

MARTIN YATES, III
1912-1985

FRANK W. YATES
1936-1986



105 SOUTH FOURTH STREET
ARTESIA, NEW MEXICO 88210-2118
TELEPHONE (575) 748-1471

S.P. YATES
CHAIRMAN EMERITUS
JOHN A. YATES
CHAIRMAN OF THE BOARD
FRANK YATES, JR.
PRESIDENT
PEYTON YATES
DIRECTOR
JOHN A. YATES, JR.
DIRECTOR

October 20, 2008

OCT 20 2008
OCD-ARTESIA

Mr. Mike Bratcher
NMOCD District II
1301 West Grand
Artesia, NM 88210

Re: Mitchell IN #2 SWD
2RP-224
30-015-22242
Section 23, T17S-R25E
Eddy County, New Mexico

Dear Mr. Bratcher,

Enclosed please find a Form C-141, Final Report for the above captioned site regarding the release on September 3, 2008 (3 B/O & 60 B/PW with 3 B/O & 52 B/PW recovered). Samples were taken (10/6/2007 and 10/20/2008), results are within the RRAL's for the site ranking (BTEX, <50 ppm; TPH, <5000 ppm and decreasing levels in chlorides). Site ranking is zero (0), with the depth to ground water >100' (approximately 171'). Yates Petroleum Corporation requests closure, upon OCD approval a 20 mil liner will be installed inside the battery area to contain any future releases.

If you have any questions, please call me at 505-748-4217.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

DENIED

/rca
Enclosure(s)

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-141
Revised October 10, 2003

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

OCT 20 2008
OCD-ARTESIA

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 Final Report

Name of Company Yates Petroleum Corporation	OGRID Number 25575	Contact Robert Asher
Address 104 S. 4 TH Street, Artesia, NM 88210	Telephone No. 505-748-1471	
Facility Name Mitchell IN SWD #2	API Number 30-015-22242	Facility Type Battery

Surface Owner Fee	Mineral Owner Fee	Lease No.
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LOCATION OF RELEASE

Unit Letter D	Section 23	Township 17S	Range 25E	Feet from the	North/South Line	Feet from the	East/West Line	County Eddy
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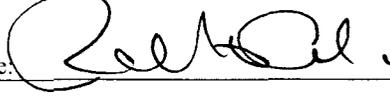
Latitude 32.82500 Longitude 104.46161

NATURE OF RELEASE

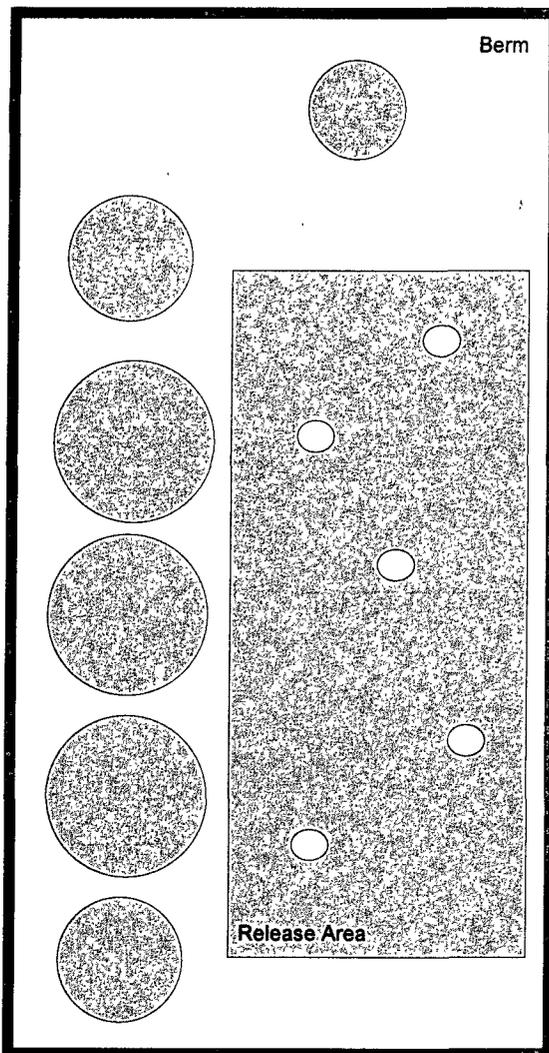
Type of Release Oil & Produced Water	Volume of Release 3 B/O & 60 B/PW	Volume Recovered 3 B/O & 52 B/PW
Source of Release PW Tank	Date and Hour of Occurrence 9/3/2008 AM	Date and Hour of Discovery 9/3/2008 AM
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? Mike Bratcher/NMOCD	
By Whom? Robert Asher/YPC Environmental Department	Date and Hour 9/3/2008 AM (Voicemail & e-mail)	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse. N/A	
If a Watercourse was Impacted, Describe Fully.* N/A		
Describe Cause of Problem and Remedial Action Taken.* Reset on main SWD pump was tripped during the night. Started back-up pump and called vacuum truck to pickup oil and produced water.		

Describe Area Affected and Cleanup Action Taken.*
An approximate area of 90' X 30'. All contained within bermed battery. Vertical and horizontal delineation will be made and analysis ran for TPH/BTEX. If initial analytical results for TPH & BTEX are over RRAL's a work plan will be submitted. If initial analytical results for TPH & BTEX are under RRAL's a Final Report, C-141 will be submitted to the OCD requesting closure. Upon OCD approval a 20 mil. liner will be installed inside the battery area. **Depth to Ground Water: >100' (approx. 171' per the New Mexico Office of the State Engineer), Wellhead Protection Area: No, Distance to Surface Water Body: >1000', SITE RANKING IS 0. Based on enclosed analytical reports, Yates Petroleum Corporation requests closure.**

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Signature: 	OIL CONSERVATION DIVISION	
Printed Name: Robert Asher	DENIED	
Title: Environmental Regulatory Agent	Approved by District Supervisor:	Expiration Date:
E-mail Address: boba@ypcnm.com	Approval Date:	Attached <input type="checkbox"/>
Date: Monday, October 20, 2008	Conditions of Approval:	Phone: 505-748-1471

* Attach Additional Sheets If Necessary



Sample ID	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TPH TOTAL	Chlorides
GS/Comp-001	10/6/2008	Grab/Auger	6"	9.325	77.1	48.8	125.9	3000
GS/Comp-002	10/6/2008	Grab/Auger	12"	1.646	51.7	269.0	320.7	4890
GS/Comp-003	10/6/2008	Grab/Auger	18"	1.498	ND	54.6	54.6	3540
GS/Comp-004	10/20/2008	Grab/Auger	24"					780
GS/Comp-005	10/20/2008	Grab/Auger	30"					496

Site Ranking is Zero (0). Depth to Ground Water >100' (approx. 171'). All results are ppm.



Mitchell IN #2 SWD
Section 23, T17S-R25E
Eddy County, NM

EXHIBIT
 Sample Diagram (Not to Scale)
 Prepared by Robert Asher
 Environmental Regulatory Agent
 October 20, 2008

Analytical Report 314072

for

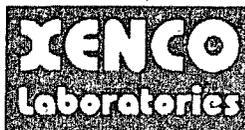
Yates Petroleum Corporation

Project Manager: Robert Asher

Mitchell In # 2 SWD

30-015-22242

10-OCT-08



E84880

12600 West I-20 East Odessa, Texas 79765

Texas certification numbers:

Houston, TX T104704215 - Odessa/Midland, TX T104704215-08-TX

Florida certification numbers:

**Houston, TX E871002 - Miami, FL E86678 - Tampa, FL E86675
Norcross(Atlanta), GA E87429**

South Carolina certification numbers:

Norcross(Atlanta), GA 98015

North Carolina certification numbers:

Norcross(Atlanta), GA 483

**Houston - Dallas - San Antonio - Austin - Tampa - Miami - Latin America
Midland - Corpus Christi - Atlanta**



10-OCT-08

Project Manager: **Robert Asher**
Yates Petroleum Corporation
105 South Fourth St.
Artesia, NM 88210

Reference: XENCO Report No: **314072**
Mitchell In # 2 SWD
Project Address: Eddy County

Robert Asher:

We are reporting to you the results of the analyses performed on the samples received under the project name referenced above and identified with the XENCO Report Number 314072. All results being reported under this Report Number apply to the samples analyzed and properly identified with a Laboratory ID number. Subcontracted analyses are identified in this report with either the NELAC certification number of the subcontract lab in the analyst ID field, or the complete subcontracted report attached to this report.

Unless otherwise noted in a Case Narrative, all data reported in this Analytical Report are in compliance with NELAC standards. Estimation of data uncertainty for this report is found in the quality control section of this report unless otherwise noted. Should insufficient sample be provided to the laboratory to meet the method and NELAC Matrix Duplicate and Matrix Spike requirements, then the data will be analyzed, evaluated and reported using all other available quality control measures.

The validity and integrity of this report will remain intact as long as it is accompanied by this letter and reproduced in full, unless written approval is granted by XENCO Laboratories. This report will be filed for at least 5 years in our archives after which time it will be destroyed without further notice, unless otherwise arranged with you. The samples received, and described as recorded in Report No. 314072 will be filed for 60 days, and after that time they will be properly disposed without further notice, unless otherwise arranged with you. We reserve the right to return to you any unused samples, extracts or solutions related to them if we consider so necessary (e.g., samples identified as hazardous waste, sample sizes exceeding analytical standard practices, controlled substances under regulated protocols, etc).

We thank you for selecting XENCO Laboratories to serve your analytical needs. If you have any questions concerning this report, please feel free to contact us at any time.

Respectfully,

Brent Barron, II

Odessa Laboratory Manager

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Sample Cross Reference 314072



Yates Petroleum Corporation, Artesia, NM
Mitchell In # 2 SWD

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
GS/Comp-001	S	Oct-06-08 10:09	6 - 6 In	314072-001
GS/Comp-002	S	Oct-06-08 10:18	12 - 12 In	314072-002
GS/Comp-003	S	Oct-06-08 10:48	18 - 18 In	314072-003



Certificate of Analysis Summary 314072

Yates Petroleum Corporation, Artesia, NM

Project Name: Mitchell In # 2 SWD



Project Id: 30-015-22242

Contact: Robert Asher

Project Location: Eddy County

Date Received in Lab: Tue Oct-07-08 10 00 am

Report Date: 10-OCT-08

Project Manager: Brent Barron, II

<i>Analysis Requested</i>	<i>Lab Id:</i>	314072-001	314072-002	314072-003			
	<i>Field Id:</i>	GS/Comp-001	GS/Comp-002	GS/Comp-003			
	<i>Depth:</i>	6-6 In	12-12 In	18-18 In			
	<i>Matrix:</i>	SOIL	SOIL	SOIL			
	<i>Sampled:</i>	Oct-06-08 10 09	Oct-06-08 10:18	Oct-06-08 10.48			
BTEX by EPA 8021B	<i>Extracted:</i>	Oct-09-08 08 00	Oct-09-08 08 00	Oct-09-08 08 00			
	<i>Analyzed:</i>	Oct-09-08 13 54	Oct-09-08 14 17	Oct-09-08 14 40			
	<i>Units/RL:</i>	mg/kg RL	mg/kg RL	mg/kg RL			
	Benzene	0 1447 0 0664	ND 0 0641	ND 0 0618			
	Toluene	3 165 0 1327	0 5502 0.1283	0 5799 0 1236			
Ethylbenzene	0 5594 0.0664	0.1013 0 0641	0 0934 0 0618				
m,p-Xylenes	3 040 0 1327	0 6554 0 1283	0 5626 0 1236				
o-Xylene	2 416 0 0664	0 3399 0 0641	0 2621 0 0618				
Total Xylenes	5 456	0 9953	0 8247				
Total BTEX	9 3251	1 6468	1 498				
Percent Moisture	<i>Extracted:</i>						
	<i>Analyzed:</i>	Oct-07-08 17 00	Oct-07-08 17 00	Oct-07-08 17 00			
	<i>Units/RL:</i>	% RL	% RL	% RL			
Percent Moisture	24 6	22 0	19 1				
TPH By SW8015B Mod	<i>Extracted:</i>	Oct-09-08 15 30	Oct-09-08 15 30	Oct-09-08 15 30			
	<i>Analyzed:</i>	Oct-09-08 16 43	Oct-09-08 17 08	Oct-09-08 17 33			
	<i>Units/RL:</i>	mg/kg RL	mg/kg RL	mg/kg RL			
	C6-C10 Gasoline Range Hydrocarbons	77 1 19 9	51 7 19 2	ND 18 5			
C10-C28 Diesel Range Hydrocarbons	48 8 19 9	269 19 2	54.6 18 5				
Total TPH	125 9	320 7	54 6				

This analytical report, and the entire data package it represents has been made for your exclusive and confidential use. The interpretations and results expressed throughout this analytical report represent the best judgment of XENCO Laboratories. XENCO Laboratories assumes no responsibility and makes no warranty to the end use of the data hereby presented. Our liability is limited to the amount invoiced for this work order unless otherwise agreed to in writing.

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Brent Barron
Odessa Laboratory Director



Flagging Criteria

- X** In our quality control review of the data a QC deficiency was observed and flagged as noted. MS/MSD recoveries were found to be outside of the laboratory control limits due to possible matrix /chemical interference, or a concentration of target analyte high enough to effect the recovery of the spike concentration. This condition could also effect the relative percent difference in the MS/MSD.
 - B** A target analyte or common laboratory contaminant was identified in the method blank. Its presence indicates possible field or laboratory contamination.
 - D** The sample(s) were diluted due to targets detected over the highest point of the calibration curve, or due to matrix interference. Dilution factors are included in the final results. The result is from a diluted sample.
 - E** The data exceeds the upper calibration limit; therefore, the concentration is reported as estimated.
 - F** RPD exceeded lab control limits.
 - J** The target analyte was positively identified below the MQL(PQL) and above the SQL(MDL).
 - U** Analyte was not detected.
 - L** The LCS data for this analytical batch was reported below the laboratory control limits for this analyte. The department supervisor and QA Director reviewed data. The samples were either reanalyzed or flagged as estimated concentrations.
 - H** The LCS data for this analytical batch was reported above the laboratory control limits. Supporting QC Data were reviewed by the Department Supervisor and QA Director. Data were determined to be valid for reporting.
 - K** Sample analyzed outside of recommended hold time.
- * Outside XENCO'S scope of NELAC Accreditation

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9701 Harry Hines Blvd , Dallas, TX 75220	(281) 589-0692	(281) 589-0695
5332 Blackberry Drive, Suite 104, San Antonio, TX 78238	(214) 902 0300	(214) 351-9139
2505 N Falkenburg Rd , Tampa, FL 33619	(210) 509-3334	(210) 509-3335
5757 NW 158th St, Miami Lakes, FL 33014	(813) 620-2000	(813) 620-2033
6017 Financial Dr , Norcross, GA 30071	(305) 823-8500	(305) 823-8555
	(770) 449-8800	(770) 449-5477

Environmental Lab of Texas
 Variance/ Corrective Action Report- Sample Log-In

Client: Yates
 Date/ Time: 10 7 08 10 00
 Lab ID #: 314072 / 314074
 Initials: AL

Sample Receipt Checklist

				Client Initials
#1	Temperature of container/ cooler?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	30 °C
#2	Shipping container in good condition?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
#3	Custody Seals intact on shipping container/ cooler?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Present
#4	Custody Seals intact on sample bottles/ container?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Present
#5	Chain of Custody present?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
#6	Sample instructions complete of Chain of Custody?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
#7	Chain of Custody signed when relinquished/ received?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
#8	Chain of Custody agrees with sample label(s)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	ID written on Cont / Lid
#9	Container label(s) legible and intact?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Applicable
#10	Sample matrix/ properties agree with Chain of Custody?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
#11	Containers supplied by ELOT?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
#12	Samples in proper container/ bottle?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	See Below
#13	Samples properly preserved?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	See Below
#14	Sample bottles intact?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
#15	Preservations documented on Chain of Custody?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
#16	Containers documented on Chain of Custody?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
#17	Sufficient sample amount for indicated test(s)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	See Below
#18	All samples received within sufficient hold time?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	See Below
#19	Subcontract of sample(s)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Applicable
#20	VOC samples have zero headspace?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Applicable

Variance Documentation

Contact _____ Contacted by _____ Date/ Time _____

Regarding _____

Corrective Action Taken.

- Check all that Apply
- See attached e-mail/ fax
 - Client understands and would like to proceed with analysis
 - Cooling process had begun shortly after sampling event

Analytical Report 314074

for

Yates Petroleum Corporation

Project Manager: Robert Asher

Mitchell In # 2 SWD

30-015-22242

08-OCT-08



12600 West I-20 East Odessa, Texas 79765

Texas certification numbers:

Houston, TX T104704215 - Odessa/Midland, TX T104704215-08-TX

Florida certification numbers:

Houston, TX E871002 - Miami, FL E86678 - Tampa, FL E86675
Norcross(Atlanta), GA E87429

South Carolina certification numbers:

Norcross(Atlanta), GA 98015

North Carolina certification numbers:

Norcross(Atlanta), GA 483

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Midland - Corpus Christi - Atlanta



08-OCT-08

Project Manager: **Robert Asher**
Yates Petroleum Corporation
105 South Fourth St.
Artesia, NM 88210

Reference: XENCO Report No: **314074**
Mitchell In # 2 SWD
Project Address: Eddy County

Robert Asher:

We are reporting to you the results of the analyses performed on the samples received under the project name referenced above and identified with the XENCO Report Number 314074. All results being reported under this Report Number apply to the samples analyzed and properly identified with a Laboratory ID number. Subcontracted analyses are identified in this report with either the NELAC certification number of the subcontract lab in the analyst ID field, or the complete subcontracted report attached to this report.

Unless otherwise noted in a Case Narrative, all data reported in this Analytical Report are in compliance with NELAC standards. Estimation of data uncertainty for this report is found in the quality control section of this report unless otherwise noted. Should insufficient sample be provided to the laboratory to meet the method and NELAC Matrix Duplicate and Matrix Spike requirements, then the data will be analyzed, evaluated and reported using all other available quality control measures.

The validity and integrity of this report will remain intact as long as it is accompanied by this letter and reproduced in full, unless written approval is granted by XENCO Laboratories. This report will be filed for at least 5 years in our archives after which time it will be destroyed without further notice, unless otherwise arranged with you. The samples received, and described as recorded in Report No. 314074 will be filed for 60 days, and after that time they will be properly disposed without further notice, unless otherwise arranged with you. We reserve the right to return to you any unused samples, extracts or solutions related to them if we consider so necessary (e.g., samples identified as hazardous waste, sample sizes exceeding analytical standard practices, controlled substances under regulated protocols, etc).

We thank you for selecting XENCO Laboratories to serve your analytical needs. If you have any questions concerning this report, please feel free to contact us at any time.

Respectfully,

Brent Barron, II

Odessa Laboratory Manager

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Sample Cross Reference 314074



Yates Petroleum Corporation, Artesia, NM
Mitchell In # 2 SWD

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
GS/Comp-001	S	Oct-06-08 10:09	6 - 6 In	314074-001
GS/Comp-002	S	Oct-06-08 10:18	12 - 12 In	314074-002
GS/Comp-003	S	Oct-06-08 10:48	18 - 18 In	314074-003



Certificate of Analysis Summary 314074

Yates Petroleum Corporation, Artesia, NM

Project Name: Mitchell In # 2 SWD



Project Id: 30-015-22242

Contact: Robert Asher

Project Location: Eddy County

Date Received in Lab: Tue Oct-07-08 10 00 am

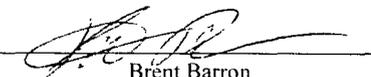
Report Date: 08-OCT-08

Project Manager: Brent Barron, II

Analysis Requested	Lab Id:	314074-001	314074-002	314074-003			
	Field Id:	GS/Comp-001	GS/Comp-002	GS/Comp-003			
	Depth:	6-6 In	12-12 In	18-18 In			
	Matrix:	SOIL	SOIL	SOIL			
	Sampled:	Oct-06-08 10 09	Oct-06-08 10 18	Oct-06-08 10 48			
Anions by EPA 300/300.1	Extracted:						
	Analyzed:	Oct-07-08 12 40	Oct-07-08 12 40	Oct-07-08 12 40			
	Units/RL:	mg/kg RL	mg/kg RL	mg/kg RL			
Chloride		3000 100	4890 100	3540 100			

This analytical report and the entire data package it represents has been made for your exclusive and confidential use. The interpretations and results expressed throughout this analytical report represent the best judgment of VENCO Laboratories. VENCO Laboratories assumes no responsibility and makes no warranty to the end use of the data hereby presented. Our liability is limited to the amount invoiced for this work order unless otherwise agreed to in writing.

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Brent Barron
Odessa Laboratory Director



Flagging Criteria

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- B** A target analyte or common laboratory contaminant was identified in the method blank. Its presence indicates possible field or laboratory contamination.
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- K** Sample analyzed outside of recommended hold time.

* Outside XENCO'S scope of NELAC Accreditation

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 5757 NW 158th St, Miami Lakes, FL 33014
 6017 Financial Dr . Norcross, GA 30071

Phone	Fax
(281) 589-0692	(281) 589-0695
(214) 902 0300	(214) 351-9139
(210) 509-3334	(210) 509-3335
(813) 620-2000	(813) 620-2033
(305) 823-8500	(305) 823-8555
(770) 449-8800	(770) 449-5477

Environmental Lab of Texas
Variance/ Corrective Action Report- Sample Log-In

Client Yates
 Date/ Time 10 7 08 10 00
 Lab ID # 314072 / 314074
 Initials AL

Sample Receipt Checklist

	Yes	No	Client Initials
#1 Temperature of container/ cooler?	<input checked="" type="checkbox"/>		30 °C
#2 Shipping container in good condition?	<input checked="" type="checkbox"/>		
#3 Custody Seals intact on shipping container/ cooler?	<input checked="" type="checkbox"/>		Not Present
#4 Custody Seals intact on sample bottles/ container?	<input checked="" type="checkbox"/>		Not Present
#5 Chain of Custody present?	<input checked="" type="checkbox"/>		
#6 Sample instructions complete of Chain of Custody?	<input checked="" type="checkbox"/>		
#7 Chain of Custody signed when relinquished/ received?	<input checked="" type="checkbox"/>		
#8 Chain of Custody agrees with sample label(s)?	<input checked="" type="checkbox"/>		ID written on Cont / Lid
#9 Container label(s) legible and intact?	<input checked="" type="checkbox"/>		Not Applicable
#10 Sample matrix/ properties agree with Chain of Custody?	<input checked="" type="checkbox"/>		
#11 Containers supplied by ELOT?	<input checked="" type="checkbox"/>		
#12 Samples in proper container/ bottle?	<input checked="" type="checkbox"/>		See Below
#13 Samples properly preserved?	<input checked="" type="checkbox"/>		See Below
#14 Sample bottles intact?	<input checked="" type="checkbox"/>		
#15 Preservations documented on Chain of Custody?	<input checked="" type="checkbox"/>		
#16 Containers documented on Chain of Custody?	<input checked="" type="checkbox"/>		
#17 Sufficient sample amount for indicated test(s)?	<input checked="" type="checkbox"/>		See Below
#18 All samples received within sufficient hold time?	<input checked="" type="checkbox"/>		See Below
#19 Subcontract of sample(s)?	<input checked="" type="checkbox"/>		Not Applicable
#20 VOC samples have zero headspace?	<input checked="" type="checkbox"/>		Not Applicable

Variance Documentation

Contact _____ Contacted by _____ Date/ Time _____

Regarding _____

Corrective Action Taken _____

- Check all that Apply
- See attached e-mail/ fax
 - Client understands and would like to proceed with analysis
 - Cooling process had begun shortly after sampling event

MARTIN YATES, III
1912-1985

FRANK W. YATES
1936-1986



105 SOUTH FOURTH STREET
ARTESIA, NEW MEXICO 88210-2118
TELEPHONE (575) 748-1471

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CHAIRMAN EMERITUS
JOHN A. YATES
CHAIRMAN OF THE BOARD
FRANK YATES, JR.
PRESIDENT
PEYTON YATES
DIRECTOR
JOHN A. YATES, JR.
DIRECTOR

October 20, 2008

I certify that on 10/20/2008, tests were conducted on soil samples from the following location:

Mitchell IN SWD #2

Following are the results of testing.

EPA Method 9253 GS/Comp-004 – 780 ppm

EPA Method 9253 GS/Comp-005 – 496 ppm

All testing was conducted at Yates Petroleum Corporation.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent