



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Carlsbad Field Office
620 E. Greene St.
Carlsbad, New Mexico 88220-6292
www.blm.gov/nm



In Reply Refer To:
2800 (520)jaa

May 10, 2011

CRW SWD
P. O. Box 994
Midland, TX 79702

CERTIFIED-RETURNED RECEIPT REQUESTED
7010 1870 0003 5225 9389

RE: Compliance for Right-of-Way NM-88446, Standard Stipulations for SWD Sites
SENV Section 9, T26S-R29E
Eddy County, New Mexico

Dear Mr. Folmar,

A field inspection was performed on May 5, 2011 as a result of a reported spill event on the subject right-of-way which was granted to CRW-SWD Inc. on September 16, 1992. The grant authorized the construction, operation, maintenance and termination of a 3-inch & 4-inch surface saltwater disposal pipeline subject to terms and conditions contained in the grant. The inspection identified actions needed to remediate the spill and restore the surface to a pre-disturbed condition. Per your request these actions are listed below:

1. Submit a spill report within 15 days of the date of the spill as per NTL-3A, Attn: James Amos. The BLM will accept a copy of the OCD C-141 spill report for this purpose.
2. Contact James Amos at 575-234-5909, three days prior to sampling for spill delineation. BLM may wish to witness the sampling. Spill delineation must take place within 30 days of the date of the spill or a sampling plan must be submitted for BLM approval.
3. After the date of final spill delineation, submit a cleanup plan within 15 days, Attn: James Amos for BLM approval prior to beginning cleanup operations. Cleanup operations must commence within 15 days of cleanup plan approval.
4. Comply with the attached, Cultural and Archaeological Resources Notice of Stipulations.
5. Surface disturbing activities are to be kept to a minimum. Utilize the access from the northwest.

6. Complete delineation to background is required for the entire length of the spill area. This is to include sampling for TPH, BTEX, and chlorides. As per field discussion a two foot excavation can take place prior to sampling.
7. Upon completion of the contaminant removal, notify James Amos for a final inspection. At this time we will evaluate the site to determine what approach will be utilized for backfill and erosion controls.

BLM approval of plans and cleanup proposals does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that may pose a threat to groundwater, surface water, human health, or the environment, or if location fails to reclaim properly. In such an event that the location does not revegetate, or future issues with contaminants are encountered, the operator will be asked to address the issues until contaminant issues are fully mitigated and the location is successfully reclaimed. In addition, BLM approval does not relieve the operator of responsibility for compliance with any other federal, state, or local laws/regulations.

Contact James A. Amos at, 575-234-5909 if you have any questions, prior to start, prior to removal of equipment, and prior to seeding.

Sincerely,

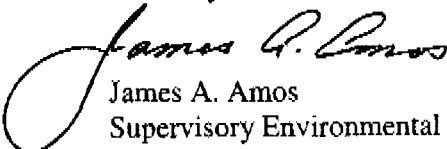

James A. Amos
Supervisory Environmental
Protection Specialist



EXHIBIT NO. 1

Date of Issue:

5/9/2011

Bureau of Land Management, Carlsbad Field Office
620 E. Greene Street Carlsbad, NM 88220

Cultural and Archaeological Resources

BLM Report No.

11-NM-523-373

NOTICE OF STIPULATIONS

Historic properties in the vicinity of this project are protected by federal law. In order to ensure that they are not damaged or destroyed by construction activities, the project proponent and construction supervisors shall ensure that the following stipulations are implemented.

Project Name:	CRW511 Spill
Required	1). A 3-day preconstruction call-in notification. Contact BLM Inspection and Enforcement at
A. <input checked="" type="checkbox"/>	2. Professional archaeological monitoring. Contact your project archaeologist, or BLM's Cultural Resources Section at (575) 234- 5917 or 5967 for assistance.
B. <input checked="" type="checkbox"/>	These stipulations must be given to your monitor at least 3 days prior to the start of construction.
B. <input checked="" type="checkbox"/>	No construction, including vegetation removal or other site prep may begin prior to the arrival of the monitor.
A. <input type="checkbox"/>	3. Cultural site barrier fencing. (Your monitor will assist you).
B. <input type="checkbox"/>	A temporary site protection barrier(s) shall be erected prior to all ground-disturbing activities. The minimum barrier(s) shall consist of upright wooden survey lath spaced no more than ten (10) feet apart and marked with blue ribbon flagging or blue paint. There shall be no construction activities or vehicular traffic past the barrier(s) at any time.
B. <input type="checkbox"/>	A permanent, 4-strand barbed wire fence strung on standard "T-posts" shall be erected prior to all ground-disturbing activities. No construction activities or vehicle traffic are allowed past the fence.
Required	4. The archaeological monitor shall:
A. <input type="checkbox"/>	Ensure that all site protection barriers are located as indicated on the attached map(s).
B. <input checked="" type="checkbox"/>	Observe all ground-disturbing activities within 200 feet of cultural site no. LA 89862.
C. <input type="checkbox"/>	Ensure that all reroutes are adhered to avoid cultural site no.(s) LA
D. <input checked="" type="checkbox"/>	Ensure the proposed action (vehicles, equipment, personnel) remains outside of LA 89862.
E. <input checked="" type="checkbox"/>	Submit a brief monitoring report within 30 days of completion of monitoring.
Other:	

Site Protection and Employee Education: It is the responsibility of the project proponent and his construction supervisor to inform all employees and subcontractors that cultural and archaeological sites are to be avoided by all personnel, vehicles, and equipment; and that it is illegal to collect, damage, or disturb cultural resources on Public Lands.

For assistance, contact
BLM Cultural Resources:

Bruce Boeke (575) 234-5917 Martin Stein (575) 234-5967