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By OCD District 1 at 11:32 am, Jul 09, 2015

APPROVED ; Conditionally

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1. Ensure at least two confirmation samples are taken.

Action Plan

Action plan associated with State 23/26 Battery to Lease Roadway
Microbial Energy Inc. (Contractor)
Crownquest Operating: Midland Texas (Operator)
Location: Unit Letter A Section 27 Township14S Range 32E
API No. 30-025-22713
June 19,2015

Remediation Plan for unsaturated contaminated soils at State 23/26 Battery Roadway

Microbial Energy of Farmington NM is submitting action plan for remediation of unsaturated potential contaminated soil to the OCD of New Mexico, Kellie Jones. This proposal is for unsaturated contaminated soils placed on lease road to 23/26 battery, be moved back to location that it came from.

Site History

On June 9th, Contractors were out removing clean caliche from State 23/26 Battery to lease roads in an effort to fix defective grounds for improved driving. Reason for removal of caliche to lease roads from battery was to prepare for PxA plans in the near future, as well as to mitigate roads in area for all who travel. Contractors on site may have accidentally moved unsaturated contaminated soils from the 23/26 battery to lease road. Picture documentation was collected as well as soil samples to determine the ranking of contamination.

Sample Results

Location	Date Collected	418.1	Anions	Analyst
Roadway 1	6/22	6200 ppm	300 ppm	H.E.A.L. Inc
Roadway 2	6/22	12,000 ppm	240 ppm	H.E.A.L. Inc
Roadway 3	6/22	20,000 ppm	79 ppm	H.E.A.L. Inc

After further review from OCD, Hobbs office, it has been determined that soils be removed from lease road and returned to battery where it came from.

Site Ranking

Samples have been collected and sent to Hall Environmental Analysis Laboratory, 4901 Hawkins St NE, Albuquerque NM 87109.

<u>Depth to ground water</u>	<u>Ranking Score</u>
>100'	0
<u>Distance to surface water body</u>	
> 1000 Horizontal ft.	0
<u>TPH</u>	
12,733 ppm avg.	



Assessment and Field Work required for remediation

1. Anticipated start and end of work July 2015.
2. Work required will consist of, but not be limited to, excavation of unsaturated caliche/soil and hauled back to 23/26 battery
3. Sketches, pictures and any notes shall be a part of any report submitted by Microbial Energy as necessary to specific work.