producers, LLC, Pardue "C" 8808 JV-P Well #1, Unit N, S. 11, T.23S., R.28E., Eddy County, New Mexico
Attachments: image001.jpg

Glenn,

This message is submitted to the New Mexico Oil Conservation Division (OCD) on behalf of BTA Oil Producers LLC by Larson & Associates, Inc. (LAI), its consultant, to provide notification that soil remediation will commence at the Pardue "C" 8808 JV-P Well #1 on Tuesday, September 28, 2010. Contaminated soil will be hauled to Lea Land Landfill located between Carlsbad and Hobbs, New Mexico and south of U.S. Highway 62/180. LAI will provide additional notification prior to installing the liner and backfilling the excavation. Please contact Ben Grimes with BTA Oil Producers, LLC (432.682.3753) or myself if you have questions.

Sincerely,

Mark J. Larson
Sr. Project Manager / President
507 N. Marienfeld St., Ste. 200
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Griswold, Jim, EMNRD

From: Mark Larson [Mark@laenvironmental.com]
Sent: Thursday, September 02, 2010 7:44 AM
To: VonGonten, Glenn, EMNRD
Cc: Griswold, Jim, EMNRD; Bonham, Sherry, EMNRD; Ben Grimes; Alexis Martinez; John Ferguson; Michelle Green
Subject: Re: BTA Oil Producers LLC, Pardue "C" 8808 JV-P Well #1 Pumping Test Modification
Attachments: image001.jpg

Dear Mr. von Gonten,

This message is submitted to the New Mexico Oil Conservation Division (OCD) on behalf of BTA Oil Producers, LLC (BTA) by Larson & Associates, Inc (LAI), its consultant, to report the results of a step draw down (capacity) pumping test for well MW-14 which was performed at the above-referenced location on September 1, 2010. LAI determined after pumping well MW-14 for a short duration that the well pumped off and could not be pumped at a rate sufficient to assess aquifer conditions. However, it was determined that well MW-11 could be pumped at approximately 15 gallons per minute without pumping off and LAI proposes to pump this well and monitor draw down in nearby wells (i.e., MW-9, MW-10, MW-14, MW-13, MW-12, MW-5, etc.). The pumping test will begin on Tuesday, September 7, 2010. Please contact Ben Grimes with BTA at (432) 682-3753 or myself if you have questions.

Sincerely,

Mark J. Larson
Sr. Project Manager / President
507 N. Marienfeld St., Ste. 202
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Griswold, Jim, EMNRD

From: Mark Larson [Mark@laenvironmental.com]
Sent: Tuesday, August 31, 2010 4:15 PM
To: VonGonten, Glenn, EMNRD
Cc: Griswold, Jim, EMNRD; Bonham, Sherry, EMNRD; Ben Grimes; Alexis Martinez; Skip Baca
Subject: RE: Pardue "C" JV-P Well #1, Unit K (NE/4, SW/4), Sec 11, T. 23 S., R. 28 E., Eddy County, NM
Attachments: image001.jpg

All,
Notification was previously given that Larson & Associates, Inc. (LAI) planned to install an electric submersible pump and conduct a step drawdown test in well MW-14 on Monday, August 30, 2010. The pump installation and pumping test was cancelled due to runoff from a storm event that caused water to accumulate in the depression and around the well. A vacuum truck was used to remove the water for disposal at an OCD approved SWD well and pump installation and testing is now scheduled for Wednesday, September 1, 2010. Please contact me if you have questions.
Sincerely,

Mark J. Larson
Sr. Project Manager / President
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Griswold, Jim, EMNRD

From: Mark Larson [Mark@laenvironmental.com]
Sent: Tuesday, August 31, 2010 3:54 PM
To: Griswold, Jim, EMNRD
Cc: Ben Grimes
Subject: Re: Responses to Questions Concerning Review and Approval of Final Investigation Report for Pardue C 8808 JV-P Well #1, August 31, 2010
Attachments: image001.jpg

Dear Mr. Griswold,

The following responses are offered to questions from your review and approval of the document titled, *Final Investigation Report and Remediation Plan, Pardue "C" 8808 JV-P Well #1, July 15, 2010*:

Question:

On both Page 2 (Executive Summary) and Page 17 (Conclusions) of the report the statement is made "Benzene and BTEX were not observed in soil samples above the method detection limit." This leads the reader to infer laboratory analysis of soils samples for those contaminants had actually been undertaken. However, on Page 10 it says "No samples exhibited PID readings above 100 ppm, therefore, no samples were analyzed by laboratory for BTEX." I understand the logic behind not submitting soil samples for BTEX analysis, but the statements made on Page 2 and 17 are very misleading. 100 ppm of headspace is an informal action level and the detection limit of that field procedure is 1 ppm or less depending upon the instrument. It would have been more helpful if at least a subset of soils samples were analyzed for confirmation of BTEX concentrations. Otherwise, the same statement could be made with respect to plutonium, unobtainium, peanut butter, or anything else.

Response:

This sentence refers to samples collected in or close proximity to the pit by BTA and R.T. Hicks Consultants, Ltd., in which benzene was not detected above the test method detection limit. The sentence could be amended to read "Benzene was not observed above the test method detection limits in soil samples that were collected and tested for this parameter during the previous investigations". An additional sentence should be added to read "Total BTEX (3.044 mg/Kg) was reported in one sample (1-1'-SPL) collected by BTA on February 15, 2008 but was below the below the OCD closure limit of 50 mg/Kg for unlined pits. This sentence is correctly stated on page 7 in Subsection 4.1 (BTA Investigations). Soil samples collected by LAI between April 6 and 15, 2010, were collected according to the work plan approved by the OCD on March 12, 2010, which provided for substitution of a BTEX analysis by laboratory methods with a headspace reading of less than 100 parts per million (ppm). No headspace readings exceeded 100 ppm as shown on boring logs in Appendix C.

Question:

Is there any reasonable explanation as to why the chloride concentrations observed in soils samples from BH-8 (MW-10) we so low despite its proximity to the area of release and the overall background concentrations?

Response:

No deviation of protocols and procedures occurred during soil sample collection and handling at BH-8 (MW-10), therefore, a reasonable explanation may be that the amount of produced water discharged into the pit was not sufficient for lateral dispersion into the area of BH-8 (MW-10).

Question:

If the unauthorized discharge of produced water was ceased in October of 2007 and the reported depth of water information was gathered in late-April of this year (~30 months later), why has a groundwater mound persisted beneath the pit area? Surface infiltration of stormwater, perhaps?

Response:

Mounding observed in the vicinity of MW-14 is believed to be the result of infiltration of stormwater. On February 17, 2010 and August 30, 2010, LAI observed water in the depression following storm events and recommended to BTA that the water be removed and disposed in a OCD permitted commercial salt water disposal (SWD) well. On both occasions, a vacuum truck was on location within hours and the water picked up to minimize surface infiltration. The final grade will be corrected to prevent storm water from accumulating.

Question:

Soil samples were gathered from BH-9 (MW-11) as depths of 80, 90, 100, and 120 ft and submitted to the lab under chain of custody conditions, but never analyzed. Why?

Response:

The sample from BH-9 at 70 feet was analyzed for chloride to assess the concentration in the upper part of the Castile formation (confining unit) and no further analysis was performed.

Question:

A subset of soil samples were analyzed by the laboratory for chloride by both SPLP and Method 300. The SPLP analyses were flagged by the lab as having been analyzed outside of the recommended hold time. Please explain.

Response:

Samples from borings BH-3 (5 feet) and BH-13 (5, 10 and 15 feet) were analyzed by method 1312 (SPLP) albeit out of hold time and determined inconclusive when compared to the total chloride analysis.

Question:

Can an explanation be provided as to the presence of a deeper aquifer as previously interpreted by RT Hicks which was not verified during Larson & Associates' investigation?

Response:

R.T. Hicks Consultants, Ltd., stated that only one known ground water zone (shallow perched aquifer not used as a water supply) and one probable ground water zone (regional Pecos alluvium aquifer) is present in the area of the Pardue C 8808 site (January 19, 2010, page 2). Larson & Associates, Inc. (LAI) did not observe "perched" water in the vadose zone between ground surface and the water table. LAI confirmed that the uppermost groundwater occurs in the alluvium at approximately 35 feet bgs and is laterally continuous across the Site. LAI determined that a regional bedrock aquifer (i.e., Rustler formation) is not present and that a unconformity exists between the alluvium and underlying bedrock (Castile formation). Advancement of boring BH-9 approximately 52 feet into the Castile formation confirmed shale lithology adequate to prevent vertical migration.

Please contact Mr. Ben Grimes with BTA at (432) 682-3753 or myself at (432) 687-0901.

Sincerely,

Mark J. Larson

Sr. Project Manager / President
507 N. Marienfeld St., Ste. 202
Midland, Texas 79701
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Griswold, Jim, EMNRD

From: Mark Larson [Mark@laenvironmental.com]
Sent: Monday, August 30, 2010 6:51 AM
To: VonGonten, Glenn, EMNRD
Cc: Griswold, Jim, EMNRD; Bonham, Sherry, EMNRD; Ben Grimes; Alexis Martinez
Subject: Re: Pardue "C" JV-P Well #1 Em Survey, Unit K (NE/4, SW/4), Sec 11, T. 23 S., R. 28 E., Eddy County, NM
Attachments: image001.jpg

All,

On Friday, August 27, 2010, a temporary electric service was installed near monitoring well MW-14 (pumping well) to provide electricity for the electric submersible pump. The submersible pump will be installed today and a step drawdown test performed to determine the pumping rate for the 72 hour test. The 72 hour test will be performed once the aquifer returns to static conditions. Please contact me if you have questions.

Sincerely,

Mark J. Larson
Sr. Project Manager / President
507 N. Marienfeld St., Ste. 202
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Griswold, Jim, EMNRD

From: Ben Grimes [BGrimes@btaoil.com]
Sent: Thursday, August 26, 2010 3:11 PM
To: Griswold, Jim, EMNRD
Subject: RE: Investigation Report for Pardue C 8808 JV-P Well #1

Thank you for reviewing and approving the plan to remediate the Pardue C battery site. I have spoken with Mark Larson and he is preparing an email that should answer all the questions you have posed below. The only question I would like to address is in regards to the groundwater mound that has persisted. The water line that led to the pit originated from the top of the produced water tanks and was only in use if the tank levels reached their maximum capacity (no pump and drained by gravity). Our pumper, Gary Tucker, has worked that lease since the battery was built. Gary told me he only remembers two or three times that the catchment area had produced water from the tanks overflowing. It is possible that there were more times that Gary does not remember or did not see, but I doubt it would be many at all. The last release of any fluid through that line according to Gary was years before 2007. Based on that information, I can only think that rainwater would flow to the pit and was the reason for the mounding. My understanding is that after a rain, water will stay in the pit for many days or sometimes weeks depending on the amount of rain. Let me know if you still have questions after receiving Mark Larson's response. Thanks again. We hope to start on this project very soon and complete it to your satisfaction.

Ben Grimes

From: Griswold, Jim, EMNRD [mailto:Jim.Griswold@state.nm.us]
Sent: Thursday, August 26, 2010 9:15 AM
To: Ben Grimes
Cc: mark@laenvironmental.com; VonGonten, Glenn, EMNRD; Macquesten, Gail, EMNRD
Subject: Investigation Report for Pardue C 8808 JV-P Well #1

Mr. Grimes,

I have reviewed the *Final Investigation Report and Remediation Plan* dated 7/15/10 for the former Pardue C facility near Loving prepared by Larson & Associates. Based upon the information provided, it appears the vertical and lateral extents of soil and groundwater contamination have been reasonably defined. The procedure described in Section 8.2 of the report for soil removal and backfilling is approved with the condition that final grading will recontour the surface to eliminate the local depression and not allow water to pond on the surface. Once completed, a report of actual field activities should be submitted to the OCD. We also await the results of the groundwater pumping tests along with the proposed design of the recovery system. Please keep in mind the discharge of treated groundwater will require a permit.

However, despite OCD's approval there are several comments/questions I would like to ask with respect to the report:

On both Page 2 (Executive Summary) and Page 17 (Conclusions) of the report the statement is made "Benzene and BTEX were not observed in soil samples above the method detection limit." This leads the reader to infer laboratory analysis of soils samples for those contaminants had actually been undertaken. However, on Page 10 it says "No samples exhibited PID readings above 100 ppm, therefore, no samples were analyzed by laboratory for BTEX." I understand the logic behind not submitting soil samples for BTEX analysis, but the statements made on Page 2 and 17 are very misleading. 100 ppm of headspace is an informal action level and the detection limit of that field procedure is 1 ppm or less depending upon the instrument. It would have been more helpful if at least a subset of soils samples were analyzed for confirmation of BTEX concentrations.

Otherwise, the same statement could be made with respect to plutonium, unobtainium, peanut butter, or anything else.

Is there any reasonable explanation as to why the chloride concentrations observed in soils samples from BH-8 (MW-10) are so low despite its proximity to the area of release and the overall background concentrations?

If the unauthorized discharge of produced water was ceased in October of 2007 and the reported depth of water information was gathered in late-April of this year (~30 months later), why has a groundwater mound persisted beneath the pit area? Surface infiltration of stormwater, perhaps?

Soil samples were gathered from BH-9 (MW-11) at depths of 80, 90, 100, and 120 ft and submitted to the lab under chain of custody conditions, but never analyzed. Why?

A subset of soil samples were analyzed by the laboratory for chloride by both SPLP and Method 300. The SPLP analyses were flagged by the lab as having been analyzed outside of the recommended hold time. Please explain.

Can an explanation be provided as to the presence of a deeper aquifer as previously interpreted by RT Hicks which was not verified during Larson & Associates' investigation?

Could you and/or Mr. Larson please respond to these questions by email before September 10th. My contact information is below. Those responses will be very helpful with respect to eventual approval and permitting of BTA's groundwater remediation approach. Please retain a copy of this email for your files as no hardcopy will be provided. Thank you.

Jim Griswold
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