

Bonham, Sherry, EMNRD

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Sent: Tuesday, January 12, 2010 2:36 PM
To: Bonham, Sherry, EMNRD
Cc: barry.archer@melroseresources.com; 'Roy Rascone'; kwomac@vadose.us; gnewton@pvtnetworks.net
Subject: Melrose Conoco 7 State 3 Protocol PR-132A
Attachments: PR-132A Melrose Conoco 7 St. No. 3 Remediation Protocol.doc

Good Afternoon, Sherry:

Attached, please find a copy of PR-132A describing the closure of the Melrose Conoco 7 St. 3 location. We agree to haul off the west pile & mix and blend the east as required to achieve 5,000 ppm TPH, 10 ppm Benzene, 50ppm BTEX and 500 ppm chloride into the existing excavation.

Thank you again for your assistance.

Mike Griffin

President

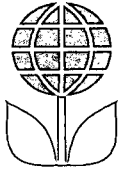
Whole Earth Environmental

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**Remediation Protocol
Melrose Energy Co.
Conoco 7 State No. 3 Battery**

1.0 Purpose

This protocol is to provide a detailed outline of the steps to be employed in the remediation and closure of the Conoco 7 State No. 3 location in Eddy County, New Mexico.

2.0 Scope

This protocol is site specific for the Conoco 7 State No. 3 remediation project.

3.0 Preliminary

Prior to any field operations, Whole Earth Environmental shall conduct the following activities:

3.1 Client Review

3.1.1 Whole Earth shall meet with cognizant personnel within Melrose and the NMOCD to review and approve this protocol.

3.1.2 Changes to this protocol will be documented and submitted for final review by all parties prior to the initiation of actual field work.

4.0 Safety

4.1 Prior to work on the site, Whole Earth shall obtain the location and phone numbers of the nearest emergency medical treatment facility. We will review all safety related issues with the appropriate Client personnel, sub-contractors and exchange phone numbers.

4.2 A tailgate safety meeting shall be held and documented each day. All sub-contractors must attend and sign the daily log-in sheet.

4.3 Anyone allowed on to location must be wearing sleeved shirts, steel toed boots, and long pants. Each vehicle must be equipped with two way communication capabilities.

4.4 Prior to any excavation, New Mexico One Call will be notified. If lines are discovered within the area to be excavated they shall be marked with pin flags on either side of the line at maximum five-foot intervals.

5.0 Remediation

5.1 All tanks and ancillary equipment will be moved from their existing location to permit access to the affected area.

20mil
5.2 The battery area will be cored to a depth necessary to demonstrate chloride concentrations of <1,000 ppm, TPH concentrations <500 ppm and benzene concentrations <10 ppm are achieved. The highly contaminated soils shall be excavated and transported to commercial disposal. The remaining soils shall be excavated to practical extent and set aside to be mixed and blended with native topsoils. A high density polyethylene liner will be installed at the point of maximum excavation to serve as a retardant to future vertical migration of the contaminants of concern.

5.3 The area within containment shall be backfilled with soils tested as being within the concentrations specified within paragraph 5.2 of this protocol. The initial backfill should bring the excavated area to ground level. Containment berms of sufficient dimensions to contain 1.5 times the capacity of all storage vessels and related piping shall be installed at the battery perimeter and the entire battery area will be covered with a twenty mil high density polyethylene liner. Prior to laying the liner, the sub strait materials will be inspected to insure that no sharp or protruding objects may endanger the liner's integrity.

5.4 A light covering of caliche shall be placed atop the liner to anchor it in place.

6.0 Closure Report

6.1 At the conclusion of the project, Whole Earth shall prepare a closure report that contains the following minimum information:

- Photographs of the location prior to remediation
- Photographs of the site at the point of maximum excavation
- Final photographs of the restored site
- Satellite photographs of the location
- Copies of this protocol
- Disposal manifests of all soils sent to commercial disposal
- Laboratory analytical reports