

Bratcher, Mike, EMNRD

From: Lupe Carrasco <LCarrasco@yatespetroleum.com>
Sent: Tuesday, October 23, 2012 12:01 PM
To: Bratcher, Mike, EMNRD
Cc: jamos@blm.gov
Subject: Creek AL Federal #12

Mike,

As per our conversation on October 23, 2012, Yates Petroleum Corporation has verbal approval to perform the following in regards to the Creek AL Federal #12:

- Excavate down to 28' and haul impacted soil for disposal.
- Back fill using the remediated soil (stock pile) on location.
- Submit a C-141 Final for closure of the initial C-141 submitted on August 20, 2012.

Thanks!

Lupe Carrasco
Environmental Regulatory Agent
Yates Petroleum Corporation
Office: (575) 748-4350
Fax: (575) 748-4131
Cell: (575) 513-9074

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Yates Petroleum Corporation

Creek AL Federal #12

Section 25, T18S-R30E

Eddy County, New Mexico

October 23, 2012

*EXC to 28'
re-use stockpile*

V. Scope of Work (Previously approved August 31, 2012)

Upon approval of this work plan and based on the enclosed analytical results, Yates Petroleum Corporation will have a contractor excavate 2' of the remaining impacted soil (total excavation will be 20' X 60' X 12' deep). Impacted soils excavated will be stock piled on plastic and remediated on site until sample analysis indicate that levels are below RRAL's. Remediation will consist of working the material bi-monthly and adding water and fertilizer as needed. Once samples indicate levels below RRAL's, Yates Petroleum Corporation will submit a C-141 for closure. Based on approval, the remediated soil will be returned to the excavation area and soil will be brought in from a neighboring pit to backfill the excavated area and returned the area to its natural state.

Addendum to Scope of Work

This addendum is submitted due to the misfortune of a second spill occurring over the initial spill dated August 15, 2012. Yates Petroleum Corporation has sampled for delineation to a depth of 30'. Excavation of all impacted soil to a depth of approximately 25' has been removed and hauled for disposal. At a depth of 24', a red clay layer was reached causing the accumulation of chlorides. At a depth of approximately 26' to 28', a caliche layer was reached in the process. Based on analytical results submitted for the impacted area and the soil properties involved, Yates Petroleum Corp. would like to begin backfill of the excavation. Upon approval, a C-141 Final will be submitted for closure of the Initial C-141 dated August 17, 2012.

Creek AL Federal #12

Analytical Report- H202526	Sample Date	Depth	BTEX	GRO	DRO	TOTAL	Chlorides
P-16'	10/16/2012	16'	585	11200	24000	35200	2240
P-18'	10/16/2012	18'	821	14400	19600	34000	2960
P-20'	10/16/2012	20'	237	3470	5020	8490	2240
P-22'	10/16/2012	22'	0.5	ND	ND	ND	4560
P-24'	10/16/2012	24'	.7	ND	24.9	24.9	7600

Analytical Report- H202547	Sample Date	Depth	BTEX	GRO	DRO	TOTAL	Chlorides
P-26'	10/18/2012	26'					5360
P-28'	10/18/2012	28'					5500
P-30'	10/18/2012	30'					1960

Site Ranking is Zero (0). Depth to Ground Water >100' (approx. 184', per trend map).

All results are ppm. Chlorides for documentation.

Release Date: 10/10/2012

* Cells in red have been excavated and hauled for disposal. Excavated down to ~25'.

October 22, 2012

LUPE CARRASCO

Yates Energy Petroleum Corp
105 S 4th Street
Artesia, NM 88210

RE: CREEK AL FEDERAL #12

Enclosed are the results of analyses for samples received by the laboratory on 10/18/12 14:10.

Cardinal Laboratories is accredited through Texas NELAP under certificate number T104704398-11-3. Accreditation applies to drinking water, non-potable water and solid and chemical materials. All accredited analytes are denoted by an asterisk (*). For a complete list of accredited analytes and matrices visit the TCEQ website at www.tceq.texas.gov/field/ga/lab_accred_certif.html.

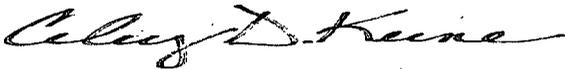
Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.4	Regulated VOCs (V1, V2, V3)

Accreditation applies to public drinking water matrices.

This report meets NELAP requirements and is made up of a cover page, analytical results, and a copy of the original chain-of-custody. If you have any questions concerning this report, please feel free to contact me.

Sincerely,



Caley D. Keene

Lab Director/Quality Manager

Analytical Results For:

 Yates Energy Petroleum Corp
 LUPE CARRASCO
 105 S 4th Street
 Artesia NM, 88210
 Fax To: (505) 748-4635

Received:	10/18/2012	Sampling Date:	10/18/2012
Reported:	10/22/2012	Sampling Type:	Soil
Project Name:	CREEK AL FEDERAL #12	Sampling Condition:	** (See Notes)
Project Number:	NONE GIVEN	Sample Received By:	Celey D. Keene
Project Location:	EDDY		

Sample ID: P-26' (H202547-01)

Chloride, SM4500Cl-B		mg/kg	Analyzed By: HM							
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	5360	16.0	10/19/2012	ND	416	104	400	0.00		

Sample ID: P-28' (H202547-02)

Chloride, SM4500Cl-B		mg/kg	Analyzed By: HM							
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	5500	16.0	10/19/2012	ND	416	104	400	0.00		

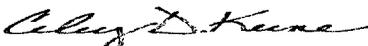
Sample ID: P-30' (H202547-03)

Chloride, SM4500Cl-B		mg/kg	Analyzed By: HM							
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	1960	16.0	10/19/2012	ND	416	104	400	0.00		

Cardinal Laboratories

* = Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager

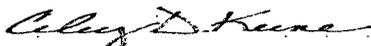
Notes and Definitions

- ND Analyte NOT DETECTED at or above the reporting limit
- RPD Relative Percent Difference
- ** Samples not received at proper temperature of 6°C or below.
- *** Insufficient time to reach temperature.
- Chloride by SM4500Cl-B does not require samples be received at or below 6°C
Samples reported on an as received basis (wet) unless otherwise noted on report

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*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager

October 22, 2012

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Yates Energy Petroleum Corp

105 S 4th Street

Artesia, NM 88210

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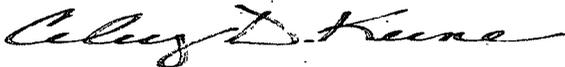
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Analytical Results For:

 Yates Energy Petroleum Corp
 LUPE CARRASCO
 105 S 4th Street
 Artesia NM, 88210
 Fax To: (505) 748-4635

Received:	10/18/2012	Sampling Date:	10/18/2012
Reported:	10/22/2012	Sampling Type:	Soil
Project Name:	CREEK AL FEDERAL #12	Sampling Condition:	Cool & Intact
Project Number:	NONE GIVEN	Sample Received By:	Celey D. Keene
Project Location:	EDDY		

Sample ID: STOCKPILE (H202548-01)

BTEX 8021B	mg/kg	Analyzed By: ms						S-04	
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	10/20/2012	ND	2.50	125	2.00	5.02	
Toluene*	<0.050	0.050	10/20/2012	ND	2.54	127	2.00	4.23	
Ethylbenzene*	0.132	0.050	10/20/2012	ND	2.57	129	2.00	5.55	
Total Xylenes*	0.283	0.150	10/20/2012	ND	7.74	129	6.00	5.13	

Surrogate: 4-Bromofluorobenzene (PIC) 179 % 89.4-126

TPH 8015M	mg/kg	Analyzed By: MS							
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10	<50.0	50.0	10/20/2012	ND	166	83.2	200	5.81	
DRO >C10-C28	1470	50.0	10/20/2012	ND	159	79.4	200	9.04	

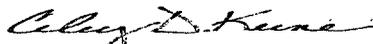
Surrogate: 1-Chlorooctane 80.9 % 65.2-140

Surrogate: 1-Chlorooctadecane 106 % 63.6-154

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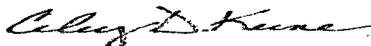
Notes and Definitions

- S-04 The surrogate recovery for this sample is outside of established control limits due to a sample matrix effect.
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- RPD Relative Percent Difference
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- *** Insufficient time to reach temperature.
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