



State of New Mexico
ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT
and the
ENVIRONMENT DEPARTMENT

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CERTIFIED MAIL – RETURN RECEIPT REQUESTED

February 16, 2015

Armando Martinez
Environmental Manager
Chevron Mining, Inc.
P.O. Box 469
Questa, NM 87556

RE: Joint Agency Conditional Approval of Chevron's Phase 2 Soil Sampling and Analysis Plan, January 2015

Dear Mr. Martinez,

The New Mexico Environment Department and the Mining and Minerals Division of the Energy, Minerals, and Natural Resources Department (collectively referred to as the "Agencies") received via mail on January 26, 2015, a *Soil Sampling and Analysis Plan, Phase 2, Tailing Facility Area* (SAP), prepared for Chevron Mining, Inc. ("Chevron"). The SAP describes the site investigation activities and procedures to be performed as part of the Phase 2 site investigation and confirmation sampling. It is understood by the Agencies that the Phase 2 Demolition and Decommissioning Project, of which this SAP pertains to, is not a final reclamation plan for the Tailing Facility Area but is an interim step to facilitate future reclamation activities and closure of the Tailing Facility.

The Agencies hereby approve the SAP with the following conditions:

1. Please provide to the Agencies within 60 days following completion of all sampling associated with Phase 2 activities a final report describing the sample results. The final report shall include a summary of each sample event including number of samples collected, description of sample collection methods, description of analytical methods conducted and rationale for those selected, description of the soil (i.e. texture, color, smell, etc.) if potentially contaminated soil is encountered, identification of all sample locations, deviation(s) from sampling protocols, and all test results including results from confirmation sampling.

Mr. Armando Martinez, Chevron Mining, Inc.
February 16, 2015
Approval, Phase 2 Sampling and Analysis Plan

2. Please provide to the Agencies within 15 days of receipt of this letter a final SAP that incorporates the following components:
 - a. Section 2.1, Paragraph 1. The SAP describes buildings targeted for removal and other facilities that are to “remain to support closure activities.” Those facilities to remain include a Tailing Equipment Shop, a well house, a pipeline flow monitoring shed, a water tank, an above-ground diesel fuel tank and an air monitoring station. Please describe which, if any, of these features are intended to remain in place after closure or if Chevron only intends to keep them in place through the duration of closure work.
 - b. In Section 3.2, Paragraph 4, Chevron states that confirmation sampling using a grid-based approach will be conducted in the base of Stage 2 excavations to ensure that the impacted material has been fully removed. Please include additional discussion in this section, including the protocol to address any remaining contamination encountered during confirmation sampling.
 - c. Section 3.2, Table 1. Footnote 2 for QA/QC procedures references a “level 2” protocol. Please describe this protocol within the QA/QC procedures or provide the appropriate reference. Acid Base Accounting (ABA) testing by EPA protocols is listed in the next-to-last column, but indicates that no samples will be tested for ABA. Please remove this column from the table or indicate what samples will be tested for ABA.
 - d. Section 3.4.2. This section describes sampling methods and VOC test procedures for surface and subsurface samples. Surface samples are described as samples collected to a depth of six inches below ground surface. Please revise this section and SOP NO. 2 to include samples collected from 6 to 24 inches either as “surface” samples or assign to another category of samples in the SOP. Also please clarify if samples collected from >24 inches in depth are considered subsurface samples.
 - e. All of the provided figures are printed on 8.5” x 11” sheets of paper. Most of the figures are illegible or details contained within the figures are difficult to discern. Please reprint all figures in a format that is large enough to see details and provide contour intervals, where appropriate. If necessary, figures can be divided into several sheets for clarity.

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Following submittal of the final SAP, Chevron can proceed with the sampling at the Tailings Facility. If you have any questions please feel free to contact Anne Maurer at (505) 827-2906 or Joe Vinson at (505) 476-3414.

Regards,

Joe Vinson
Mining and Minerals Division
Mining Act Reclamation Program

Anne Maurer
Mining Environmental Compliance Section
New Mexico Environment Department

cc: Holland Shepherd, Program Manager, MMD – via email (holland.shepherd@state.nm.us)
Kurt Vollbrecht, Program Manager, NMED – via email (kurt.vollbrecht@state.nm.us)
Gary Baumgarten, Project Manager, USEPA – via email (baumgarten.gary@epa.gov)
Stephen Archuleta, Taos County Manager – via email (stephen.archuleta@taoscounty.org)
Mike Coleman, CERCLA Lead, MMD – via email (MichaelW.Coleman@state.nm.us)