



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE

Big Thicket National Preserve

6044 FM 420

Kountze, Texas 77625

L3025 BITH

CERTIFIED-RETURN RECEIPT REQUESTED

June 4, 2007

Mr. David Fisher, Esq.
Orgain, Bell & Tucker, L.L.P.
560 South Fourth Street
Silsbee, Texas 77656

Re: Work Plan Limited Soil and Groundwater Investigation and Pit Closure for the
Buford Curtis, Inc. James Rafferty Fee #1

Dear Mr. Fisher:

The National Park Service (NPS) has completed its review of the above referenced scope of work (SOW) submitted by SKA Consulting, L.P. (SKA) on behalf of your client Buford Curtis, Inc., and provides the following comments:

- All sample locations should be inspected for topographic lows/surface depressions where surface releases of liquid hydrocarbons might be expected to collect. If low areas/surface depressions are identified within 5 feet of the proposed sampling location, the sample location should be moved to that topographically lower adjacent location.
- We recommend the addition of one soil sample location central to the dashed outline area of Fig. 1 approximately half way between the temporary well and the next northern soil sample location.
- The soil testing protocol should include the collection of no fewer than two soil samples per hand auger/borehole at locations occurring within the dashed outline area of Fig. 1 (a total of 8 samples from 4 locations) for submission to the analytical laboratory for testing. The upper interface of any clay layer and overlying coarser material should also be inspected for visual evidence, or odors, of hydrocarbons, and with the photo-ionization detector, as a basis for possible sampling.

- Soil sampling of the temporary monitoring well should also include a minimum of two sample depths (instead of up to two samples), and should include one sample from the soil-water table interface and one other based on the soil testing protocol.
- The groundwater sampling protocol should specify that no more than a 3 foot well screen length should be used, and the screen interval should be set across the water table (extending approximately 1 foot above and no more than 2 feet below the water table) to avoid the dilution of the sample from the inclusion of groundwater two or more feet below the top of the saturated zone.
- The use of a backhoe to drain the pit onsite would result in greater environmental impacts than the use of a vacuum truck and hose alone. Unless some justification for its use is presented, the reference to this equipment on page 6 of the SOW should be removed.

Buford Curtis, Inc. may request such a temporary access permit to conduct soil and groundwater testing and analysis in accordance with a revised SOW incorporating changes in response to the comments above. The closure of the pit onsite as referred to in the SOW is beyond the scope of operations that may be conducted under a temporary access permit as per 36 CFR §9.38(a)(1). Please include a proposed starting date, and an estimate of how long it would take to complete the sampling in your request.

The NPS appreciates the development of the draft SOW by Buford Curtis, Inc., and looks forward to further progress in achieving the goal of returning the James Rafferty Fee #1 operations area to a functional and productive native community/habitat. If you have any questions, or need additional information, please contact Haigler "Dusty" Pate of my staff at 409-951-6822.

Sincerely,



Todd W. Brindle
Superintendent

cc:

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Director, District 3
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