

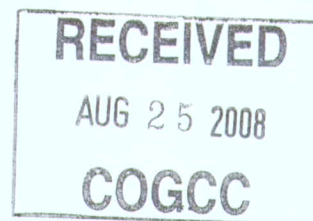


PROJECT - 4622

2754 Compass Drive, Suite 170
Grand Junction, Colorado 81506

August 21, 2008

Ms. Sue Nall
U.S. Army Corp of Engineers
Colorado/Gunnison Basin Regulatory Office
400 Rood Avenue, Room 142
Grand Junction, CO 81501-2563



RE: Preconstruction Notification for the Rock Spring Incident - Garfield County, CO.

Dear Ms. Nall:

Please accept this Preconstruction Notification (PCN) of emergency response actions to contain and remediate the unplanned event occurring at the OXY 605-1 well pad. OXY USA WTP LP (OXY) is providing this PCN to demonstrate due diligence in complying with Clean Water Act, Section 404 regulations, NWP 20 and the 2007 Colorado Regional Conditions Section a., as related to NWP 20. The following information is provided to assist your office in documenting the activities associated with this project.

Applicant: OXY USA WTP LP
Contact: Mr. Daniel Padilla
Regulatory Coordinator
2754 Compass Drive, Suite 170
Grand Junction, Colorado 81506

Project Location (Map - See Appendix A, Figures 1-2):

General: Approximately 18 miles NNW of DeBeque, Colorado
County: Garfield
T/R/S: T6S, R97W, S5 SE ¼ NW ¼
USGS Quad: Circle Dot Gulch
Ownership: Private

Purpose/Need for Project: Hydrocarbon Release Remediation. Construction activities are required within jurisdictional waters for the containment and remediation of hydrocarbons and/or hazardous substances associated with E&P waste, which are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR part 300). The work is or will be completed in accordance with the Spill Control and Countermeasure Plan required by 40 CFR part 112.3 and any existing state contingency plan provided that the Regional Response Team (if one exists in the area) concurs with the proposed containment and remediation.

Project Description: On June 16, 2008 an emergency response team was assembled after a rancher notified OXY of an odor emanating from a spring complex (Appendix A, Figure 1). The odor was described as a sulfuric smell and a water sample was collected on the evening of

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6/16/2008. No sheen was visible on the water. Two point sources of the spring were identified and referenced as North Spring and Rock Spring. The following morning additional samples were collected from the two point sources and downstream to establish an area of possible impact. On 6/19/2008 OXY re-sampled both springs, lined and bermed the drainage creating an impoundment with which to contain the release (Photo 1).



Photo 1- Lined and bermed impoundment at the point source of Rock Spring

Samples results were positive for hydrocarbons. The impacted water was pumped from the impoundment to a portable frac-tank located on the OXY 605-1 well pad. On 06/24/2008 a sheen appeared within the impoundment and spill response BMPs were installed to capture surface product. Samples collected from below the impoundment have tested below detection limits for analyzed chemicals of concern.

The Colorado Oil and Gas Conversation Commission (COGCC), was notified as required and concluding an onsite investigation on 06/25/2008 a Notice of Alleged Violation (NOAV) was issued for the OXY 605-1 well pad. At approximately 14:00 hours on 06/25/2008, OXY filled the suspected pit on the 605-1 well pad with 40 barrels of fresh water and 2 barrels of Uranine 2313 Yellow tracer. The non-toxic tracer was spotted from the North Spring 11 hours later at 01:00 am (Photo 2).

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Photo 2- Tracer dye emanating from point source of Rock Spring

Upon verification of a hydrologic connection between the OXY 605-1 reserve pit and the Rock Spring complex, OXY has taken several additional precautions to ensure downstream habitat and water quality. The surface hydrology from the spring source to the canyon rim has been identified and mapped (Appendix A, Figure 2). Seven seeps, three unnamed springs, and one wetland were identified (*HCSI, M. Foye, Wetland Scientist*). Historically, a large number of cattle have been present, and appear to have impacted riparian vegetation within these areas and down gradient.

As presented in Table 1 below, the new disturbance of the Rock Spring point source resulted in approximately 2.2 cubic yards of temporary fill within the ordinary high water mark of the spring complex. This fill is due to the construction of the impoundment.

Table 1

1 Location T6S-R97W-S5-SE $\frac{1}{4}$ NW $\frac{1}{4}$, Latitude 39.55623 Longitude -108.24886

Brief Description and Type of Improvements: Project plans are proposing to contain and remediate an unplanned event occurring on the OXY 605-1

The location () will (**X**) will not be used exclusively used by OXY.

This is a (**X**) temporary () permanent action and () will (**X**) will not be subject to transfer.

Project status () proposed (**X**) under construction () interim reclamation () Final reclamation ()

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Nationwide Permit Type:	#20 - Oil Spill Cleanup	(Description)
Type of Waters:	(X) Spring () Ephemeral () Intermittent () Wetland delineation required	N
Area Affected:	= 0.346 Acres	
Estimated temporary Fill (below OHWM):	4 Width' X 30 Length' X 0.5 Average Depth' / 27 = 3.70 Cubic Yards	
Estimated permanent Fill (below OHWM):	0 Width' X 0 Length' X 0 Average Depth' / 27 = 0 Cubic Yards	
Terms:	Does this project meets the terms for a NWP yes (X) No ()	
Permanent Structures (i.e. culvert, french drain)	NONE	
Temporary Structures- Impoundments		
Comments:	Impoundment constructed to contain potential pollutants	

While investigating the potential downstream impacts and identifying surface hydrology, a large and healthy population of larval stage tiger salamanders, *ambystoma tigrinum*, was observed lower in the Rock Spring watershed (Photo 3), *Amphibians and Reptiles in Colorado*, G. Hammerson pg. 60. This is significant due to the fact that these amphibians are very sensitive to any deviations within their environment. It appears that the quick response by OXY to this release has captured any impacted water. During a site visit with the Army Corp of Engineers (ACOE) on July 17, 2008 the population was still evident and active.



Photo 3- Larval stage tiger salamander found in the lower cattle pond within Rock Spring complex

Reclamation Actions: Upon achieving remediation of the Rock Spring complex, OXY will reclaim and re-establish the disturbed areas. The source points of both springs will be recontoured with rock at pre-existing contours and elevations. Sediment will be contained and controlled with applicable storm water BMPs to preserve water quality. The impoundment will be removed and the area will be re-seeded with native vegetation matching or complimenting pre-existing species. Due to the existing hydrology, aspect of the site, degree of slope, and top soil conditions; the complex is expected to revegetate within one growing season.

General Permit Conditions (Based on 67 FR 2089-2094):

The conditions listed below (by location) appear to be applicable to activities within the scope of this Preconstruction Notice. Comments are provided to clarify applicability.

Condition	Locations	Comments
2. Proper Maintenance		Will be maintained to protect public safety and environment
3. Erosion/Sediment Controls		Maintain during construction, permanent stabilization post
5. Equipment		Emergency Response equipment used
6. Regional Conditions		As applicable for NWP 20
11. Endangered Species		See Table 2 Below
12. Historic Properties		None present
13. Notification		As applicable
14. Compliance Certification		Will be submitted upon project completion
21. Management of Flows		Rock Spring will be temporarily dammed
24. Temporary Fills		Will be re-contoured to pre-existing conditions and stabilized
27. Construction Period		Complete within 12 months after expiration date of NWP

Table 2: U.S. Fish and Wildlife Service Listed and Candidate Species - Garfield County Colorado¹
Updated: August 2005

SPECIES	SCIENTIFIC NAME	STATUS ²	COUNT ³ Y	HABITAT/ SPECIES PRESENT	LIKELY TO BE ADVERSELY AFFECTED
Bald Eagle	<i>Haliaeetus leucocephalus</i>	T	(G)	N	N
Bonytail	<i>Gila elegans</i>	E	(G)	N	N
Boreal Toad	<i>Bufo boreas boreas</i>	C	(G)	N	N
Canada Lynx	<i>Lynx canadensis</i>	T	(G)	N	N
Colorado Pikeminnow	<i>Ptychocheilus lucius</i>	E	(G)	N	N
Greater Sage Grouse	<i>Centrocercus urophasianus</i>	C	(G)	Y	N
Humpback Chub	<i>Gila cypha</i>	E	(G)	N	N
Mexican Spotted Owl	<i>Strix occidentalis</i>	T	(G)	N	N
Razorback Sucker	<i>Xyrauchen texanus</i>	E	(G)	N	N
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	C	(G)	N	N
Debeque Phacelia	<i>Phacelia submutica</i>	C	(G)	N	N
Parachute Beardtongue	<i>Penstemon debilis</i>	C	(G)	N	N
Uinta Basin Hookless Cactus	<i>Sclerocactus glaucus</i>	T	(G)	N	N

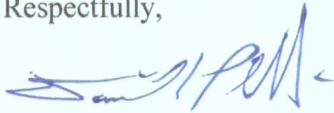
¹ Source: USFWS Region VI Website: <http://www.fws.gov/mountain-prairie/endspp/CountyLists/Colorado.pdf>

² T = Threatened, E = Endangered, C = Candidate, not yet listed

³ G = Garfield County,

OXY would like to thank the ACOE for their assistance and attention to this matter. If you any questions, concerns or comments, please contact Daniel Padilla, OXY Regulatory Coordinator, at (970) 263-3637.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Daniel Padilla', with a stylized flourish at the end.

Daniel Padilla
Regulatory Coordinator

Attachments: Appendix A

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APPENDIX A



Rock Spring Figure 1
Revised Date: August 14, 2008

Legend

- Seeps and Springs
- Well Pad of Concern
- Road
- Stream Channel

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0.05 0.025 0 0.05 Miles
340 170 0 340 Feet

W E
N S

