



NEW MEXICO ENERGY, MINERALS and  
NATURAL RESOURCES DEPARTMENT

30-015-24760

**BILL RICHARDSON**

Governor

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Cabinet Secretary

**Mark E. Fesmire, P.E.**

Director

**Oil Conservation Division**

*Field Inspection Program  
"Protect the out-cry of Our Environment"*

07-Dec-05

**MARKS AND GARNER PRODUCTION LTD CO**

PO BOX 70

LOVINGTON NM 88260

**LETTER OF VIOLATION - Inspection**

Dear Operator:

The following inspection(s) indicate that the well, equipment, location or operational status of the well(s) failed to meet standards of the New Mexico Oil Conservation Division as described in the detail section below. To comply with standards imposed by Rules and Regulations of the Division, corrective action must be taken immediately and the situation brought into compliance. The detail section indicates preliminary findings and/or probable nature of the violation. This determination is based on an inspection of your well or facility by an inspector employed by the Oil Conservation Division on the date(s) indicated.

Please notify the proper district office of the Division, in writing, of the date corrective actions are scheduled to be made so that arrangements can be made to reinspect the well and/or facility.

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***INSPECTION DETAIL SECTION***

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## DIAMOND STATE No.002

M-4-17S-29E

30-015-24760-00-00

Inspection Date	Type Inspection	Inspector	Violation?	*Significant Non-Compliance?	Corrective Action Due By:	Inspection No.
12/06/2005	Routine/Periodic	Chris Beadle	Yes	No	12/28/2005	iCLB0534041291

## Violations

Tank Battery Equipment (Rules 114, 115)

Surface Damage/Restoration

Surface Leaks/Spills

**Comments on Inspection:** Well area has hydrocarbon deposits impacting soils around wellhead and run off onto location approximately 18 feet. Tank battery is heavily contaminated, eastern stock tank is leaking from base on north side in two separate places. Gun barrel is actively leaking with produced fluids pooled and running off east and south.

An unreported release from this location has impacted pasture to the east. The contamination flow starts at the gun barrels on east side of location. The flow path breaches the berm in two places and flows east approximately 120 feet. The flow path then splits, one continuing east for another 80 feet and one turns north and runs for approximately 100 feet down grade towards the Red State 12 No 1 location.

Impacted area covers approximately 450 cubic feet of soils indicative of a release of 20 barrels or more of produced fluids.

Remediation is required. Submit a Form C-141 (Release Notification and Corrective Actions) for this release.

Submit remediation work plan to OCD District 2 Office. Remediation work plan must include general site characteristics, site ranking score, soil remediation action levels, soil remediation methods, and planned analytical testing for TPH, B-TEX, Chlorides or any other contaminants of concern as applicable. Please use the "Guidelines For Remediation of Leaks, Spills, and Releases" as your guide. This document may be found on the NMOCD web site:

[www.emnrd.state.nm.us/oed](http://www.emnrd.state.nm.us/oed), under Publications> Environmental Handbook> Miscellaneous Guidelines> Remediation of Leaks, Spills and Releases.

OCD approved remediation must begin on this release no later than January 5, 2006.

Provide NMOCD District 2 Office with the remediation work plan prior to December 28, 2005.

Notify NMOCD District 2 Office 48 hours prior to any remediation work or prior to taking samples where results of the samples may be submitted to the OCD.

In the event that a satisfactory response is not received to this letter of direction by the "Corrective Action Due By:" date shown above, further enforcement will occur. Such enforcement may include this office applying to the Division for an order summoning you to a hearing before a Division Examiner in Santa Fe to show cause why you should not be ordered to permanently plug and abandon this well. Such a hearing may result in imposition of CIVIL PENALTIES for your violation of OCD rules.

Sincerely,



Artesia OCD District Office

**Note:** Information in Detail Section comes directly from field inspector data entries - not all blanks will contain data.

\*Significant Non-Compliance events are reported directly to the EPA, Region VI, Dallas, Texas.