

January 27, 2010

Mr. Paul Schneider
Staff Environmental and Regulatory Analyst
Kerr-McGee Oil and Gas Onshore LP
1099 18th Street, STE 1800
Denver, CO 80202

Re: Request for Approval of Remediation Workplan
Waas #5 (API # 123-13781)
NENE Sec. 25-5N-66W
Weld County, Colorado
COGCC Remediation No. 4369

Dear Mr. Schneider,

Colorado Oil and Gas Conservation Commission (COGCC) staff has reviewed the remediation documentation submitted in September 2009 for the referenced site. Information provided in Attachment 1 indicates that an estimated 33 cubic yards of impacted soil containing Total Petroleum Hydrocarbon (TPH) concentrations greater than the former COGCC allowable level of 1,000 mg/kg for sensitive areas remains in place. As you are aware, the soil standard for TPH was recently changed to 500 mg/kg, and the extent of contamination at the former north wall of the excavation has not been delineated to a level below 500 mg/kg TPH. As a result, COGCC does not approve your request for no further action at this time.

Based on review of the analytical results it is apparent that the greatest fraction of TPH in the elevated samples was in the volatile range C6-C10 (TEPH-GRO). Due to the presence of volatile organic compounds (VOCs) in close proximity to the utility corridor, there is a risk of VOCs accumulating and migrating in the utility corridor, which could present a physical hazard to utility workers performing maintenance or repairs in this area. Migration of VOCs to the residence immediately to the west of the excavation area could also cause a fire/explosion hazard. In addition, since a site specific depth to groundwater is unknown and a nearby water well indicates shallow groundwater within 24-feet of surface, natural attenuation is not an appropriate remediation alternative for this site.

Based on review of the soil borings it is evident that stained soil was observed in the upper 4-feet of SB-01, SB-02 and SB-03. In addition, elevated PID readings were recorded in the upper 4-feet in SB-01 and SB-02, which also indicates a possible source of VOCs in close proximity to the utility corridor and residence.

If not already completed, Kerr McGee shall inform all owners of the utilities of the possibility of VOC accumulation in the gravel-covered utility corridor and the related physical hazards. If not already completed, Kerr McGee shall also notify the nearby residence of potential hazards of VOC accumulation in confined spaces such as crawl-spaces or basements and provide monitoring if requested by the home owner. Provide COGCC with documentation that formal notifications have been made within 30-days from the date of this letter.

Submit an alternate remediation plan for removal of residual impacts left in place within 30-days from the date of this letter.

If you require any additional information or would like to discuss possible remediation alternatives, please call me at 303-637-7178.

Sincerely,

A handwritten signature in black ink, appearing to read "John Axelson", with a stylized, flowing script.

John E. Axelson, P.G.
Environmental Protection Specialist

Cc: David Neslin – COGCC Director
Debbie Baldwin – COGCC Environmental Manager
Steve Lindblom - COGCC Environmental Supervisor