

**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

**DEPARTMENT OF NATURAL
RESOURCES**

*** DOCKET NO. 2022-8332-DNR-OOC**

IN THE MATTER OF

**AUGUST J. LEVERT, JR., FAMILY, LLC;
RONALD R. LEVERT; PAUL M.
LEVERT; MARK W. LEVERT, JR.;
JOHN E. SANFORD; JAMES L.
SANFORD; and CAMPO E. MATENS
VS. BP AMERICA PRODUCTION
COMPANY**

*** AGENCY NO. 018-028-002**

BP AMERICA PRODUCTION COMPANY’S WITNESS AND EXHIBIT LIST

Pursuant to the December 21 2022 Conference before Administrative Law Judge, Alberto DePuy, BP America Production Company (“BP”) submits the below lists of witnesses it intends to call, and of exhibits it intends to introduce, at the public hearing set to commence on January 9, 2023 in the above captioned matter:

WITNESS LIST:

1. Brent T. Pooler, P.G.

Mr. Pooler’s anticipated testimony will include presentation of BP’s Plan as submitted, including all components of site evaluation and investigation, remedial options consistent with applicable regulations, and the proposed Plan, as set forth in documents previously submitted and exchanged by the parties, and to be introduced at the hearing.

2. Bernard H. Kueper, Ph.D.

Dr. Kueper’s anticipated testimony will address groundwater/hydrogeology on the site, and evaluation of groundwater conditions and remedial options, including principles of remedy selection as indicated in Appendix L to the Plan as submitted.

3. Matthew L. Greene

Mr. Greene's anticipated testimony will address the effective root zone and the related root zone investigation that he conducted, as related in the Plan materials previously submitted and exchanged by the parties.

4. Helen R. Connelly, Ph.D.

Dr. Connelly's anticipated testimony will address ecological conditions on the subject property and areas, and related ecological toxicological / risk assessment matters set forth in her report, Appendix N to the Plan as submitted.

5. Stewart L. Stover, Jr., P.G.

Mr. Stover's anticipated testimony will address soil and groundwater conditions, investigation, findings, and proposed remediation as reflected in the Plan materials previously submitted and exchanged by the parties.

6. BP may call any witness necessary for the introduction of any of the Exhibits listed in the list provided herewith.

EXHIBIT LIST:

BP provides as Exhibit A hereto a list of Exhibits it anticipates introducing at the hearing.

Respectfully submitted:



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Attorneys for BP America Production Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has this day been forwarded to all known counsel of record by e-mail properly addressed.

Lafayette, Louisiana, this 3rd day of January 2023.



LDNR Exhibit No.	Description	Beginning Exhibit Bates No.	Ending Exhibit Bates No.
1	<p>Site Investigation Report and Proposed Remediation Plan Prepared for BP America Production Company (“BP”), including all Appendices and Attachments</p> <p style="text-align: center;">Appendix A (Resumes) No.</p> <p>Stewart L. Stover, Jr. 1</p> <p>Brent T. Pooler 2</p> <p>Matthew L. Greene 3</p> <p>Wade L. Bryant, Jr. 4</p> <p>Helen R. Connelly, Ph.D. 5</p> <p>Dr. B.H. Kueper 6</p> <p>Dr. M.R. West 7</p> <p>John R. Frazier, Ph.D., CHP 8</p> <p style="text-align: center;">Appendix B (List of Figures) <u>No.</u></p> <p>Site Location Map (USGS Topographic Map) 1</p> <p>1953 Historic Topographic Map..... 2</p> <p>2020 Aerial Photograph..... 3</p> <p>U.S. Fish and Wildlife Service Wetlands Map 4</p> <p>Limited Admission Areas 6</p>	August Levert_BP Plan_000001	August Levert_BP Plan_010061

1968 Aerial Photograph of Oil and Gas Wells Drilled on the Property	7		
HET and ICON Sample Locations on the Property	8		
ICON Soil Boring and Monitor Well Locations	9		
HET Soil Boring Locations	10		
Geologic Map	11		
LIDAR Map	12		
USDA Soil Types	13		
LDEQ Regional Subsegments Map	14		
Sensitive Receptor Map (1-Mile Radius).....	15		
Geologic Cross Section A-A'	16		
Potentiometric Surface Map (10-13-2015)	17		
Potentiometric Surface Map (12-02-2020)	18		
Potentiometric Surface Map (07-28-2022)	19		
Root Zone Investigation Location Map	20		
Proposed Pit Closure and Soil Remediation Areas	21		
Proposed Groundwater Monitoring Network.....	22		
Appendix C (Tables)			
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Soil Analytical Summary – Statewide Order 29-B Parameters (Limited Admission Area 1)	1		
Soil Analytical Summary – Statewide Order 29-B Parameters (Limited Admission Area 2)	2		

Soil Analytical Summary – Statewide Order 29-B Parameters (Limited Admission Area 1)	3		
Soil Analytical Summary - Statewide Order 29-B Parameters (Limited Admission Area 3).....	4		
Soil Analytical Summary - RECAP Parameters (Limited Admission Area 3).....	5		
Soil Analytical Summary - Statewide Order 29-B Parameters (Other Areas).....	6		
Groundwater Analytical Summary (Limited Admission Area 1).....	7		
Groundwater Analytical Summary - Additional Parameters (Limited Admission Area 1)	8		
Groundwater Analytical Summary (Limited Admission Area 2).....	9		
Groundwater Analytical Summary - Additional Parameters (Limited Admission Area 2)	10		
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X-Ray Diffraction Bulk Mineralogy.....	15		
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Geological Boring Logs.....	D		
Laboratory Analytical Results	E		
LDNR 1-Mile Radius Water Well Survey and Survey Data.....	F		
Site Photographs.....	G		
Concentration Maps	H		
Additional Expert Analysis - Wetland Delineation (CK Associates, LLC).....	I		
ICON Expert Report.....	J		

	IPSB Data Package K Additional Expert Analysis - Dr. Bernie KueperL Root Zone Study Documentation M Additional Expert Analysis - Ecotoxicology (ERM) N Additional Expert Analysis - Dr. John Frazier..... O Cost Estimates and Supporting Documentation for Most Feasible PlanP RECAP Calculations Q HET Field Logs R ReferencesS		
2	BP's Limited Admission of Environmental Damage Pursuant to La. R.S. § 30:29	August_Lever_t_BP Plan_010114	August_Lever_t_BP Plan_010120
3	BP's Ex Parte Motion and Incorporated Memorandum in Support for Mandatory Referral to the Louisiana Department of Natural Resources for the Development of The Most Feasible Plan Pursuant to La. R.S. § 30:29	August_Lever_t_BP Plan_010121	August_Lever_t_BP Plan_010124
4	Court's Order granting BP's Ex Parte Motion and Incorporated Memorandum in Support for Mandatory Referral to the Louisiana Department of Natural Resources for the Development of The Most Feasible Plan Pursuant to La. R.S. § 30:29	August_Lever_t_BP Plan_010125	August_Lever_t_BP Plan_010127
5	Reliance Materials of Brent T. Pooler, Stewart L. Stover, Jr., and Matthew L. Greene	August_Lever_t_HET SDT_000001	August_Lever_t_HET SDT_004182
6	Reliance Materials of Helen R. Connelly	August_Lever_t_CONNELLY SDT_000001	August_Lever_t_CONNELLY SDT_000805
7	Reliance Materials of Bernard H. Kueper and Michael West	August_Lever_t_KUEPER SDT_000001	August_Lever_t_KUEPER SDT_000325
8	Reliance Materials of John Frazier	August_Lever_t_FRAZIER_000001	August_Lever_t_FRAZIER_004874
9	Reliance Materials of Wade L. Bryant	August_Lever_t_BRYANT_000001	August_Lever_t_BRYANT_004775
10	Photographs, video, and audio of Subject Property captured by Neon Media	BP_August_Lever_t_NEON_1	BP_August_Lever_t_NEON_98
11	Letter from John Troutman, Liskow & Lewis, to Richard P. Ieyoub, Louisiana Commissioner of Conservation, submitting BP's Site Investigation Report and Proposed Remediation Plan	BP_August_Lever_t_LDNR_1	BP_August_Lever_t_LDNR_8
12	BP's Public Notice of LDNR Hearing – Docket No. 2022-8332-DNR-OOC, Agency No. 018-028-002	BP_August_Lever_t_LDNR Public Notice_1	BP_August_Lever_t_LDNR Public Notice_2
13	Letter from Denice Redd-Robinette, Liskow & Lewis, to Tim Schroeder, Office of Conservation, submitting BP's Notice of Public Hearing in front of LDNR	BP_August_Lever_t_LDNR Public Notice_3	BP_August_Lever_t_LDNR Public Notice_5
14	Letter from Denice Redd-Robinette, Liskow & Lewis, to Clerk of Court of 18th JDC, submitting BP's Notice of Public Hearing in front of LDNR	BP_August_Lever_t_LDNR Public Notice_6	BP_August_Lever_t_LDNR Public Notice_8
15	Letter from Denice Redd-Robinette, Liskow & Lewis, to Division of Administrative Law, submitting BP's Notice of Public Hearing in front of LDNR	BP_August_Lever_t_LDNR Public Notice_9	BP_August_Lever_t_LDNR Public Notice_11

16	Letter from Denice Redd-Robinette, Liskow & Lewis, to All Counsel, submitting BP's Notice of Public Hearing in front of LDNR	BP_August Levert_LDNR Public Notice_12	BP_August Levert_LDNR Public Notice_15
17	In Globo Exhibit - Proof of Notice	BP_August Levert_LDNR Public Notice_16	BP_August Levert_LDNR Public Notice_105
18	Email correspondence between Gary Snellgrove, LDNR, Stephen Olivier, LDNR, John Troutman, Liskow, and Kevin Hudell, Jones Swanson, regarding site visit	BP_August Levert_LDNR_9	BP_August Levert_LDNR_17
19	Hearing Order and Commissioner's Conference Order	BP_August Levert_LDNR_18	BP_August Levert_LDNR_20
20	Conference Report and Order		
21	Figure outlining IPSB Property and Levert Property with remedial and Limited Admission areas shown on contemporary aerial photograph		
22	Figure depicting Levert Property with Limited Admission areas shown on contemporary aerial photograph		
23	Aerial photographs of pit areas with pertinent sample results called out		
24	Site photographs depicting pits and other areas		
25	Figure of GEM 2 13590 HZ Contours with outline of Limited Admission areas and monitoring well locations		
26	HET or other calculations of groundwater yield based on slug test results		
27	RECAP Doc 2003 & Ground Water and Surface Water A Single Resource U. S. Geological Survey Circular 1139, 1998		
28	United States of America, United States Environmental Protection Agency, Office of Research and Development. Basics of Pump-and-Treat Ground-Water Remediation Technology. Environmental Protection Agency, 1990, https://semspub.epa.gov/work/11/174485.pdf .		
29	Figure depicting HET slug test locations on Iberville Parish School Board property.		
30	Figure depicting ICON slug test locations on Iberville Parish School Board property.		