



June 12, 2020

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**By PSTB at 9:15 am, Jun 15, 2020**

Mr. Tim Noger  
New Mexico Environment Department  
Petroleum Storage Tank Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, NM 87505

Re: Project Kickoff Letter Report  
Lovington 66 UST site, Lovington, New Mexico  
Facility #: 1489, Release ID #: 1182, WPID #4123

Dear Mr. Noger:

Daniel B. Stephens & Associates, Inc. (DBS&A) is pleased to submit this letter report documenting activities associated with the project kickoff task under WPID #4123. This report summarizes work that was performed between November 2019 and June 2020. The project kickoff task included project planning activities associated with development of the final remediation plan (FRP) work plan, including initial site reconnaissance, initial well condition check, and preliminary access negotiations with potentially affected property owners. Work was completed in accordance with the approved work plan, as well as DBS&A corporate policies regarding health and safety and the current Covid-19 pandemic.

DBS&A conducted an initial site meeting and walk-through on November 6, 2019. During the site walk, DBS&A representatives met with various property owners and stakeholders that may be involved with or impacted by remediation activities at the site. Activities completed during this initial site visit included meeting with the following individuals or groups:

- Management of the McDonald's restaurant currently occupying the site
- Staff at the LeaCo telecommunications cooperative retail outlet to discuss the potential location of remediation equipment
- Owner of Haarmeyer Electric, Inc., where downgradient monitor wells were proposed to be located
- Mr. Clayton Barnhill of CMB Environmental, the long-time field technician at the site

Additionally, DBS&A personnel toured the extent of the groundwater monitoring network and examined the condition of visible well vaults. Well W-7 was found to have been paved over, but may be salvageable. The new surface completions for the wells on the McDonald's property were in good condition. Well MW-1, which had been reported as inaccessible, was located on the Allsup's property and appears to be accessible. Well W-4 had previously been reported as

***Daniel B. Stephens & Associates, Inc.***

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destroyed in 2006, but appears to have been recovered during repaving of the McDonald's parking lot. Wells MW-2, W-6, and W-10 could not be located and are presumed destroyed.

Following the initial site visit, DBS&A began coordinating negotiations between the New Mexico Environment Department (NMED) Petroleum Storage Tank Bureau (PSTB) and affected property owners to secure site access for future remediation and monitoring activities. During this process, DBS&A has worked closely with the NMED PSTB project manager to provide affected individuals and parties with information and project documentation in support of access negotiations. Access negotiations have been ongoing for the past seven months. Current status of the site access negotiations is summarized as follows:

- A written access agreement was provided by Pearson Oil Company for access to on-site wells and temporary storage of remediation equipment.
- After lengthy negotiation, LeaCo Cooperative has declined to allow access to their property for the purpose of installing remediation wells or equipment, citing concerns about future leasing of the property. A decision was made between DBS&A and the NMED PSTB to modify the remediation design to move the remediation equipment to the Crosswinds Lovington church property and to seek access from the McDonald's Corporation to daylight the horizontal wells on the McDonald's property.
- Verbal approval was provided by representatives of the Crosswinds Lovington Church for drilling of remediation wells and installation of remediation equipment; a written agreement is pending.
- We are nearing a formal agreement with the McDonald's Corporation for access to the employee parking lot to install horizontal remediation wells.
- Allsup's Convenience Stores, Inc. declined to allow access for sampling, pending clarification of the administrative status of the active Allsup's underground storage tank (UST) site across the Main Street/Avenue D intersection from the site. In lieu of site access, NMED PSTB has proposed a data-sharing arrangement across independently coordinated monitoring events.
- The City of Lovington declined to allow access for sampling of monitor wells in City right-of-way, citing concerns related to adjacent landowner's property rights and proper use of public easements and right-of-way. Negotiations are in the process of being forwarded to NMED counsel.

DBS&A scheduled a second formal site visit in early April 2020 to be conducted with the participation of the horizontal well drilling contractor, Ellington-DTD. However, this event was cancelled due to travel restrictions instituted in response to the Covid-19 pandemic. A follow-up site visit was eventually conducted on May 27, 2020. During this second site visit, DBS&A

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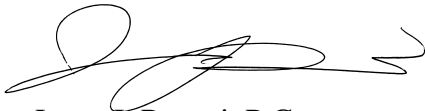
personnel met with McDonald's franchise management and a representative of the Crosswinds Lovington Church. Both parties indicated willingness to participate in remediation activities. Ellington-DTD was not able to participate in this site visit due to ongoing travel restrictions.

DBS&A intends to invoice a reduced amount of \$22,055.04 for Deliverable ID #4123-1, inclusive of 7.875% NMGRT, due to a reduction in subcontractor costs associated with the follow-up site visit and DBS&A labor and expenses for the comprehensive well check. Lack of site access prevented evaluation of off-site wells.

If you have any questions or require additional information, please contact us at (505) 822-9400.

Sincerely,

DANIEL B. STEPHENS & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'Jason J. Raucci', with a stylized flourish at the end.

Jason J. Raucci, P.G.  
Geologist/Project Manager

A handwritten signature in black ink, appearing to read 'Thomas Golden', with a stylized flourish at the end.

Thomas Golden, P.E.  
Project Engineer

JR/rpf