



**CONESTOGA-ROVERS
& ASSOCIATES**

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September 10, 2007

Margaret Ash
Environmental Protection Specialist
Colorado Oil & Gas Conservation Commission
1120 Lincoln Street, Suite 801
Denver, Colorado 80203

Re: **Revised Reclamation Plan**
COGCC Spill/Release #1121312
Foster Lease API #05-061-06010
NENW Section 15, Township 19S, Range 45W
Brandon, Kiowa County, Colorado

Dear Ms. Ash:

Conestoga-Rovers & Associates (CRA), on behalf of NuStar Logistics L.P., has prepared the following Revised Reclamation Plan in response to your email correspondence of August 28, 2007 following an inspection of the above-referenced location by Mr. Mike Leonard and Mr. Bruce Fickenscher.

Site Background

The site is located approximately two miles south of Brandon, Colorado. A crude oil spill occurred at the site on January 14, 2003 as the result of the failure of a pump used to transfer oil from a privately owned tank battery to a Valero pipeline. The incident resulted in the release of approximately 60 bbls of crude oil, which flowed along the contour of the land surface to the north-northwest to a topographic depression. Approximately 45 bbls of oil were recovered.

On January 23, 2003, Environmental Resources Management collected and analyzed soil samples in the spill area. Analytical results indicate that Total Petroleum Hydrocarbon (TPH) concentrations ranged from 643 mg/kg to 23,880 mg/kg with the highest concentration occurring in the topographic depression. The affected soil was subsequently tilled with manure to a depth of 8 to 10 inches in an attempt to enhance bioremediation of the soil.

CRA personnel visited the site on February 14, 2006 to collect soil samples in an effort to evaluate previous remediation efforts. Representative soil samples were submitted to TraceAnalysis Laboratories. The results of the laboratory analysis indicated that TPH concentrations were within the allowable concentrations for non-sensitive areas established in the COGCC's Table 910-1.



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On April 17, 2007, Weber Water Service, Inc. of Sheridan Lakes, Co planted native grass at a rate of approximately 18 lbs of seed per acre in two passes with a drill. The grass was composed of the following mixture: 56.23% Western Wheatgrass, 22.65% Sideoats Grama, 9.91% Buffalo grass, 3.67% Native Blue Grama, 0.01% other crop, 0.08% weed seed and 7.32% inert. Manure was applied over the grass using a manure spreader by Heath & Son Turpin Company of Lamar Colorado.

Revised Reclamation Plan

Based on the results of the initial reclamation efforts the site will be re-vegetated. The presence of invasive species (kochia weed) will be eliminated prior to re-vegetation by mowing the site and tilling to a depth of 8 to 12 inches. The soil will be prepared for seeding by disking to remove clods and large clumps of soil. The site will then be re-vegetated with a commercially available native dryland grass mixture consisting of grama grass (*Bouteloua gracilis*), side oats grama (*Bouteloua curtipendula*), big blue stem grass (*Andropogon gerardii*), western wheatgrass (*Pascopyrum smithii*), and/or similar grasses. The seed mixture will be drilled into the soil at a rate of 25 lbs per acre and then weed-free straw will be crimped into the soil at a rate of 2.5 tons per acre. The grass will be drilled in late fall or early winter (October through December) to take advantage of snowfall moisture, based upon the recommendation of Mr. Bruce Fickenscher's letter of August 21, 2007. In addition, Mr. Fickenscher recommended that manure not be applied to the drilled grass.

The land owner's representative, Mr. William Dawson, will be consulted to determine if another seed mixture is preferred. In addition, a fence may be necessary to keep cattle from the northern part of the spill area until the vegetation is established.

If you have any questions regarding this report, please do not hesitate to contact Joe Aldridge at (210) 345-2723 or me at (785) 764-2877.

Sincerely,

CONESTOGA-ROVERS & ASSOCIATES

Travis Kogl, P.G.
Project Manager

cc: Mr. Joe Aldridge, NuStar Energy L.P.