# DUKE ENERGY FIELD SERVICES



18/0/3/PS

# SITE INVESTIGATION, REMEDIATION, AND FINAL C-141 CLOSURE DOCUMENTATION

G28 80502 RELEASE SITE DEFS REF: G28 80502

UL-O SW1/4 OF THE SE1/4 OF SECTION 32 T21S R36E

~7 MILES WEST OF EUNICE

LEA COUNTY, NEW MEXICO

LATITUDE: 32°25'48.31"N

LONGITUDE: 103°17'03.09"W

**SEPTEMBER 19, 2002** 

PREPARED BY: JCG

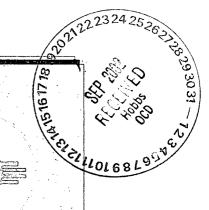
# Environmental Plus, Inc.

2100 Avenue O P.O. Box 1558

Eunice, NM 88231

Phone: (505)394-3481

FAX: (505)394-2601





# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON** 

Governor
Betty Rivera
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

September 26, 2002

Mr. Paul Mulkey
Duke Energy Field Services
11525 W. Carlsbad Hwy
Hobbs. NM 88240

pdmulkey@duke-energy.com

Re:

Closure Approval, G-28 80502 20" Line Site Reference UL-O, Sec-32 T-21S R-36E Initial Notification Date: August 5, 2002 Closure Request Dated: September 19, 2002

Dear Mr. Mulkey,

The **Final Closure Document** submitted to the **New Mexico** Oil Conservation Division (OCD) by Environmental Plus, Inc. for Dule Energy Field Services is **hereby approved**. According to the information provided, no further action is required at this time.

Please be advised that OCD approval does not relieve Dule Energy Field Services of liability should remaining contaminants pose a future threat to ground water, surface water, human health or the environment. Additionally, OCD approval does not relieve Dule Energy Field Services of responsibility for compliance with any other federal, state, or local laws and/or regulations.

If you have any questions or need assistance please feel free to call me at (505) 393-6161, x111 or email lwjohnson@state.nm.us

Sincerely,

Larry Johnson - Environmental Engineer

Cc:

Roger Anderson - Environmental Bureau Chief Chris Williams - District I Supervisor

Bill Olson - Hydrologist

Paul Sheeley-Environmental Engineer

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# ENVIRONMENTAL PLUS, INC. Meno-Blood Mini-Billing Com

### STATE APPROVED LAND FARM AND ENVIRONMENTAL SERVICES

September 19, 2002

Dear Mr. Johnson:

Mr. Larry Johnson
Energy, Minerals, and Natural Resources Department
New Mexico Oil Conservation Division
1625 North French Dr.
Hobbs, New Mexico 88240

Subject: Duke Energy Field Services – G-28 80502 Final C-141 and Closure Documentation

Environmental Plus, Inc. (EPI), on behalf of Duke Energy Field Services (DEFS) submits for your consideration and approval the Final C-141 and Closure Documentation for the "G-28 80502" remediation site. This report documents the vertical and horizontal extents of hydrocarbon contamination at the site, removal of contaminated soils above acceptable CoC levels, and the disposal of said contaminated soils at EPI's approved land farm consistent with the Initial C-141 and Remediation Plan submitted to NMOCD on August 13, 2002. EPI, on behalf of DEFS, therefore requests that the NMOCD consider the information provided within this documentation and require "no further action" at this site.

If there are any questions please call Mr. Ben Miller or myself at EPI's offices, or at 505-390-0288 or 505-390-9804 respectively. Mr. Paul Mulkey of Duke Energy Field Services can be contacted at 505-397-5716.

All official correspondence should be addressed to:

Mr. Paul Mulkey Duke Energy Field Services 11525 West Carlsbad Highway Hobbs, New Mexico 88240

Sincerely,

John Good, Environmental Consultant

The Lood

cc: Frank Paul Mulkey, Duke Energy Field Services, w/enclosure Sherry Miller, EPI President

Ben Miller, EPI Vice President and General Manager

File

nation provided within

offices, or at 505-390Field Services can be

### **Executive Summary**

Environmental Plus, Inc. (EPI) was notified by Duke Energy Field Services (DEFS) on 5-Aug-02 regarding a pipeline release site involving DEFS' "G-28" 20-inch natural gas gathering pipeline. DEFS' initial C-141 (5-Aug-02) indicates a natural gas liquid (NGL) release in excess of 25 bbl. The leak was a result of internal pipeline corrosion. Repairs were made on the 20-inch steel pipeline line at two locations within the exposed pipeline section by clamping.

Characterization and remedial work at the site was done by EPI during the period 5-Aug-02 through 28-Aug-02. The "G28 80502" site is located 7-miles west of Eunice, NM, in UL-O, Section 32 T21S R36E. The spill occurred on property owned by the State of New Mexico. The surface extent of the spill was approximately 15,000 ft<sup>2</sup> (see Plate 3, attachments). The vertical extent of contamination ranged from 3-ft along the access road down to ~10-ft in the area associated with the Point of Release (POR).

EPI excavated and disposed of 1078-yd<sup>3</sup> of contaminated soil from the site commencing on 6-Aug-02. In addition, 640-yd<sup>3</sup> of moderately contaminated soil was excavated from the bottom 4-ft of the POR area and used to blend with 800-yd<sup>3</sup> of clean soil for use as backfill. Composite bottom-hole and sidewall soil samples were submitted to Cardinal Laboratories, Hobbs, NM on 9-Aug-02 and 13-Aug-02. Results of these analyses confirmed that TPH, BTEX, and Benzene levels were below threshold levels throughout the site, and that chloride levels were within acceptable limits (~250 mg/kg) so as to not pose a threat to any ground water present.

All contaminated soil removed from the site was disposed of at EPI's land farm. The excavation was backfilled and contoured to prevent pooling. The surface damaged areas beyond road or pipeline rights-of-way will be evaluated for new growth in Spring-2003 and reseeded with natural grasses if deemed necessary at that time.

### 1.0 Introduction

This report addresses the site investigation and remediation of the DEFS "G28 80502" natural gas 20" gathering line remediation site. EPI was notified on August 5, 2002 by DEFS regarding a natural gas and associated NGL release at this site. The initial C-141 Form submitted to NMOCD (05-Aug-02) reports the release volume (NGL) as >25 bbl. EPI responded the following day (August 6, 2002) and commenced GPS delineation, characterization and preliminary excavation of the contaminated soil in the immediate area of the leak. The site consisted of an area ~130-ft X ~35-ft (~3,900-ft²) in the area of the pipeline leak and a linear affected area extending from the release source ~850-ft eastward along the north edge of the caliche road accessing the site. Remedial activities at the site consisted of excavation, soil analyses, backfilling and contouring. Remediation of the site was completed on 28-Aug-02.

### 2.0 Background

The site is associated with the DEFS – G28 natural gas 20" pipeline. This release site is located in Unit Letter O, (SW¼ of the SE¼), Section 32, T21S, R36E, (32°25'48.31"N and 103°17'03.09"W), and approximately 7 miles west of Eunice, NM. The property is owned by the State of New Mexico. A location map, a topographical map of the site and a detailed GPS site map are included as Attachments.

The natural gas and associated NGL release at this site was discovered on 05-Aug-02. The leak was the result of internal pipe corrosion. The pipe was clamped and repaired by DEFS personnel.

### 3.0 Site Description

### 3.1 Geological Description

The United States Geological Survey (USGS) Ground-Water Report 6, "Geology and Ground-Water Conditions in Southern Lea County, New Mexico," A. Nicholson and A. Clebsch, 1961, describes the near surface geology of southern Lea County as "an intergrade of the Quaternary Alluvium (QA) sediments, i.e., fine to medium sand, with the mostly eroded Cenozoic Ogallala (CO) formation. Typically, the QA and CO formations in the area are capped by a thick interbed of caliche and generally overlain by sandy soil." The release site is located in the Eunice Plain physiographic subdivision, described by Nicholson & Clebsch as an area "underlain by a hard caliche surface and is almost entirely covered by reddish-brown dune sand". The thickness of the sand cover ranges from 2-5 feet in most areas to as much as 20-30 feet in drift areas.

### 3.2 Ecological Description

The area is typical of the Upper Chihuahuan Desert Biome consisting primarily of hummocky sand hills covered with Harvard Shin Oak (Querqus harvardi) interspersed with Honey Mesquite (Prosopis glandulosa) along with typical desert grasses, flowering annuals and flowering perennials. Mammals represented, include Orrd's and Merriam's Kangaroo Rat, Deer Mouse, White Throated Wood Rat, Cottontail Rabbit, Black Tailed Jackrabbit, Mule Deer, Bobcat, Red Fox and Coyote. Reptiles, Amphibians, and Birds are numerous and typical of area. A survey of Listed, Threatened, or Endangered species was not conducted.

### 3.3 Area Ground Water

The unconfined ground water aquifer at this site is conservatively estimated to be >150-ft bgs. The site is located in the Eunice Plain physiographic area approximately 7-miles west of Eunice, NM. Water Column Reports obtained from the NM State Engineers Office and NM Tech University (below) indicate water depths in the range 106-247-ft bgs in Range 36E and Townships 21-22S (Average = 183-ft bgs). Ground water gradient in this area is generally to the southeast.

WATE	WATER COLUMN REPORT 8/9/02 - NM State Engineer & NM Tech*											
Well	Tws	Rng	Sec	Q	Q	Q	Well Depth	Water Depth	Water Column			
CP734	218	36E	16	1			215	200	15			
CP505	218	36E	16	2			215	195	20			
CP676	218	36E	18	4	4	1	140	106	34			
CP664	218	36E	23	2			185	150	35			
CP484	218	36E	25	4	2		207	148	59			
#4737*	21S	36E	29	4	1		305	247	58			
#4715*	218	36E	29	3	1		244	231	13			
#4719*	21S	36E	29	4	2		380	241	139			
#4584*	21S	36E	33	2	3		242	205	37			
CP763	CP763 22S 36E 1 3 2 2 265 137 128											
#4493*	#4493* 22S 36E 3 1 1 NR 186 NR											
CP469	CP469 22S 36E 6 3 2 1 220 195 25											
#4440*	#4440* 22S 36E 6 4 4 171 3											
CP753	CP753 22S 35E 14 2 2 215 185 30											
CP070	CP070 22S 36E 16 1 2 2 220 170 50											
CP575	CP575 22S 36E 27 4 3 198 160 38											
			-	Avera	ge de	epth to	water =	183				
	Quarters (Q) are 1=NW 2=NE 3=SW 4=SE; biggest to smallest											

### 3.4 Area Water Wells

All recorded wells are greater than 1000 horizontal feet from the site.

### 3.5 Area Surface Water Features

No surface water bodies exist within 1000 horizontal feet of the site.

### 4.0 NMOCD Site Ranking

Contaminant delineation and remedial work done at this site indicate that the chemical parameters of the soil and the physical parameters of the ground water were characterized consistent with the characterization and remediation/abatement goals and objectives set forth in the following New Mexico Oil Conservation Division (NMOCD) publications:

- ♦ Guidelines for Remediation of Leaks, Spills and Releases (August 13, 1993)
- ♦ Unlined Surface Impoundment Closure Guidelines (February 1993)

Acceptable thresholds for contaminants/constituents of concern (CoCs), i.e., TPH<sup>8015m</sup>, Benzene, and the mass sum of Benzene, Toluene, Ethyl Benzene, and total Xylenes (BTEX), was determined based on the NMOCD Ranking Criteria as follows:

- Depth to Ground water, i.e., distance from the lower most acceptable concentration to the ground water.
- ♦ Wellhead Protection Area, i.e., distance from fresh water supply wells.
- Distance to Surface Water Body, i.e., horizontal distance to all down gradient surface water bodies.

Based on the proximity of the site to protectable area water wells, surface water bodies, and depth to ground water from the lower most contamination, the NMOCD ranking score for the site is 0 points with the soil remedial goals highlighted in the Site Ranking Matrix presented below.

1. Grou	und Water	2. Wellhea	d Protection Area	3. D	istance to Surface Water
•	GW <50 feet: points		n water source, or; vate domestic water	<200 h	orizontal feet: 20 points
•	V 50 to 99 feet: points		e: 20 points	200	-1000 horizontal feet: 10 points
1	W >100 feet: oints	>200' from pri	n water source, or; vate domestic water ce: <i>0 point</i> s	>1000	horizontal feet: 0 points
Ground W	ater Score=0	Wellhead Pr	otection Score= 0	Sur	face Water Score= 0
	Site Ran	k (1+2+3) = 0 + 0	+0 = 0 points (for	soil 0-50	'bgs)
METERSKOPPEN STATEMENT WEST PERSONALIS	Total Site Rank	king Score and A	cceptable Remedial C	oal Con	centrations
Parameter	20+ (soil 10	0 – 150' bgs)	10 (soil 50 – 100'b	gs)	0 (soil 0 – 50' bgs
Benzene¹	10	ppm	10 ppm		10 ppm
BTEX1	50	ppm	50 ppm		60 ppm
TPH	100	ppm	1000 ppm		5000 ppm
THE RESIDENCE OF A SECOND CONTROL OF THE PERSONS CONTROL OF THE PERS	1100 ppm field	VOC headspace m	easurement may be subst	ituted for I	ab analysis

### 5.0 Subsurface Soil Investigation

The first subsurface soil analyses were conducted on composite samples taken from the bottom (3-ft) of the contaminated flow path along the north side of the east-west caliche access road. Field VOC tests indicated levels of <50 ppm. Lab analyses confirmed that the flow path bottom-hole soil left in place had an average TPH level of 48 mg/kg, an average Benzene level of <0.005 mg/kg, an average BTEX level of <0.030 mg/kg and an average Cl level of 96 mg/kg. These levels of CoC's are well below the remedial goals for this site.

The primary excavation of the project was at the point of release (POR). In this area, an approximate 130-ft X 35-ft area was excavated down to a depth of 10-ft. The horizontal and vertical extents of the excavation were determined in progress with field VOC analyses of the bottom-hole and sidewalls of the excavation. Once VOC levels of ~50 ppm were achieved, composite bottom-hole and sidewall samples of the excavation were taken and submitted to Cardinal Laboratories, Hobbs, NM, for analyses. All composite samples were minimum 5-point composites. Lab analyses of the bottom-hole composite samples (10-ft depth) indicate the following contamination levels (average): TPH- 26.0 mg/kg; Benzene - <0.005 mg/kg; BTEX - 0.031 mg/kg; and, Chlorides - 213 mg/kg. Analyses of the side wall (5-ft to 10-ft) composite samples indicate the following average contamination levels: TPH - <20 mg/kg; Benzene - <0.005 mg/kg; BTEX - <0.031 mg/kg; and, Chlorides - 261 mg/kg. These final bottom-hole and sidewall composite samples indicate that all soil with CoC levels above NMOCD allowable limits have been removed from the site.

Laboratory analytical reports, a summary table of all analytical results and graphical representations of the analytical data are provided in the Attachments.

### 6.0 Ground Water Investigation

Ground water depth is conservatively estimated to be >150'bgs at the site. The site was excavated to a maximum depth of 10-feet. Final CoC levels of the bottom-hole and sidewalls of the excavation were analyzed to be within the following ranges: TPH -0 to 39.4 ppm; Benzene -0 to 0.005 ppm; BTEX -0 to 0.033 ppm; Cl -144 ppm to 368 ppm. The excavation was backfilled with a blended soil mixture having a TPH contamination level of <166 mg/kg, Benzene level of <0.005 mg/kg, BTEX level of <4.1 mg/kg and a chloride level of <250 mg/kg. There will be no need for further ground water investigation at this site.

### 7.0 Remediation

Remediation of the site commenced on 5-Aug-02 and continued through 28-Aug-02. Remediation of the site consisted of excavation and disposal of 1078 yd³ of contaminated soil. Approximately 280-yd³ was excavated from the surface flow path that extended ~850-ft along the caliche road accessing the site from the east. This flow path excavation was backfilled with clean soil obtained from the caliche road periphery. Approximately 800-yd³ was excavated and disposed of from the area associated with the POR (~3900-ft² to a depth of 5½ to 6-ft). All contaminated soil removed from the site was disposed of in EPI's approved land farm. The bottom 4 to 4½-ft of the POR excavation (~640-yd³) was stockpiled, composite sampled and eventually blended with ~800-yd³ of on-site clean soil and used as backfill for the POR excavation.

300-yd³ of caliche was purchased from the State of New Mexico and utilized to re-surface the access road and pipeline right-of-way with a 3 to 4-inch layer of compacted caliche.

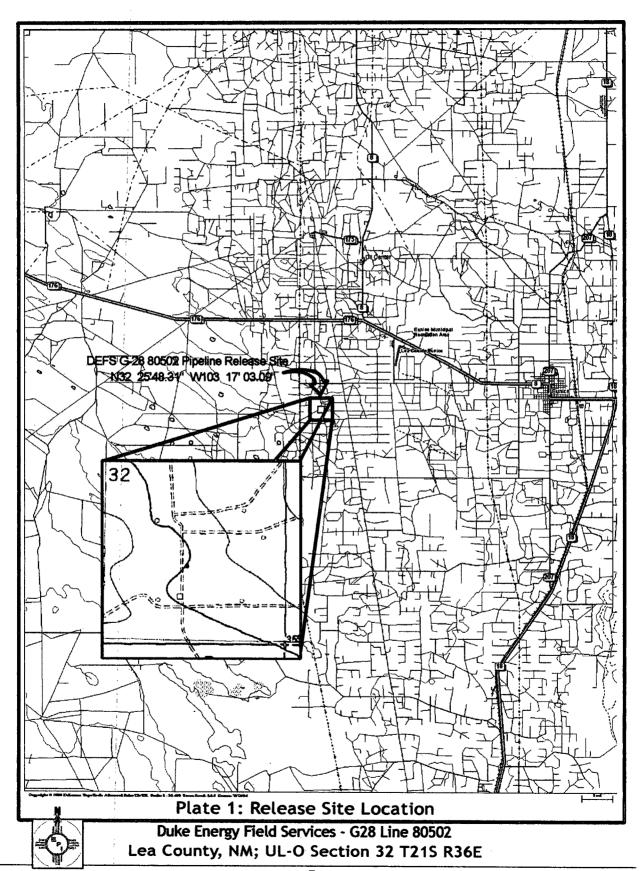
The excavated areas (flow path and POR) were composite sampled once adequate depth and lateral extent had been demonstrated by field VOC testing utilizing Photo Ionization Detection (PID) technology. Attenuation levels consistent with NMOCD remedial goals were attained at the site (see Section 5.0 – Subsurface Soil Investigation). The site was backfilled and properly contoured to prevent pooling of rainwater on the excavation surface. The surface damaged areas beyond road or pipeline rights-of-way will be evaluated for new growth in Spring-2003 and reseeded with natural grasses if deemed necessary at that time.

### 8.0 Closure Justification

This report documents successful implementation of the Remediation Plan approved by NMOCD for this release site. Soil contaminated above acceptable CoC remedial concentrations was excavated and removed from the location. Disposal of RCRA exempt contaminated soils was at EPI's approved land farm. The excavation was backfilled with soil attenuated by blending and properly contoured to provide adequate drainage. Based on the data presented in this report, Environmental Plus, Inc., on behalf of Duke Energy Field Services, requests that the NMOCD require "no further action" at this site.

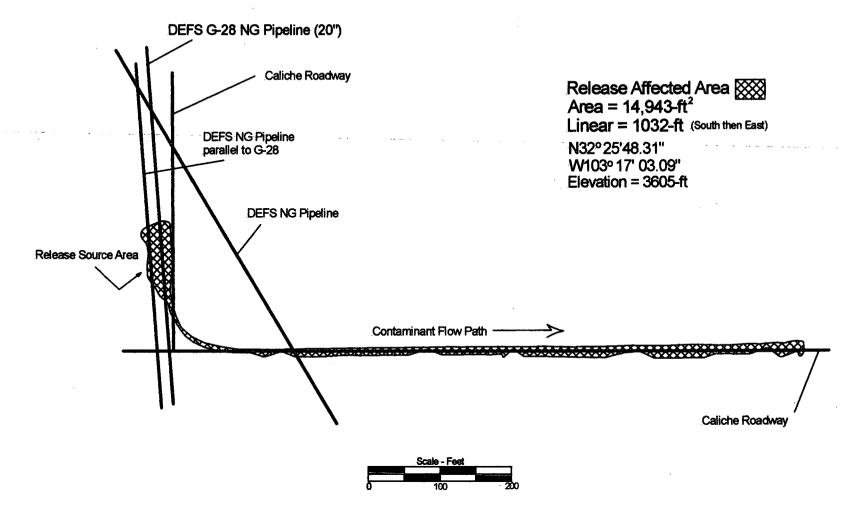
# **ATTACHMENTS**

Plate 1: Site Location Map



3601 32 3627 G-28 Release Site N32° 25'48.31" W103° 17' 03.09" 3617 See Plate 3 for site detail and features 3599 oll Plate 2: Site Topography and Release Location Duke Energy Field Services - G28 80502 Lea County, NM; UL-O Section 32 T21S R36E

Plate 2: Site Topography Map





O

DEFS G-28 80502

Plate 3: Release Site GPS Demarcation Duke Energy Field Services - G28 80502 Lea County, NM; UL-O Section 32 T21S R36E



Drawn By: JCG
Date:Aug-02
Revised: Sept-02

		Du	ke Energy Field S	ervices	- G28 8	0502 - 1	Excavat	ion San	npling R	esults			
Bold	highlighted cells indi	cate values	in excess of the NMOCD ren	nedial action	guideline th	resholds: T	PH = 5000 n	ng/Kg; Benz	ene = 10 mg	/Kg; BTEX :	= 50 mg/Kg;	Ci = 250 +	backgroun
Sample Date	Excavation Sampling Area	-Depth	SAMPLE ID#	-VOC2	GRO <sup>3</sup>	DRO⁴	.TPH <sup>5</sup>	. BTEX <sup>6</sup>	Benzene	Toluene	Ethyl Benzene	Total Xylenes	CI
Date	Odniping Area	(ft - bgs <sup>1</sup> )		ppm	mg/Kg	mg/Kg	mg/Kg	mg/Kg	mg/Kg	mg/Kg	mg/Kg	mg/Kg	mg/Kg
9-Aug	FlowPath West	3-ft	SDG28080902WFP3		10	10	20	0.030	0.005	0.005	0.005	0.015	80.0
9-Aug	FlowPath Center	3-ft	SDG28080902CFP3		10	54	64	0.030	0.005	0.005	0.005	0.015	112.0
9-Aug	FlowPath East	3-ft	SDG28080902EFP3		10	51	61	0.030	0.005	0.005	0.005	0.015	96.0
9-Aug	Average	3-ft	Combined Averages		10	38	48	0.030	0.005	0.005	0.005	0.015	96.
13-Aug	BottomHole - South	10-ft	SDG288050281302SQCBH		10	29	39	0.033	0.005	0.005	0.005	0.018	144.0
13-Aug	BottomHole - Center	10-ft	SDG288050281302MQCBH		10	10	20	0.030	0.005	0.005	0.005	0.015	176.
13-Aug	BottomHole - North	10-ft	SDG288050281302NQCBH		10	10	20	0.030	0.005	0.005	0.005	0.015	320.
13-Aug	Average	10-ft	Combined Averages		10	16	26	0.031	0.005	0.005	0.005	0.016	213.
						. "							
13-Aug	SideWalls - South	5-10-ft	SDG288050281302SQCSW		10	10	20	0.030	0.005	0.005	0.005	0.015	144.
13-Aug	SideWalls - Center	5-10 <del>-ft</del>	SDG288050281302MQCSW		10	10	20	0.030	0.005	0.005	0.005	0.015	368.
13-Aug	SideWalls - North	5-10-ft	SDG288050281302NQCSW		10	10	20	0.030	0.005	0.005	0.005	0.015	272.
13-Aug	Average	5-10-ft	Combined Averages		10	10	20	0.030	0.005	0.005	0.005	0.015	261.3
13-Aug	Spoils Pile	NA	SDG288050281302SPC		22	144	166	4.136	0.005	0.419	0.832	2.880	336.0

bgs = below ground surface 2 VC

<sup>&</sup>lt;sup>2</sup> VOC = Volatile Organic Constituents; (note: 100 ppm Isobutylene calibration gas = 101 ppm)

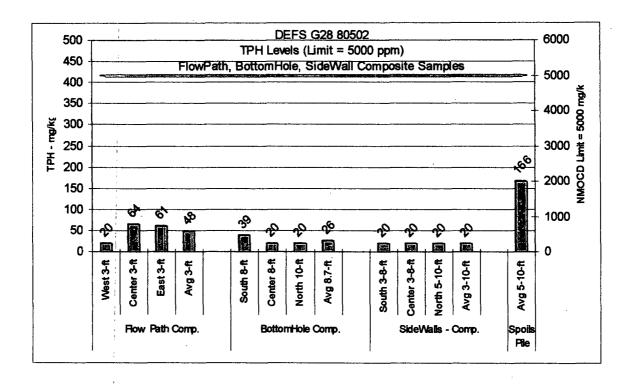
GRO - Gasoline Range Organics (Detection Limit = 10 mg/Kg)

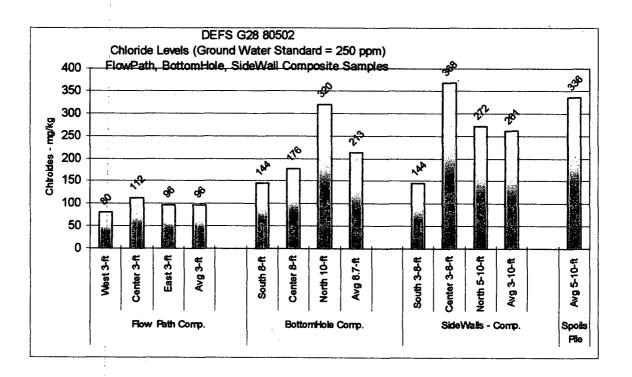
<sup>&</sup>lt;sup>4</sup> DRO - Diesel Range Organics (Detection Limit = 10 mg/Kg)

<sup>&</sup>lt;sup>5</sup> TPH - Total Petroleum Hydrocarbon (GRO+DRO)

BTEX = Sum of CoC's (Detection Limits = 0.005 mg/Kg; 0.015 mg/Kg) Note: Reported detection limits are considered "de minimus" values and are included in the TPH and BTEX summations.

### Bar Charts: Composite TPH and Chloride Analyses





Lab Analyses Reports and Chain-of-Custody Forms



PHONE (505) 393-2326 • 101 E. MARLAND • HOBBS. NM 88240

ANALYTICAL RESULTS FOR ENVIRONMENTAL PLUS, INC.

ATTN: PAT McCASLAND

P.O. BOX 1558 EUNICE, NM 88231 FAX TO: (505) 394-2601

Receiving Date: 08/14/02

Reporting Date: 08/15/02

Project Owner: DUKE ENERGY FIELD SEVICES

Project Name: G-28 LOOP LINE Project Location: NOT GIVEN

Sampling Date: 08/09/02

Sample Type: SOIL

Sample Condition: COOL & INTACT

Sample Received By: BC Analyzed By: BC/AH

	GRO	DRO	
	(C <sub>6</sub> -C <sub>10</sub> )	(>C <sub>10</sub> -C <sub>28</sub> )	CI*
LAB NUMBER SAMPLE ID	(mg/Kg)	(mg/Kg)	(mg/Kg)

ANALYSIS	DATE	08/14/02	08/14/02	08/15/02
H6952-1	SDG28080902WFP3'	<10.0	<10.0	80
H6952-2	SDG28080902CFP3'	<10.0	54.0	112
H6952-3	SDG28080902EFP3'	<10.0	51.3	96
	· · · · · · · · · · · · · · · · · · ·			
Quality Con	trol	745	796	1030
True Value	QC	800	800	1000
% Recovery	1	93.2	99.5	103
Relative Pe	rcent Difference	11.0	3.0	1.2

METHODS: TPH GRO & DRO: EPA SW-846 8015 M; CI: Std. Methods 4500-CIB
\*Analyses performed on 1:4 w:v aqueous extracts.

Buy est A. Coolie

Date

H6952A.XLS

PLEASE NOTE: Llability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising, whether based in contract or tort, shall be limited to the amount paid by client for analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within thirty (30) days after competion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including, without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above-stated reasons or otherwise.



PHONE (505) 393-2326 • 101 E. MARLAND • HOBBS. NM 88240

ANALYTICAL RESULTS FOR ENVIRONMENTAL PLUS, INC.

ATTN: PAT McCASLAND

P.O. BOX 1558 EUNICE, NM 88231 FAX TO: (505) 394-2601.

Receiving Date: 08/14/02

Reporting Date: 08/15/02

Project Owner: DUKE ENERGY FIELD SEVICES

Project Name: G-28 LOOP LINE Project Location: NOT GIVEN

Sampling Date: 08/09/02

Sample Type: SOIL

Sample Condition: COOL & INTACT

Sample Received By: BC

Analyzed By: BC

LAB NUMBER	SAMPLE ID	BENZENE (mg/Kg)	TOLUENE (mg/Kg)	ETHYL BENZENE (mg/Kg)	TOTAL XYLENES (mg/Kg)
ANALYSIS DA	TE	08/14/02	08/14/02	08/14/02	08/14/02
H6952-1	SDG28080902WFP3'	<0.005	<0.005	<0.005	<0.015
H6952-2	SDG28080902CFP3'	<0.005	<0.005	< 0.005	<0.015
H6952-3	SDG28080902EFP3'	<0.005	<0.005	<0.005	<0.015
	,				
Quality Control		0.099	0.090	0.096	0.279
True Value QC	;	0.100	0.100	0.100	0.300
% Recovery		99.0	90.2	95.6	93.1
Relative Perce	nt Difference	3.3	3.3	0.8	1.3

METHOD: EPA SW-846 8260

Chemist

0/1-

PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising, whether based in contract or tort, shall be limited to the amount paid by client for analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within thirty (30) days after completion of the applicable services because the contraction of the applicable services arising out of or related to the cerformance of services hereunder by Cardinal, repardless of whether such dain is based unon any of the phone-stated reasons or otherwise.

# **Cardinal Laboratories Inc.**

2111 Beechwood, Abilene, TX 79603 915-673-7001 Fax 915-673-7020

101 East Marland, Hobbs, NM 88240 505-393-2326 Fax 505-393-2476

Company l	Name Environmental	Plus	5				200			Bil	l To			Ø.					Anal	lysis	Rec	ues			
Project Ma	nager John C Good					5	m											'		1				.	
	2100 Aue 0																	'			ĺ			ĺ	
City, State,	Zip EUNIKE NIM 88	23.	/																				Ì		
Phone#/Fa	1x# 505.394-3481.50	<u>ت یک</u>		26	01																				ĺ
Project #/C	Owner Duke Energy									-			*****							- 1					 *
Project Nar	ne Dake G-28 8502	1	úυ												218	5M									·
Project Loc	ation														805	301	7	}			j ,				
Sampler Na	ame Brodles Flor														BTEX 8021B	TPH 8015M	lond		ļ						
		IP.				MA	TRIX			PR	RESER	V.	SAMP	LING	ВТ	1	10								
LAB I.D.	SAMPLE I.D.	(G)RAB OR (C)OMP	# CONTAINERS	GROUND WATER	WASTEWATER	SOIL	CUDE OIL	SLUDGE	OTHER:	ACID/BASE	ICE/COOL	OTHER	DATE	TIME											
H6951-1	SADC 28 8 0502 8 1302 SPC	C	1	·		X					X		8-13	9:30	X	Х	X								]
-2	SADG 28805029/3025ACBH	C	1			X					X		8.13	9:35	X	X	X								
-3	5#7C-2880502813025QCSW	$C_{i}$	1			X					X		8-13	<i>9:37</i>	X	入	X				<u> </u>				
-4	50DG28805028B02\$10C5W	<u>C</u>	1			X					X			9:38	X	X	Х								
<	SADGASSOSO281302NOCBH	C	4			X		<u> </u>			X			9:40	X	X	У				L				
	SATG288050281302MOC.BH		<u> </u>	<u> </u>		X					X		8-B		x	X	X			igspace					
	SIDGIBBOSOD 8302 NOC. SW	C	1_			X	_				X		8-13	9:44	X	X	X		_	<u> </u>	<u>-</u>				
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Sampler Relinquished:	Base, 13-02 Received By:	Fax Results To Pat McCasland 505-394-2601
Gradley Bloring	Tim (1:06	REMARKS:
Relinquished by:	Recgived By: (lab staff)	
	Time Burcell Cash	
Delivered by Sampler	Sample Cool & Infact Checked By:	

# Cardinal Laboratories Inc.

2111 Beechwood, Abilene, TX 79603 915-673-7001 Fax 915-673-7020 101 East Marland, Hobbs, NM 88240 505-393-2326 Fax 505-393-2476

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Company I		es				250	SEASE	a record	ruit.	Bil	I To	WEAT.	Maria Kara	5. 5. 新春的5. 当	<u> </u>	Analysis Request										
Project Mar	nager Paul Mulkey						En	viro	nm	ent	al P	lus	Inc.								ļ			1 1	ŀ	
Address															ļ											
City, State,	Zip														ì						l			1	l	
Phone#/Fa	1x# 910-4704			-																						
Project #/C	Owner					٠.													ĺ							
Project Nar	ne G-28 Loop Line														8021B	Σ									Į	
Project Loc	ation														8	ğ	ರ									
Sampler Na	ame Bell Trull														BTEX	TPH 8015M	0		l					1	ı	ł
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LAB I.D.	SAMPLE I.D.	(G)RABOR (C)OMP	# CONTAINERS	GROUND WATER	WASTEWATER		CUDE OIL	SCUDGE	OTHER:	ACID/BASE	ICE/COOL	отнея	DATE	TIME												
	SDG28080902WFP3'	С	1			X					X		8/9/02	10:00	X	X	X									
ر ح ک	SDG28080902CFP3'	C	1			X					X		8/9/02	10:15	Х	X	X									
-3	SDG28080902EFP3'	U	1			X					X		8/9/02	10:25	X	X	X									
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	Timez:00 Alla Sort	Fax Results To Pat McCasland 505-394-2601 REMARKS:
Relinguished by:	Time 104 DUCHER (ash)	
Delivered by Sampler	Sample Cool & Intact Checked By: Yes No	



PHONE (505) 393-2326 • 101 E. MARLAND • HOBBS. NM 88240

ANALYTICAL RESULTS FOR ENVIRONMENTAL PLUS, INC. ATTN: JOHN GOOD

P.O. BOX 1558 EUNICE, NM 88231 FAX TO: (505) 394-2601

Receiving Date: 08/13/02

Reporting Date: 08/14/02
Project Owner: DUKE ENERGY

Project Name: DUKE G-28 8502 LINE

Project Location: NOT GIVEN

Sampling Date: 08/13/02

Sample Type: SOIL

Sample Condition: COOL & INTACT

Sample Received By: BC Analyzed By: BC/AH

	GRO	DRO	
	(C <sub>6</sub> -C <sub>10</sub> )	(>C <sub>10</sub> -C <sub>28</sub> )	CI*
LAB NUMBER SAMPLE ID	(mg/Kg)	(mg/Kg)	(mg/Kg)

<b>ANALYSIS</b>	DATE	08/13/02	08/13/02	08/13/02
H6951-1	SDG288050281302SPC	21.7	144	336 ~
H6951-2	SDG288050281302SQCBH	<10.0	29.4	144
H6951-3	SDG288050281302SQCSW	<10.0	<10.0	144
H6951-4	SDG288050281302NQCSW	<10.0	<10.0	272
H6951-5	SDG288050281302NQCBH	<10.0	<10.0	320 🗸
H6951-6	SDG288050281302MQCBH	<10.0	<10.0	176
H6951-7	SDG288050281302MQCSW	<10.0	<10.0	368 ≥
Quality Cor	itrol	778	809	1030
True Value	QC	800	800	1000
% Recover	у	97.2	101	103
Relative Pe	ercent Difference	4.0	6.9	1.2

METHODS: TPH GRO & DRO: EPA SW-846 8015 M; CI: Std. Methods 4500-CIB
\*Analyses performed on 1:4 w:v aqueous extracts.

Bert Steff Cooke

Date

H6951A.XLS

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PHONE (505) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR ENVIRONMENTAL PLUS, INC. ATTN: JOHN GOOD P.O. BOX 1558 EUNICE, NM 88231 FAX TO: (505) 394-2601

Receiving Date: 08/13/02 Reporting Date: 08/14/02

Project Owner: DUKE ENERGY

Project Name: DUKE G-28 8502 LINE

Project Location: NOT GIVEN

Sampling Date: 08/13/02

Sample Type: SOIL

Sample Condition: COOL & INTACT

Sample Received By: BC

94.8

0.3

92.0

<0.1

Analyzed By: BC

LAB NO.	SAMPLE ID	BENZENE (mg/Kg)	TOLUENE (mg/Kg)	ETHYL BENZENE (mg/Kg)	TOTAL XYLENES (mg/Kg)
ANALYSI	S DATE	08/13/02	08/13/02	08/13/02	08/13/02
H6951-1	SDG288050281302SPC	<0.005	0.419	0.832	2.88
H6951-2	SDG288050281302SQCBH	<0.005	<0.005	<0.005	0.018
H6951-3	SDG288050281302SQCSW	<0.005	<0.005	<0.005	<0.015
H6951-4	SDG288050281302NQCSW	<0.005	<0.005	< 0.005	<0.015
H6951-5	SDG288050281302NQCBH	<0.005	<0.005	<0.005	<0.015
H6951-6	SDG288050281302MQCBH	<0.005	<0.005	<0.005	<0.015
H6951-7	SDG288050281302MQCSW	<0.005	<0.005	<0.005	<0.015
Quality Co	ontrol	0.096	0.093	0.095	0.276
True Valu	e QC	0.100	0.100	0.100	0.300

95.8

METHOD: EPA SW-846 8260

Relative Percent Difference

% Recovery

Date

93.2

1.0

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PHONE (505) 393-2326 • 101 E. MARLAND • HOBBS. NM 88240

ANALYTICAL RESULTS FOR ENVIRONMENTAL PLUS, INC.

ATTN: PAT McCASLAND

P.O. BOX 1558 EUNICE, NM 88231 FAX TO: (505) 394-2601

Receiving Date: 08/22/02

Reporting Date: 08/23/02 Project Owner: DEFS

Project Name: G28 80502

Project Location: UL-O SEC32 T21S R36E

Analysis Date: 08/23/02

Sampling Date: 08/21/02

Sample Type: SOIL

Sample Condition: COOL & INTACT

Sample Received By: HM

Analyzed By: AH

LAB NUMBER	SAMPLE ID	Cl <sup>-</sup> (mg/Kg)
END NOMBER	07 WIII EE 10	(99)
H6980-1	SDG2882102SBHC	144
H6980-2	SDG2882102NBHC	304
H6980-3	SDG2882102EBHC	304
H6980-4	SDG2882102WBHC	160
H6980-5	SDG2882102CBHC	256
H6980-6	SDG2882102SPC	192
Quality Control		1030
True Value QC		1000
% Recovery		103
Relative Percent	Difference	1.2
ETHOD: Standar	d Methods	4500-CIB

Chemisty Hill

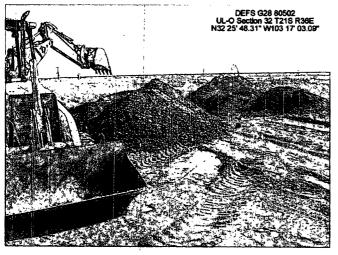
₹-23-02 Date

# **Cardinal Laboratories Inc.**

2111 Beechwood, Abilene, TX 79603 915-673-7001 Fax 915-673-7020 101 East Marland, Hobbs, NM 88240 505-393-2326 Fax 505-393-2476

Company N	lame Environn	nental Plus,	Inc		_	-						Bill	To						A۱	IAL	/SIS	REC	QUES	ST			_
Project Mar	nager Pat McC	asland									1					Г									$\Box$		_
Address	P.O. BO	X 1558								/	<u>_</u>	S	ME	: -		ĺ	1								I		i
City, State,	Zip Eunice N	lew Mexico	882	231			ļ			\				<u></u>													Ĺ.
Phone#/Fa	x# 505-394-	-3481 / 505-	394	1-26	01						•						ĺ		i						Í		i
Project #/O	wner Duke En	ergy Field S	erv	ices	3																						i
Project Nan							Ì																		ı		. /
Project Loc		c 32 T21S	२36	E																		·			Ì		, 1
Sampler Na	ame Bradley B	3levins																1						Ì	1	.	j j
	-		<u>a</u>				MAT	RIX			PR	E8E	RV.	SAMF	LING	]									Ī		i i
LAB I.D.	SAMPLE I		(G)RAB OR (C)OMP.	# CONTAINERS	GROUND WATER	WASTEWATER	SOIL	CRUDE OIL	SLUDGE	отнек:	ACID/BASE	ICE/COOF	OTHER	DATE	TIME	BTEX 8021B	TPH 8015M	CHLORIDES (CT)	SULFATES (SO4")		-						
110100	SDG2882102SBH		X	1			X					X		8/21/02	1:15			X									
	SDG2882102NBH		X	1			X					X		8/21/02	1:50			X									
	SDG2882102EBH		X	1			X					X		8/21/02	1:25			X									
	SDG2882102WBH		X	1			X					X		8/21/02	1:35			X							$oldsymbol{\bot}$	山	
	SDG2882102CBH		X	1			X					X		8/21/02	1:40			X								$\square$	
مار	SDG2882102SPC		X	1			X					X		8/21/02	2:00			X							_	$\Box$	
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Sampler Relinquit	~~	Time 4:00	Recei		1	oh	1	4	7				Result ARKS	s To Pat McC	casiand 505	-394-2	2601			-							
Relinquished by:	a Dood	Dete B-22-02 Time	Recei	ived 5	y: (la	b stat	n e -	Ŝ.;								-											
Delivere	d by Sampler	Sample (Yes	Cool &	& Inta N				Che	cked	By:																	

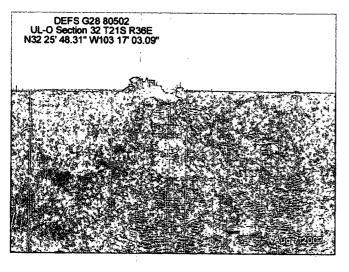
# Site Photographs

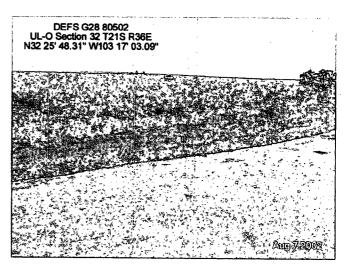


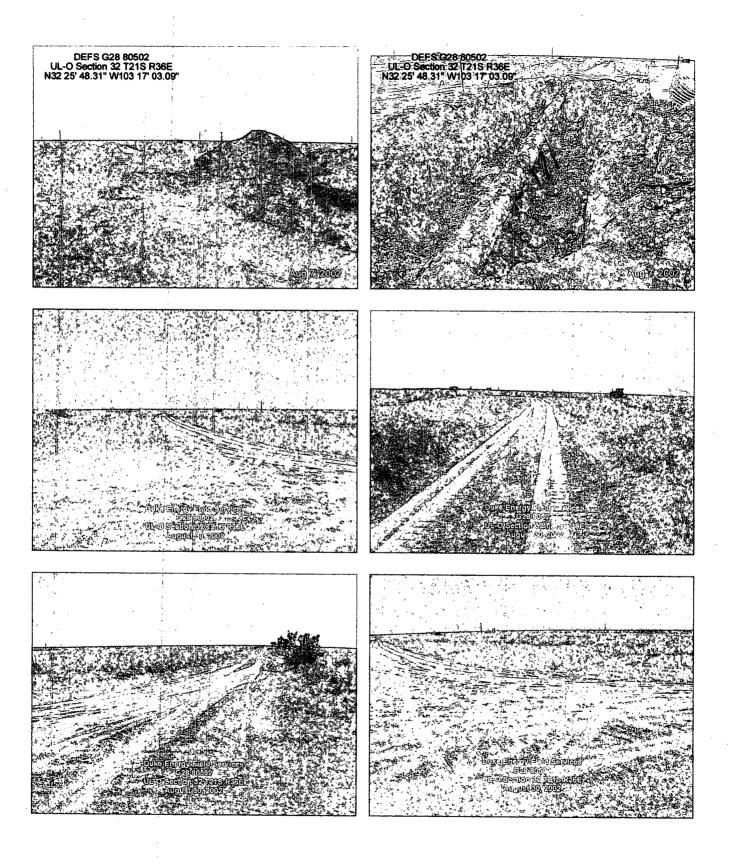












# Site Information and Mentes I oin

1000000000000000000000000000000000000		
Duke Energy. Field Services	Incident Date and NMOCD Notified?	
She information and Metrics	49 August 5, 1002	
SITE: G-28 80502	Assigned Site Reference #: G-/	28 80502
Company: Duke Energy Field Servi	ces	
Street Address: 11525 West Carlsba	id Highway	
Mailing Address: 11525 West Carls		
City, State, Zip: Hobbs, NM 88240		
Representative: Paul Mulkey/Stan Sta Representative Telephone: 505.397 Telephone:	.5716 / 505.397.5561	
Fluid volume released (bbis): >25 bbl	Recovered (bbls'); 0 	Dripe 15 Array
	2-14) within 15 days. (Also applies to unauthorized releases of	
Leak, Spail, or Fit (LSP) Name: G-		. 11 - 11 - 11 - 11 - 11 - 11 - 11 - 11
Source of contamination: Natural Ga		
Land Owner, i.e., BLM, ST, Fee. Oth	er: State of New Mexico	
LSP Dimensions ~1050-ft (linear	flow path along pipeline ROW, then east along acc	ess road ROW)
LSP Area: ~14943-# <sup>2</sup>	A. A	
Location of Reference Point (RP)		
Location distance and direction from	RP	
Lantiude: 32° 25′ 48.31″N		
Longitude: 100° 17° 03.00° W	The state of the s	
	3605-ff umol	
	-720-ft	
	2040-2	
Location-Unit or 1414: SW14 of the	SE 4 or Unit Letter: O	
Location - Synthesis 42		
Location-Township, 215 Location-Rango: 364;		
Surface water hady within 1000 " cars		
Surjute warer bedy within 1990 Tradi		
Domestic water wells within 19997 m		
Connectic nator wells within 1000 re-		
Agricultural water wells within 1000.		
Agricultural water walls within 1990		
Public water samely walls within 1999		
Public water supply wells within 1(n)		
Depili iron land strike to ground wa		
Depth of contamination (DC) - 10-1		
Depth to ground water (D) = (M = 1)	říjaří – Didil <del>ař</del>	
-	i. Wednesh Protection Area	
i. Ground Water	ar treatment a tributable carea	å, friktallen ta barbare komet mady
	15 < 1666' from water source, or < 266' from	5. trisumen a kuriner semer magy 5200 licerpointal feet. I'll politic
il impurto del Silvino di policio	If≤1600° from water source, or≤200° from	
lt Depth to GW <50 tech 70 points if Dopth to CW 50 to 99 feet; 10 poin	If≤1600° from water source, or≤200° from	Partie de commune de la la la partie de la
It Depth to GW 450 tech. 70 points If Depth to GW 40 to 90 feet; 10 point If Depth to GW 4100 from 6 points	# 1000 from water source, or 200 from private domestic water source: 20 points.  11 - 1000 from water source, or 200 from	<200 horizontal feet: 20 points 200-100 horizontal foot: 10 points
i Depth to GW <50 tech 10 points f Depth to GW <60 to 99 feet; 10 point f Depth to GW <100 from 0 points Franci water Szere = 0	## 1600° from water source, or \$200° from private domestic water source; 20 polars  11 > 1000° from water source, or: >200° from private domestic water source, or: >200° from private domestic water source.	<200 horizontal fest: 20 points 200-100 horizontal feet: 40 points <1000 horizontal feet: 6 points
it Depth to GW <50 tech 20 points If Depth to GW >0 to 99 feet, 10 points If Depth to GW >100 feet is points Ground water Scare = 0 blie Kank (1+2+3) = 0	## 1600° from water source, or \$200° from private domestic water source; 20 polars  11 > 1000° from water source, or: >200° from private domestic water source, or: >200° from private domestic water source.	SOU horizontal test: 20 points 200-100 horizontal feet: 40 points 21000 horizontal feet: 6 points Surface Wheer Score 9
It Depth to GW <50 tech 70 points If Depth to GW <60 to 90 foot; 10 points If Depth to GW <100 from 0 points Ground water Score = 0 Sile Kank (1+2+3) = 0	Wellikend Protection since Source 0 *1200 from private demosite water source; 20 points  it satisfaction water source, or seem private done since edge, source, 2 paints.  Wellikend Protection since Source 0	SOU horizontal test: 20 points 200-100 horizontal feet: 40 points 21000 horizontal feet: 6 points Surface Wheer Score 9
If Depth to GW 450 feet: 10 points If Depth to GW 450 feet: 10 points If Depth to GW 4500 feet: 0 points Ground water Score = 0 Sile Rank (1 * 2 * 3) = 0  Tala  Parameter = 20 or 4 Between = 10 points	## 1600° from water source, or \$200° from private domestic water source; 20 polars  11 > 1000° from water source, or: >200° from private domestic source, or; >200° from private domestic street Street 0  1 Site Wanting Semicand Acceptable Congruing	SOU horizontal feet: 16 points     200-100 horizontal feet: 16 points     21000 horizontal feet: 6 points     Surface Where Score   6
If Depth to GW 450 feet: To points If Depth to GW 450 feet: To points If Depth to GW 4500 feet: to points Ground numer Scare = 0 Site Rank (1 12 (3) = 0 Total Farameter = 20 or 4	## 1600° from water source, or < 200° from private domestic water source; 20 polars  11 > 1000° from water source, or > 200° from private domestic water source, or > 200° from private domestic water source. Or pulse,  ###################################	SOOC NORTHWEST TO POINTS     2001/100 horizontal feet: 10 points     >1000 horizontal feet: 0 points     Surface Where Scare   0

### Site Information and Metrics Form



### **Incident Date and NMOCD Notified?**

August 5, 2002

Site Information and Metrics

Assigned Site Reference #: G-28 80502 SITE: G-28 80502 Company: Duke Energy Field Services Street Address: 11525 West Carlsbad Highway Mailing Address: 11525 West Carlsbad Highway City, State, Zip: Hobbs, NM 88240 Representative: Paul Mulkey/Stan Shaver/Ronnie Gilchrest Representative Telephone: 505.397.5716 / 505.397.5561 Telephone: Fluid volume released (bbls): >25 bbl | Recovered (bbls): 0 >25 bbls: Notify NMOCD verbally within 24 hrs and submit form C-141 within 15 days. 5-25 bbls: Submit form C-141 within 15 days (Also applies to unauthorized releases of 50-500 mcf Natural Gas) Leak, Spill, or Pit (LSP) Name: G-28 80502 Source of contamination: Natural Gas Gathering Line Land Owner, i.e., BLM, ST, Fee, Other: State of New Mexico LSP Dimensions ~1050-ft (linear flow path along pipeline ROW, then east along access road ROW) LSP Area:  $\sim 14943 - \Omega^2$ Location of Reference Point (RP) Location distance and direction from RP Latitude: 32° 25′ 48.31"N Longitude: 103° 17' 03.09"W ~3605-ft amsl Elevation above mean sea level: Feet from South Section Line: ~720-ft Feet from West Section Line: ~3640-ft Location-Unit or 1/4/4: SW1/4 of the SE 1/4 or Unit Letter: O Location-Section: 32 Location-Township: 21S Location-Range: 36E Surface water body within 1000 'radius of site: None Surface water body within 1000 'radius of site: Domestic water wells within 1000' radius of site: None Domestic water wells within 1000' radius of site: Agricultural water wells within 1000' radius of site: None Agricultural water wells within 1000' radius of site: Public water supply wells within 1000' radius of site: None Public water supply wells within 1000' radius of site: Depth from land surface to ground water (DG) >150-ft bgs Depth of contamination (DC)  $- \sim 10$ -ft

D	enth to	ground	water (	DG - '	DC =	DtGW	) - >1	40

Depth to ground water (DG - DC = DtGV	v) - >140-tt
1. Ground Water	2. W

2. Wellhead Protection Area	3. Distance to Surface Water Body	
If <1000' from water source, or;<200' from	<200 horizontal feet: 20 points	
private domestic water source: 20 points	200-100 horizontal feet: 10 point	
If >1000' from water source, or, >200' from private domestic water source: 0 points	>1000 horizontal feet: 0 points	
Wellhead Protection Area Score = 0	Surface Water Score= 0	
	If <1000' from water source, or;<200' from private domestic water source: 20 points  If >1000' from water source, or; >200' from private domestic water source: 0 points	

### **Total Site Ranking Score and Acceptable Concentrations**

Parameter	20 or >	10	0
Benzene <sup>1</sup>	10 ppm	10 ppm	10 ppm
BTEX	50 ppm	50 ppm	50 ppm
TPH	100 ppm	1000 ppm	5000 ppm

# C-138 Form - Request for Approval to Accept Solid Waste

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico Energy Minerals and Natural Resources

Form C-138 Revised March 17, 1999

Oil Conservation Division 1220 South St. Francis Dr. Santa Fe, NM 87505 Submit Original Plus 1 Copy to Appropriate District Office

REQUEST FOR APPROVAL TO ACCEPT S	SOLID WASTE
1. RCRA Exempt ☑ Non-Exempt □	6. Generator  Duke Energy Field Services
Verbal Approval Received: Yes ☐ No ☐	5. Originating Site G28-80502
Management Facility Destination     Environmental Plus, Inc. Landfarm #NM-01-0013	6. Transporter Environmental Plus, Inc.
Address of Facility Operator     2100 Avenue O, P.O. Box 1558, Eunice, New Mexico 88231	8. State New Mexico
7. Location of Material (Street Address or ULSTR) UL-O Section 32 T21S R36E	
9. Circle One:	
A. All requests for approval to accept oilfield exempt wastes will be accompanied Generator; one certificate per job.  B. All requests for approval to accept non-exempt wastes must be accompanied the material is not-hazardous and the Generator's certification of origin. No waste will be approved.  All transporters must certify the wastes delivered are only those consigning.	by necessary chemical analysis to PROVE classified hazardous by listing or testing
BRIEF DESCRIPTION OF MATERIAL:	
	,
Contaminated Soil - Natural Gas Line leak	
	`.
Estimated Volumecy Known Volume (to be entered by the operator at tocy	he end of the haul)
SIGNATURE Jab Maland TITLE: EPI Technical M	anager DATE: August 8.
Waste Management Facility Authorized Agent	
TYPE OR PRINT NAME: Pat McCasland TELEPHONE NO.	505.394.3481
(This space for State Use)	
APPROVED BY: TITLE:	DATE:
APPROVED BY: TITLE:	•

## Certificate of Waste Status (Exempt)

# ENVIRONMENTAL PLUS, INC.

Permit # NM-01-0013

### **Certificate of Waste Status**

### "Exempt Waste"

COMPANY	: DUKE ENER	GY FIELD SERVI	CES		
ORIGIN:	UL or ¼¼: 0	SECTIO	N: 32	Township: 218	RANGE: 36E
Source I	Description (	Pipeline, Lease	, BATTERY,	FLOWLINE, ETC.)	PIPELINE
20" G-28	NATURAL GAS	PIPELINE			

"As a condition of acceptance for disposal,
I hereby certify that this waste is an exempt waste
as defined by the Environmental Protection Agency (EPA) July 1988
REGULATORY DETERMINATION AND TO MY KNOWLEDGE, THIS WASTE BEEN
CHARACTERIZED AS "NON-HAZARDOUS" PURSUANT TO THE PROVISIONS OF EPA 40 CFR
PART 261 Subpart C and has not been comingled with an EPA 40 CFR Part 261
Subpart D "Listed Waste."

I,	PAU	L MULKEY	,THE UNDERSIGNED AGENT			
FOR	DUKE ENER	GY FIELD SERVICES	, HEREBY CERTIFY THAT,			
BASED ON PERSONAL KNOWLEDGE, THE ABOVE STATEMENT IS TRUE AND CORRECT.						
,	Name	PAUL MULKEY				
	TITLE	MAINTENANCE & CONSTRUCTION SUPERVISOR				
	ADDRESS	11525 WEST CARLSBAD HIGHWAY				
1 An	as al	HOBBS, NEW MI	EXICO 88240			
Paul 1	1. lkes	4				
1 - 1 11						
	SIGNATURE					
	DATE	AUGUST 8, 2002	AUGUST 8, 2002			

Duke Energy Field Services	Duke	Energy	Field	Services
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Commissioner of Public Lands - Right-of-Entry Permit No. ROE 681

COMMISSIONER'S OFFICE Phone (505) 827-5760 Fax (505) 827-5766

ADMINISTRATION Phone (505) 827-5700 Fax (505) 827-5853

GENERAL COUNSEL Phone (505) 827-5713 Fax (505) 827-4262

PUBLIC AFFAIRS Phone (505) 827-1245 Fax (505) 827-5766



## New Mexico State Land Office Commissioner of Public Lands Ray Powell, M.S., D.V.M.

COMMERCIAL RESOURCES Phone (505) 827-5724 Fey (505) 827-6157

Fax (505) 827-6157

MINERAL RESOURCES Phone (505) 827-5744 Fax (505) 827-4739

ROYALTY MANAGEMENT Phone (505) 827-5772 Fax (505) 827-4739

SURFACE RESOURCES Phone (505) 827-5793 Fax (505) 827-5711

September 5, 2002

Duke Energy Field Services c/o Pat McCasland Environmental Plus, Inc. PO Box 1558 Eunice, NM 88231

Re: Right-of-Entry Permit No. ROE-681

Dear Mr. McCasland:

Enclosed is an approved copy of the captioned right-of-entry permit. If any corrections are necessary, please let us know and we will retype or amend this permit as necessary.

If you have any questions, please feel free to contact this office at the above address or at (505) 827-5728 or 5729.

Sincerely,

Lorrie Gasca, Management Analyst

Surface Resources Division

### NEW MEXICO STATE LAND OFFICE Ray B. Powell, Commissioner of Public Lands New Mexico State Land Office Building P.O. Box 1148, Santa Fe, NM 87504-1148

### RIGHT OF ENTRY PERMIT, CONTRACT NO. 681

### 1. RIGHT OF ENTRY PERMIT

This permit is hereby issued under the authority established by Section 19-1-2 NMSA (1985). Therefore, and in consideration of and subject to the terms, covenants, conditions, agreements, obligations and reservations contained in the permit and all other existing rights, the Commissioner of Public Lands, New Mexico State Land Office, State of New Mexico, hereinafter called "COMMISSIONER," grants to Duke Energy Field Services c/o Environmental Plus, Inc. of PO Box 1558, Eunice, NM 88231 hereinafter called "PERMITTEE," authorized use of a specific tract(s) of state trust land described in this permit.

### 2. TERM AND LAND DESCRIPTION

Right of entry is granted for a term of 6 months commencing August 13, 2002 to February 13, 2002 to the following state lands: SW4SE4 of Section 32, Township 21 South, Range 36 East.

### 3. **FEE.**

\$500.00 (Five Hundred Dollars)

### 4. PERMITTED USE

Permitted use is for the purpose of: Excavate contaminated soil for disposal at a permitted land farm. Backfill excavation with clean soil. The granting of this permit does not allow access across private lands.

### 5. IMPROVEMENTS

No improvements shall be placed on the premises without the prior written consent of the Commissioner.

### 6. RESERVATIONS

Commissioner reserves the right to execute permits on the land granted by this permit for mining purposes and for the extraction of oil, gas, salt, geothermal resources, and other mineral deposits therefrom and the right to go upon, explore for, mine, remove and sell same. Commissioner further reserves the right to sell or dispose of natural surface products of said lands and to grant such other right-of-way and easements as provided for by law.

### 7. COMPLIANCE WITH LAWS

Permittee shall at its own expense comply fully with and be subject to all regulations, rules, ordinances, and requirements of the Commissioner including, but not limited to the Cultural Properties Act, NMSA 1978 as amended. It is illegal for any person or his agent to appropriate, excavate, injure, or destroy any historic, or prehistoric ruin or monument, or any object of historical, archaeological, architectural, or scientific value situated on lands owned or controlled by the State Land Office without a valid permit issued by the Cultural Properties Review Committee and approved by the Commissioner of Public Lands.

### 8. HOLD HARMLESS

Permittee shall have, save, and hold harmless, indemnify and defend Commissioner and the State of New Mexico, and their agent or agents, in their official and individual capacities, of and from any and all liability claims, losses, or damages arising out of or alleged to arise out of or indirectly connected with the operations of Permittee under this permit off or on the Commissioner' premises or arising out of the presence on the Commissioner's premises of any agent, contractor or subcontractor of Permittee.

### 9. AMENDMENT

This permit shall not be altered, changed or amended except by an instrument in writing executed by Commissioner and Permittee.

### 10. WITHDRAWAL

Commissioner reserves the right to withdraw any or all of the land authorized for use under this permit. If applicable, Permittee shall vacate the acreage specified within 30 days after receipt of written notification of withdrawal from the Commissioner.

### 11. CANCELLATION

The violation by Permittee of any of the terms, conditions or covenants of this permit or the nonpayment by Permittee of the fees due under this permit shall at the option of the Commissioner be considered a default and shall cause the cancellation of this permit 30 days after Permittee has been sent written notice of such.

### 12. PRESERVE AND PROTECT

The Permittee agrees to preserve and protect the natural environmental conditions of the land encompassed in this permit, and to take those reclamation or corrective actions that are accepted soil and water conservation practices and that are deemed necessary by the Commissioner to protect the land from pollution, erosion, or other environmental degradation.

### 13. RECLAMATION

The Permittee agrees to reclaim those areas that may be damaged by activities conducted thereon.

### 14. SPECIAL INSTRUCTIONS AND OR RESTRICTIONS

- 1. No off road traffic allowed
- 2. No wood collection or tree cutting allowed.
- 3. Disturbing, dislodging, damaging, defacing, destroying or removing historical archaeological, paleontological or cultural sites or artifacts is prohibited.
- 4. Disturbing, dislodging, damaging, defacing, destroying any improvement, fixture, item, object or thing placed or located in, under or upon the land is prohibited.
- 5. Entries to lands are limited to those State Lands with public access.
- 6. Any other activities not listed are not allowed unless prior written approval from the Commissioner of Public Lands is granted.

WITNESS the hands and seals of PERMITTEE and COMMISSIONER on the day and year first above written.

PERMITTEE for OEFS
Telephone: 394.348/

### **ACKNOWLEDGMENT**

STATE OF NEW MEXIC	O )	
COUNTY OF Lea	) )	
The foregoing instrument , 20 02	was acknowledged before me this	19 <u>4</u> day of
My Commission Expires: 8-2	NOTARY PUBLIC	

COMMISSIONED OF DURING LANDS

### Final C-141 Form

rench Dr., Hobbs, NM 88240

Frand Avenue, Artesia, NM 88210

Brazos Road, Aston, NM 87410

. Francis Dr., Santa Fc, NM 87505

# State of New Mexico Energy Minerals and Natural Resources Oil Conscrvation Division

1220 South St. Francis Dr. Santa Fe, NM 87505

Form C-141 Revised March 17, 1999

Submit 2 Copies to appropriate District Office in accordance with Rule 116 on back side of form

Release Notification and Corrective Action											
OPERATOR Initial Report Initial Report											
Company nergy Field Services				Conta							
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ns all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger although the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability											
cir operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, imman											
the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any erat, state, or local laws and/or regulations.											
OIL CONSERVATION DIVISION											
<u>:</u>	Tant // lalker										
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unio, tau venace					approved by Establish appearance.						
onstruction & Maintenance Supervisor				Appre	Approvat Date: Expiration Date:		:				
-05-02 Phone: 505,307,5716					Condi	Conditions of Approval:		steehed []			
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