



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

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Mark E. Fesmire, P.E.

Director

Oil Conservation Division

Mr. Donnie E. Brown, PE
Purvis Operating Company
PO Box 51990
Midland, TX 79710-1990

December 23, 2005

REMEDIATION WORK PLAN APPROVAL - ESPERANZA 22 STATE COM NO 2

The New Mexico Oil Conservation Division District 2 Office is in receipt of your letter dated December 13, 2005 which provides an outline for work to remediate the release at the Esperanza 22 State Com No 2 (30-015-33555).

Your proposed method of remediation (hauling contaminated materials and replacing with clean material) is approved for this remediation under the following conditions:

- Contaminated soils requiring remediation should be remediated so that residual contaminant concentrations are below the recommended soil remediation action level. If soil action levels cannot practicably be attained, a detailed evaluation of risk may be performed and provided in writing to OCD for approval showing that the remaining contaminants will not pose a threat to present or foreseeable beneficial use of fresh water, public health and the environment.
- If alternate methods of remediation are to be used, prior approval from the OCD District 2 Office is required prior to beginning any work using these alternate methods. A specific proposal outlining the alternate methods must be submitted in writing.
- If ground water is encountered during the soil/waste characterization, excavation or remediation of the impacted soils, a sample should be obtained to assess the incidents potential impact on ground water quality and the OCD District 2 Office should be notified immediately.
- Notify OCD District 2 Office 24 hours prior to conducting work by Purvis Operating, contractors or sub-contractors that is intended to excavate, wash, move or disturb (such as in tilling, blading, etc.) soils or contaminated materials for the purpose of remediation, or hauling any soils or contaminated materials into or out of the location covered under this remediation work plan. This notification is to ensure NMOCDD personnel are able to monitor compliance with approved remediation work plans as required by the New Mexico Administrative Code. Therefore, if a reasonable schedule of work cannot be provided then a separate notification that work is to resume is required if work ceases at the location for more than 5 days.
- Notify OCD District 2 Office 24 hours prior to obtaining samples where analysis of samples will be submitted to OCD.
- Upon termination of any required remedial actions, the area of a leak, spill or release may be closed, **after obtaining approval for the closure from the OCD District 2 office**, by backfilling any excavated areas, contouring to provide drainage, revegetating the area or other OCD approved methods. Upon completion of remedial activities a final report summarizing all actions taken to mitigate environmental damage related to the leak, spill or release will be provided to OCD for approval.

- For all Federal Lease wells, a "Like Approval" by the United States Bureau of Land Management may be required. It is the operators responsibility to obtain this approval and the approval of any other surface owner that may be required by law, regulation or contractual obligation of the operator and surface owner.
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Further discussion of remediation techniques, site ranking criteria, remediation action levels and alternative methods for remediation may be found on our website. You are encouraged to use the OCD publication entitled "Remediation of Leaks, Spills and Releases" as a guide during your remediation of this location. This guide may be found on our web site at: <http://www.emnrd.state.nm.us/emnrd/oed/EH-MiscGuidelines.htm> .

Acceptance of the remediation work plan does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of reports and work plans does not relieve the operator of responsibility for compliance with any other federal, state or local laws and/or regulations.

NMOCD District 2 Contact Person: Chris Beadle, Office: (505) 748-1283 x107 / Cell: (505) 626-0831 / Fax: (505) 748-9720 / E-mail: Chris.Beadle@state.nm.us

Thank you for your prompt attention to this matter and your efforts in helping to protect our environment and the infrastructure of the oil and gas industry.

Sincerely,



Artesia OCD District Office

Purvis Operating Co.

3101 North Pecos Street – Midland, 79705

E-mail: land@purvisop.com

Mailing: P. O. Box 51990

Midland, Texas 79710-1990

Phone: (432) 682-7346

Fax: (432) 683-9584

December 13, 2005

Mr. Chris Beadle
Oil Conservation Division
District II
1301 W. Grand Avenue
Artesia, NM 88210

RECEIVED

DEC 15 2005

OGP-ARTESIA

Re: Esperanza 22 State Com #2, API No. 30-015-33555, Eddy County, NM

Dear Mr. Beadle:

During workover operations, oil cut water was swabbed into the water tank. Spray of approximately 3 or 4 gallons (I believe you estimated 2-3 barrels) discolored the pea gravel from the southeast side of the water tank.

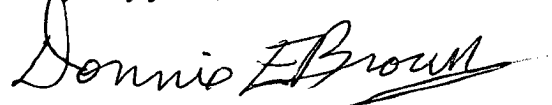
Site characteristics obtained during site assessment indicate unsaturated contaminated pea gravel with ranking criteria as follows:

Depth to Ground Water Ranking Score	=	10
Wellhead Protection Area Ranking Score	=	0
Distance to Surface Water Body Ranking Score	=	<u>0</u>
Total	=	10

The affected area consists of 2 to 3 inches of pea gravel over 6 inches of compact caliche. Remediation Plans are to replace the pea gravel with fresh pea gravel. Take soil samples of the underlying caliche and test for BTAX and TPH. The affected pea gravel will be taken to a land farm.

Remediation work will start immediately.

Very truly yours,



Donnie E. Brown, PE

DEB\bao

Attachments

Purvis Operating Co
Esperanza 22 State Com. 2
Unit 4 Sec 22 T21S R27E
Eddy Co. New Mexico

