



**BILL RICHARDSON**  
Governor

*State of New Mexico*  
**ENVIRONMENT DEPARTMENT**  
**Petroleum Storage Tank Bureau**

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**RON CURRY**  
Secretary

**CINDY PADILLA**  
Deputy Secretary

**JIM NORTON**  
Director

April 2, 2007

Mr. Ray Mathieu  
2045 Highway 180 East  
Silver City, New Mexico 88062

Re: No Further Action for the suspected release at the Silver City Shell, 2045 Highway 180 East, Silver City, New Mexico

Facility #: 46504

Release ID #: 4470

Dear Mr. Mathieu:

The New Mexico Environment Department (Department) has reviewed the following for the subject site under Release ID# 4470:

1. Initial Incident Report dated June 28, 2005.
2. Site Inventory records submitted to the Department, May 12, 2006.
3. Line Status Evaluation Report for test date November 29, 2005.

The Department has determined that this site does not pose an immediate threat to public health or the environment based upon the following current site-specific conditions:

1. Contaminants of concern at this site are petroleum hydrocarbon based compounds found in gasoline and diesel.
2. System tests for the petroleum storage tank system at the subject site have passed.
3. Site inventory records for the previous two years account for 99% of the inventory.

Therefore, the Department is not requiring additional work at this time. However, the Department does reserve the right to require additional work in the future, should information become available which indicates that a threat to public health or the environment exists.

Mr. Ray Mathieu

April 2, 2007

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If you have any questions, please contact me at (505) 388-0599. Thank you for your voluntary cooperation in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Delbert Utz", with a stylized flourish at the end.

Delbert Utz

Petroleum Storage Tank Bureau

DU:td

cc: James H. Davis, Ph.D., Bureau Chief, Petroleum Storage Tank Bureau  
Joyce Shearer, Manager, Remedial Action Program, Petroleum Storage Tank Bureau  
Jeffrey C. Mills, Team Leader, Petroleum Storage Tank Bureau  
Donna Gary, EPD Office of Finance and Budget  
Tina Duran, Petroleum Storage Tank Bureau