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

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

RECEIVED
MAY 01 2009
HOBBSOCD

Form C-141
Revised June 10, 2003

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 Dynegy Midstream Services, L.P.	Contact Dave Harris
Address PO Box 1909 Eunice, NM 88231	Telephone No. (505) 631-7069
Facility Name Eunice Plant Gathering System	Facility Type Gas Plant Low Pressure Gathering Lines

Surface Owner George W. Sims	Mineral Owner	Lease No.

LA Project # 0-0100-56

LOCATION OF RELEASE

NEARBY WELL API # 30-025-24667-00-00

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
N	35	22S	37E					Lea

NATURE OF RELEASE

PREVIOUS (HISTORIC) SPILL

Type of Release Natural Gas Condensate	Volume of Release ? unknown	Volume Recovered None
Source of Release Pipeline Leak	Date and Hour of Occurrence	Date and Hour of Discovery
Was Immediate Notice Given? ☐ Yes ☒ No ☐ Not Required	If YES, To Whom?	
By Whom?	Date and Hour	
Was a Watercourse Reached? ☐ Yes ☒ No	If YES, Volume Impacting the Watercourse.	

If a Watercourse was Impacted, Describe Fully.*

Describe Cause of Problem and Remedial Action Taken.*

Pipeline leak due to interior and exterior corrosion. Will excavate impacted soil.

Describe Area Affected and Cleanup Action Taken.*

Some staining along pipeline right of way. Will clean up per NMOCD guidelines and submit documentation to district office.

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: Cal Wrangham	Approved by District Supervisor: ENVIRONMENTAL ENGINEER
Title: ES+H Advisor	Approval Date: 4-20-09 Expiration Date:
E-mail Address: cwwr@dynegy.com	Conditions of Approval: Attached ☐ IRP# 09-42161
Date: 8/21/03 Phone: (432)688-0542	

* Attach Additional Sheets If Necessary

FGRL0912053496

Larson & Associates, Inc.
Environmental Consultants

RECEIVED
MAY 01 2009
HOBBSOCD

January 15, 2004

Mr. Paul Sheeley
New Mexico Oil Conservation Division – District I
1625 North French Drive
Hobbs, New Mexico 88240

Re: Pipeline Spill Investigation Report, Dynegy Midstream Services. L.P., Unit Letter N (SE/4, SW/4), Section 35, Township 22 South, Range 37 East, Lea County, New Mexico

Dear Mr. Sheeley:

Dynegy Midstream Services, L.P. (Dynegy) has retained Larson and Associates Inc. (LA) to investigate potential impacts to soil from a historic natural gas liquids spill that occurred from a pipeline leak in the southeast quarter (SE/4) of the southwest quarter (SW/4), Section 35, Township 22 South, Range 37 East, Lea County, New Mexico (Site #56). The spill did not involve a reportable quantity of gas or liquid. A Release Notification and Corrective Action form (C-141) was filed only at the request of the New Mexico Oil Conservation Division (NMOCD). The leak was repaired. Figure 1 presents a site location and topographic map. Appendix A presents a copy of the form C-141.

Current Investigation

From August 19 to August 21, 2003, excavation was conducted at Site #56 to remove all impacted soil within the vicinity of the pipeline leak. On August 21, 2003, LA personnel collected soil samples along the bottom of the excavation, at depths ranging from seven and a half (7.5) to nine (9) feet below ground surface (bgs). The soil samples were placed in clean glass sample jars, labeled, chilled in an ice chest, and delivered under chain-of-custody control to Environmental Lab of Texas I, Ltd., (ELOT) located in Odessa, Texas. Soil samples were analyzed for total petroleum hydrocarbons (TPH) by EPA method SW-846-8015, and for chloride by EPA method SW-846-9253.

A duplicate of each sample was also collected for headspace analysis. The headspace jars were filled approximately ¾ full, and covered with a layer of aluminum foil before the cap was replaced. The headspace samples were set aside and allowed to warm up to ambient temperature before a RAE Instruments, Model 2000 photoionization detector (PID) was used to measure the concentration of organic vapors in the sample headspace. After calibrating the instrument to 100.7 ppm, the PID probe was inserted into the headspace of the sample jars (through the aluminum foil), and the concentration of organic vapors was displayed by the instrument in parts per million (ppm). Table 1 presents a summary of the laboratory analyses of soil samples and PID readings. Figure 2 shows the sample locations. Appendix B provides the laboratory data and chain of custody documentation. Appendix C provides photographs.

Based on published literature (1961) and well records of the New Mexico State Engineer, groundwater occurs at approximately 65 feet bgs. No domestic wells were observed within ½ mile of the site. The NMOCD has established soil remediation action levels (RRALs) for benzene, total BTEX and TPH resulting from spills of natural gas liquids ("Guidelines for Remediation of Leaks, Spills and Releases, August 13, 1993").

The following RRAL's have been assigned based on NMOCD criteria:

Benzene	**10 mg/kg**
Total BTEX	**50 mg/kg**
TPH	**1000 mg/kg**

Referring to Table 1, TPH concentrations from all soil samples collected from the bottom of the excavation were below the RRAL, except sample SS-4 (6,600 mg/kg). The chloride concentrations from all soil samples collected from the bottom of the excavation were below the test method detection limit, except for sample SS-3 (177 mg/kg). The NMOCD does not have a published RRAL for chloride.

The sample SS-4 was also analyzed for benzene, toluene, ethylbenzene, and xylene (collectively reffered to as BTEX) since the PID reading was above 100 ppm. The NMOCD does not require BTEX analysis if a PID is below 100 ppm. Referring to Table 1, benzene and BTEX concentrations were below the RRAL.

Excavation continued at Site #56 until soil samples were collected from the bottom and sides of the excavation on August 26, 2003. Soil from the excavation was placed adjacent to the hole, and blended to reduce the TPH level below the RRAL. Grab samples were obtained from the blended soil, and are presented as "Fill-1" and "Fill-2" in Table 1. All soil samples were placed in clean glass sample jars, labeled, chilled in an ice chest, and delivered under chain-of-custody control to ELOT. A duplicate of each sample was also placed in a clean glass sample jar for headspace analysis, as previously described. The samples were analyzed for TPH by EPA method SW-846-8015, and for chloride by EPA method SW-846-9253. No samples were tested for BTEX since the PID readings were below 100 ppm. Table 1 provides a summary of the soil sample analyses and PID readings. Figure 2 shows the sample locations. Appendix B provides laboratory results. Appendix C provides photographs.

Referring to Table 1, TPH concentrations from the Site #56 excavation were below the RRAL, with the exception of the samples of stockpiled soil (Fill-1 [338.5 mg/kg] and Fill-2 [328.2 mg/kg]). Chloride concentrations in all soil samples were below the test method detection limit.

As soil samples obtained from the excavated soil showed TPH concentrations above the RRAL, excavated soil was hauled from the site to an NMOCD approved landfarm, and the excavation was backfilled with clean soil.

As TPH, benzene, Total BTEX and chloride concentrations from all final samples at Site #56 were below the RRAL, Dynegy requests that Site #56 be closed. Please call Mr. Dave Harris with Dynegy (505) 394-2534 or myself at (915) 687-0901 if you have any questions.

Sincerely,
Larson & Associates, Inc.

Cindy K. Crain

Cindy K. Crain, PG

Encl.

cc: Mr. Dave Harris - Dynegy
Mr. Cal Wrangham – Dynegy
Mr. Roger Holland- Dynegy

TABLES

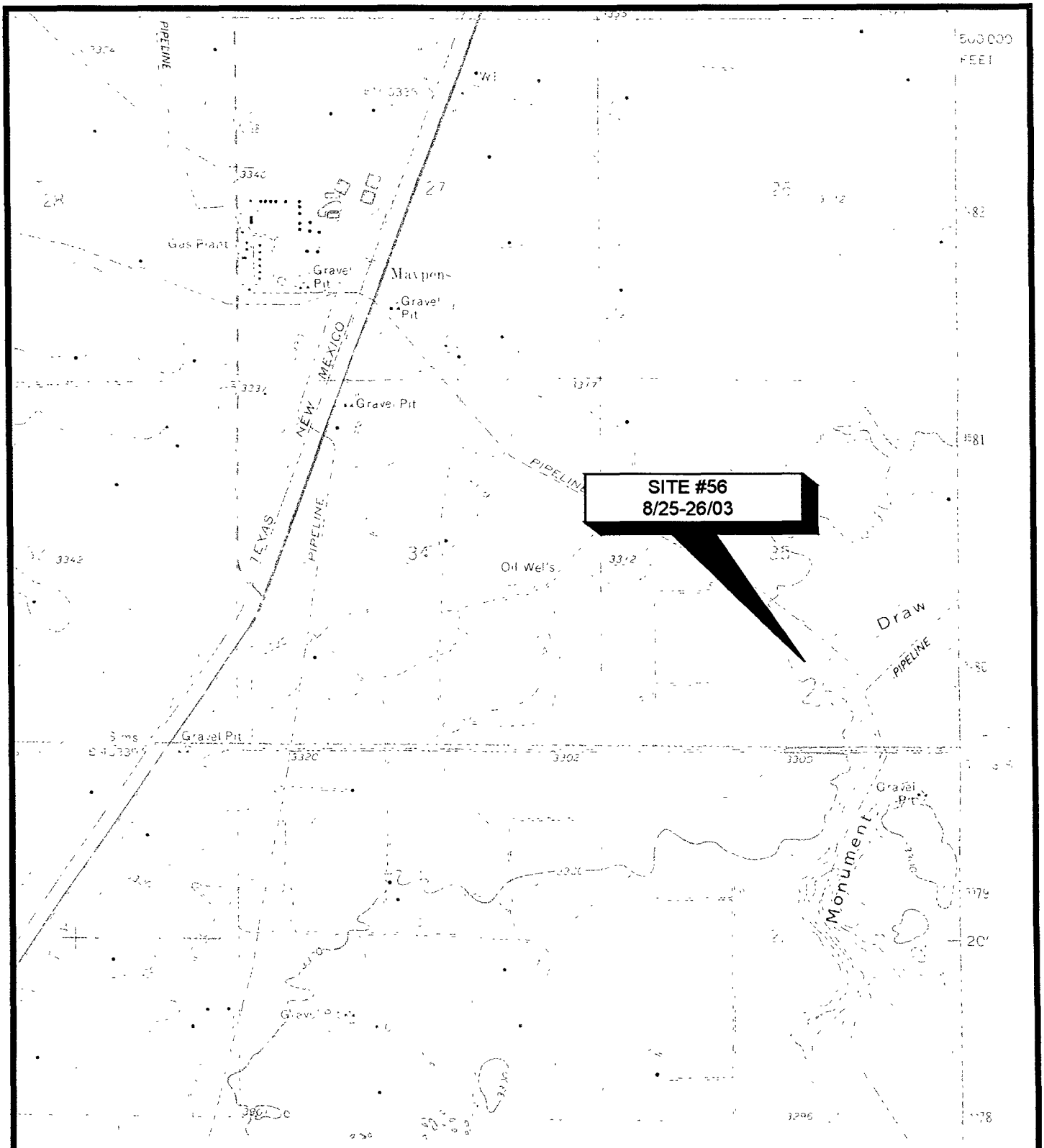
Table 1: Summary of Headspace and Laboratory Analyses of Soil Samples
Dynegy Midstream Services, L.P., Spill Site #56
SE/4, SW/4, Section 35, Township 22 South, Range 37 East
Lea County, New Mexico

Sample Date	Soil Number	Sample Location	Sample Depth (Feet BGS)	GRO C6-C12 (mg/kg)	DRO >C12-C35 (mg/kg)	TPH C6-C35 (mg/kg)	Chloride (mg/kg)	Benzene (mg/kg)	Total BTEX (mg/kg)	PID (ppm)
RRAL						**1000**		**10**	**50**	
8/21/2003	SS-1	N Bottom	8	<10.0	358	358	<20.0	--	--	13.0
	SS-2	N Bottom	8	<10.0	214	214	<20.0	--	--	6.3
	SS-3	Mid Bottom	8.5	<10.0	51.5	51.5	177	--	--	90.8
	SS-4	S Bottom	9 REMOVED	1550	5050	6600	<20.0	0.647	34.257	134.0
	SS-5	S Bottom	7.5	<10.0	<10.0	<20.0	<20.0	--	--	18.0
8/26/2003	SS-6(SS-4)	S Bottom	13	<10.0	51.3	51.3	<20.0	--	--	24.0
	SS-7	Mid Wall	8	<10.0	<10.0	<20.0	<20.0	--	--	2.0
	SS-8	S Bottom	12	<10.0	33.6	33.6	<20.0	--	--	11.2
	SS-9	S Bottom	8	<10.0	36.3	36.3	<20.0	--	--	15.9
	SS-11	Mid Wall	9	<10.0	<10.0	<20.0	<20.0	--	--	1.7
	SS-12	S Wall	9	<10.0	79.5	79.5	<20.0	--	--	3.3
	Fill-1	backfill	backfill	12.5	326	338.5	<20.0	--	--	1.8
	Fill-2	backfill	backfill	13.2	315	328.2	<20.0	--	--	24.5

Notes: Analysis performed by Environmental Lab of Texas, Inc., Odessa, Texas

1. BGS: Sample depth in feet below ground surface
2. TPH: Total petroleum hydrocarbons (Sum of DRO + GRO)
3. mg/kg: Milligrams per kilogram
4. <: Below method detection limit
5. PID: Photoionization detector
6. ppm: Parts per million

FIGURES



TAKEN FROM U S G.S
RATTLESNAKE CANYON N MEX. 1979
7 5' QUADRANGLES

N

SCALE: 1"=4000'

FIGURE #1

LEA COUNTY, NEW MEXICO

DYNEGY MIDSTREAM SERVICES, L.P.

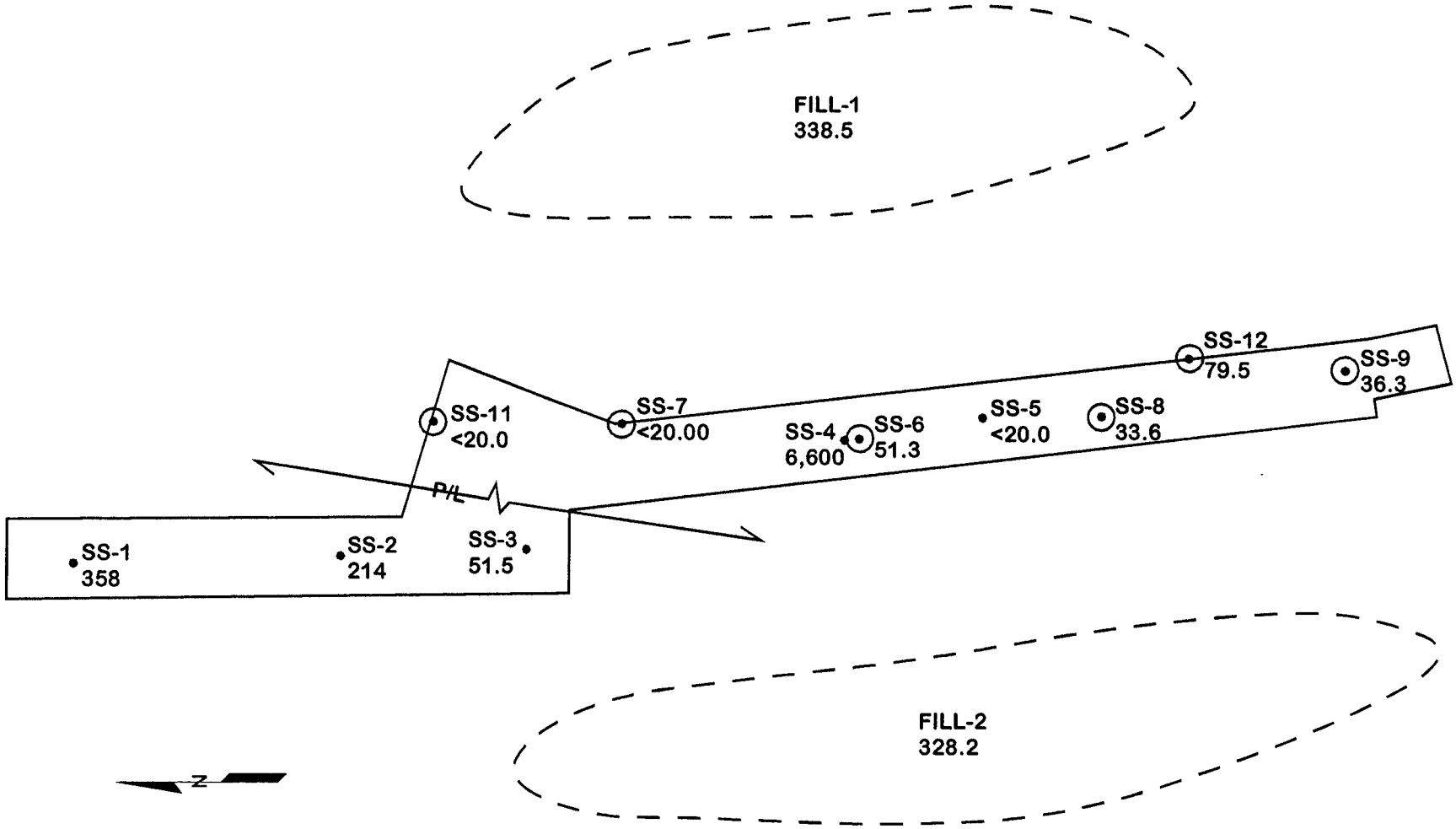
SITE #56

SE/4, SW/4, SECTION 35, T-22-S, R-37-E

TOPOGRAPHIC MAP

DATE 10/24/03
NAME
FILE 0-0100-56

Larson & Associates, Inc
Environmental Consultants



LEGEND

SS-1 358 — SOIL SAMPLE LOCATION with TPH CONCENTRATION (Mg/Kg), 8/21/03

SS-6 51.3 — SOIL SAMPLE LOCATION with TPH CONCENTRATION (Mg/Kg), 8/26/03

0 5

SCALE in FEET

FIGURE #2

LEA COUNTY, NEW MEXICO

DYNEGY MIDSTREAM SERVICES, L.P.

SITE #56

SE 1/4, SW 1/4, SECTION 35, T-22-S, R-37-E

SITE DETAIL

DATE: 8/25/03

NAME:

FILE: 0-0100-57

Larson & Associates, Inc.
Environmental Consultants

APPENDIX A

Release Notification and Corrective Action Form (C-141)

APPENDIX B

Laboratory Reports

ANALYTICAL REPORT

Prepared for:

JOHN STEWART
LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Project:	Dynegy #56
PO#:	
Order#:	G0307280
Report Date:	08/25/2003

Certificates
US EPA Laboratory Code TX00158

ENVIRONMENTAL LAB OF TEXAS

SAMPLE WORK LIST

LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710
915-687-0456

Order#: G0307280
Project: 0-0100-56
Project Name: Dynegy #56
Location: None Given

The samples listed below were submitted to Environmental Lab of Texas and were received under chain of custody. Environmental Lab of Texas makes no representation or certification as to the method of sample collection, sample identification, or transportation/handling procedures used prior to the receipt of samples by Environmental Lab of Texas, unless otherwise noted.

Lab ID:	Sample :	Matrix:	Date / Time Collected	Date / Time Received	Container	Preservative
0307280-01	SS-1	SOIL	8/21/03 15:45	8/21/03 17:01	4 oz glass	ice
	Lab Testing: 8015M, Chloride	**Rejected:** No		**Temp:** 4.0 C		
0307280-02	SS-2	SOIL	8/21/03 15:47	8/21/03 17:01	4 oz glass	ice
	Lab Testing: 8015M, Chloride	**Rejected:** No		**Temp:** 4.0 C		
0307280-03	SS-3	SOIL	8/21/03 15:49	8/21/03 17:01	4 oz glass	ice
	Lab Testing: 8015M, Chloride	**Rejected:** No		**Temp:** 4.0 C		
0307280-04	SS-4	SOIL	8/21/03 15:51	8/21/03 17:01	4 oz glass	ice
	Lab Testing: 8015M, 8021B/5030 BTEX, Chloride	**Rejected:** No		**Temp:** 4.0 C		
0307280-05	SS-5	SOIL	8/21/03 15:53	8/21/03 17:01	4 oz glass	ice
	Lab Testing: 8015M, Chloride	**Rejected:** No		**Temp:** 4.0 C		

ENVIRONMENTAL LAB OF TEXAS

ANALYTICAL REPORT

JOHN STEWART
LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Order#: G0307280
Project: 0-0100-56
Project Name: Dynegy #56
Location: None Given

Lab ID: 0307280-01
Sample ID: SS-1

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/22/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	**<10.0**	10.0
DRO, >C12-C35	**358**	10.0
TOTAL, C6-C35	**358**	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	**101%**	**70**	**130**
1-Chlorooctadecane	**122%**	**70**	**130**

Lab ID: 0307280-02
Sample ID: SS-2

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/22/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	**<10.0**	10.0
DRO, >C12-C35	**214**	10.0
TOTAL, C6-C35	**214**	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	**97%**	**70**	**130**
1-Chlorooctadecane	**120%**	**70**	**130**

DL = Diluted out N/A = Not Applicable RL = Reporting Limit

ENVIRONMENTAL LAB OF TEXAS

ANALYTICAL REPORT

JOHN STEWART
LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Order#: G0307280
Project: 0-0100-56
Project Name: Dynegy #56
Location: None Given

Lab ID: 0307280-03
Sample ID: SS-3

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/22/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	**<10.0**	10.0
DRO, >C12-C35	**51.5**	10.0
TOTAL, C6-C35	**51.5**	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	**91%**	**70**	**130**
1-Chlorooctadecane	**112%**	**70**	**130**

Lab ID: 0307280-04
Sample ID: SS-4

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/22/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	**1,550**	10.0
DRO, >C12-C35	**5,050**	10.0
TOTAL, C6-C35	**6,600**	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	**152%**	**70**	**130**
1-Chlorooctadecane	**128%**	**70**	**130**

DL = Diluted out N/A = Not Applicable RL = Reporting Limit

ENVIRONMENTAL LAB OF TEXAS

ANALYTICAL REPORT

JOHN STEWART
LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Order#: G0307280
Project: 0-0100-56
Project Name: Dynegy #56
Location: None Given

Lab ID: 0307280-04
Sample ID: SS-4

8021B/5030 BTEX

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
0006589-02		8/22/03 14:13	1	25	CK	8021B

Parameter	Result mg/kg	RL
Benzene	**0.647**	0.025
Toluene	**1.36**	0.025
Ethylbenzene	**8.57**	0.025
p/m-Xylene	**15.7**	0.025
o-Xylene	**7.98**	0.025

Surrogates	% Recovered	QC Limits (%)	
aaa-Toluene	**554%**	**80**	**120**
Bromofluorobenzene	**93%**	**80**	**120**

Lab ID: 0307280-05
Sample ID: SS-5

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/22/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	**<10.0**	10.0
DRO, >C12-C35	**<10.0**	10.0
TOTAL, C6-C35	**<10.0**	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	**104%**	**70**	**130**
1-Chlorooctadecane	**128%**	**70**	**130**

Approval: Celey D. Keene 08/25/03
Raland K. Tuttle, Lab Director, QA Officer — Date
Celey D. Keene, Org. Tech. Director
Jeanne McMurrey, Inorg. Tech. Director
Sandra Biezugbe, Lab Tech.
Sara Molina, Lab Tech.

DL = Diluted out N/A = Not Applicable RL = Reporting Limit

ENVIRONMENTAL LAB OF TEXAS

ANALYTICAL REPORT

JOHN STEWART
LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Order#: G0307280
Project: 0-0100-56
Project Name: Dynegy #56
Location: None Given

Lab ID: 0307280-01
Sample ID: SS-1

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	< 20.0	mg/kg	1	20.0	9253	8/25/03	SB

Lab ID: 0307280-02
Sample ID: SS-2

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	< 20.0	mg/kg	1	20.0	9253	8/25/03	SB

Lab ID: 0307280-03
Sample ID: SS-3

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	177	mg/kg	1	20.0	9253	8/25/03	SB

Lab ID: 0307280-04
Sample ID: SS-4

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	< 20.0	mg/kg	1	20.0	9253	8/25/03	SB

Lab ID: 0307280-05
Sample ID: SS-5

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	< 20.0	mg/kg	1	20.0	9253	8/25/03	SB

Approval: Celey D. Keene 08/25/03
Raland K. Tuttle, Lab Director, QA Officer — Date
Celey D. Keene, Org. Tech. Director
Jeanne McMurrey, Inorg. Tech. Director
Sandra Biezugbe, Lab Tech.
Sara Molina, Lab Tech.

RL = Reporting Limit N/A = Not Applicable

ENVIRONMENTAL LAB OF TEXAS

QUALITY CONTROL REPORT

8015M

Order#: G0307280

BLANK SOIL	LAB-ID #	Sample Concentr.	Spike Concentr.	QC Test Result	Pct (%) Recovery	RPD
TOTAL, C6-C35-mg/kg	0006603-02			<10.0		
MS SOIL	LAB-ID #	Sample Concentr.	Spike Concentr.	QC Test Result	Pct (%) Recovery	RPD
TOTAL, C6-C35-mg/kg	0307281-01	0	952	942	98.9%	
MSD SOIL	LAB-ID #	Sample Concentr.	Spike Concentr.	QC Test Result	Pct (%) Recovery	RPD
TOTAL, C6-C35-mg/kg	0307281-01	0	952	969	101.8%	2.8%
SRM SOIL	LAB-ID #	Sample Concentr.	Spike Concentr.	QC Test Result	Pct (%) Recovery	RPD
TOTAL, C6-C35-mg/kg	0006603-05		1000	914	91.4%	

ENVIRONMENTAL LAB OF TEXAS

QUALITY CONTROL REPORT

8021B/5030 BTEX

Order#: G0307280

BLANK SOIL	LAB-ID #	Sample Concentr.	Spike Concentr.	QC Test Result	Pct (%) Recovery	RPD
Benzene-mg/kg	0006589-02			<0.025		
Toluene-mg/kg	0006589-02			<0.025		
Ethylbenzene-mg/kg	0006589-02			<0.025		
p/m-Xylene-mg/kg	0006589-02			<0.025		
o-Xylene-mg/kg	0006589-02			<0.025		
CONTROL SOIL	**LAB-ID #**	**Sample Concentr.**	**Spike Concentr.**	**QC Test Result**	**Pct (%) Recovery**	**RPD**
Benzene-mg/kg	0006589-03		0.1	0.087	87.%	
Toluene-mg/kg	0006589-03		0.1	0.091	91.%	
Ethylbenzene-mg/kg	0006589-03		0.1	0.095	95.%	
p/m-Xylene-mg/kg	0006589-03		0.2	0.193	96.5%	
o-Xylene-mg/kg	0006589-03		0.1	0.092	92.%	
CONTROL DUP SOIL	**LAB-ID #**	**Sample Concentr.**	**Spike Concentr.**	**QC Test Result**	**Pct (%) Recovery**	**RPD**
Benzene-mg/kg	0006589-04		0.1	0.087	87.%	0.%
Toluene-mg/kg	0006589-04		0.1	0.088	88.%	3.4%
Ethylbenzene-mg/kg	0006589-04		0 1	0.092	92.%	3.2%
p/m-Xylene-mg/kg	0006589-04		0.2	0.186	93.%	3.7%
o-Xylene-mg/kg	0006589-04		0.1	0.092	92.%	0.%
SRM SOIL	**LAB-ID #**	**Sample Concentr.**	**Spike Concentr.**	**QC Test Result**	**Pct (%) Recovery**	**RPD**
Benzene-mg/kg	0006589-05		0.1	0.092	92.%	
Toluene-mg/kg	0006589-05		0.1	0.090	90.%	
Ethylbenzene-mg/kg	0006589-05		0.1	0.089	89.%	
p/m-Xylene-mg/kg	0006589-05		0 2	0.179	89.5%	
o-Xylene-mg/kg	0006589-05		0.1	0.090	90.%	

ENVIRONMENTAL LAB OF TEXAS

QUALITY CONTROL REPORT

Test Parameters

Order#: G0307280

BLANK SOIL	LAB-ID #	Sample Concentr.	Spike Concentr.	QC Test Result	Pct (%) Recovery	RPD
Chloride-mg/kg	0006608-01			< 20		
MS SOIL	**LAB-ID #**	**Sample Concentr.**	**Spike Concentr.**	**QC Test Result**	**Pct (%) Recovery**	**RPD**
Chloride-mg/kg	0307280-01	0	500	478	95.6%	
MSD SOIL	**LAB-ID #**	**Sample Concentr.**	**Spike Concentr.**	**QC Test Result**	**Pct (%) Recovery**	**RPD**
Chloride-mg/kg	0307280-01	0	500	496	99.2%	3.7%
SRM SOIL	**LAB-ID #**	**Sample Concentr.**	**Spike Concentr.**	**QC Test Result**	**Pct (%) Recovery**	**RPD**
Chloride-mg/kg	0006608-04		5000	4960	99.2%	

CASE NARRATIVE

ENVIRONMENTAL LAB OF TEXAS

Prepared for:

LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Order#: G0307280

Project: Dynegy #56

The following samples were received as indicated below and on the attached Chain of Custody record. All analyses were performed within the holding time and with acceptable quality control results unless otherwise noted.

SAMPLE ID	LAB ID	MATRIX	Date Collected	Date Received
SS-1	0307280-01	SOIL	08/21/2003	08/21/2003
SS-2	0307280-02	SOIL	08/21/2003	08/21/2003
SS-3	0307280-03	SOIL	08/21/2003	08/21/2003
SS-4	0307280-04	SOIL	08/21/2003	08/21/2003
SS-5	0307280-05	SOIL	08/21/2003	08/21/2003

Surrogate recoveries on the 8021B BTEX and the 8015M TPH are outside control limits due to matrix interference. (0307280-04)

The enclosed results of analyses are representative of the samples as received by the laboratory. Environmental Lab of Texas makes no representations or certifications as to the methods of sample collection, sample identification, or transportation handling procedures used prior to our receipt of samples. To the best of my knowledge, the information contained in this report is accurate and complete.

Approved By: _____ Date: 08/25/03

Environmental Lab of Texas I, Ltd.

CHAIN—OF—CUSTODY RECORD

Larson & Associates, Inc.
Environmental Consultants
Fax: 915-687-0456
915-687-0901
507 N. Marienfeld, Ste. 202 • Midland, TX 79701

CLIENT NAME: RJPG-1

SITE MANAGER: John Stewart

PROJECT NO: 0-0600-56 ~~Site #56~~

PROJECT NAME: # 56

PAGE OF

LAB. PO #

	DATE	TIME	WATER	SOIL	OTHER	SAMPLE IDENTIFICATION	NUMBER OF CONTAINERS	PARAMETERS/METHOD NUMBER: TPH 8015-M	BTEX	Chlorides	LAB ID NUMBER (LAB USE ONLY)	REMARKS (I E , FILTERED, UNFILTERED, PRESERVED, UNPRESERVED, GRAB COMPOSITE)
01	8/21	3:45		✓		SS-1	1	✓		✓	0307280	
02	"	347		✓		SS-2	1	✓		✓	3H22009	
03	"	349		✓		SS-3	1	✓		✓		
04	"	351		✓		SS-4	1	✓		✓		
05	"	353		✓		SS-5	1	✓		✓		

SAMPLED BY: (Signature) John Stewart DATE: 8/21 TIME: 5:01

RELINQUISHED BY. (Signature) DATE: TIME:

RECEIVED BY: (Signature) DATE: TIME

RELINQUISHED BY. (Signature) John Stewart DATE: 8/21 TIME: 5:01

RECEIVED BY. (Signature) DATE: TIME:

SAMPLE SHIPPED BY (Circle)

FEDEX BUS AIRBILL #:

HAND DELIVERED UPS OTHER

COMMENTS:

TURNAROUND TIME NEEDED

WHITE – RECEIVING LAB
YELLOW – RECEIVING LAB (TO BE RETURNED TO LA AFTER RECEIPT)
PINK – PROJECT MANAGER
GOLD – QA/QC COORDINATOR

RECEIVING LABORATORY:

ADDRESS:

CITY: STATE. ZIP:

CONTACT: PHONE

RECEIVED BY: (Signature) Lynn Anderson

DATE: 8-21-03 TIME: 1701

SAMPLE CONDITION WHEN RECEIVED

LA CONTACT PERSON

SAMPLE TYPE: 4oz glass 4.0 °C

ANALYTICAL REPORT

Prepared for:

JOHN STEWART
LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Project:	Dynegy #56
PO#:	
Order#:	G0307325
Report Date:	08/28/2003

Certificates
US EPA Laboratory Code TX00158

ENVIRONMENTAL LAB OF TEXAS

SAMPLE WORK LIST

LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710
915-687-0456

Order#: G0307325
Project: 0-0100-56
Project Name: Dynegy #56
Location: None Given

The samples listed below were submitted to Environmental Lab of Texas and were received under chain of custody. Environmental Lab of Texas makes no representation or certification as to the method of sample collection, sample identification, or transportation/handling procedures used prior to the receipt of samples by Environmental Lab of Texas, unless otherwise noted.

Lab ID:	Sample :	Matrix:	Date / Time Collected	Date / Time Received	Container	Preservative
0307325-01	SS-6	SOIL	8/26/03 14:30	8/26/03 16:35	4 oz glass	ice
	Lab Testing: 8015M Chloride	Rejected: No		Temp: 4.5 C		
0307325-02	SS-7	SOIL	8/26/03 14:32	8/26/03 16:35	4 oz glass	ice
	Lab Testing: 8015M Chloride	Rejected: No		Temp: 4.5 C		
0307325-03	SS-8	SOIL	8/26/03 14:34	8/26/03 16:35	4 oz glass	ice
	Lab Testing: 8015M Chloride	Rejected: No		Temp: 4.5 C		
0307325-04	SS-9	SOIL	8/26/03 14:36	8/26/03 16:35	4 oz glass	ice
	Lab Testing: 8015M Chloride	Rejected: No		Temp: 4.5 C		
0307325-05	SS-11	SOIL	8/26/03 14:38	8/26/03 16:35	4 oz glass	ice
	Lab Testing: 8015M Chloride	Rejected: No		Temp: 4.5 C		
0307325-06	SS-12	SOIL	8/26/03 14:40	8/26/03 16:35	4 oz glass	ice
	Lab Testing: 8015M Chloride	Rejected: No		Temp: 4.5 C		
0307325-07	Fill-1	SOIL	8/26/03 14:42	8/26/03 16:35	4 oz glass	ice
	Lab Testing:	Rejected: No		Temp: 4.5 C		

ENVIRONMENTAL LAB OF TEXAS

SAMPLE WORK LIST

LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710
915-687-0456

Order#: G0307325
Project: 0-0100-56
Project Name: Dynegy #56
Location: None Given

The samples listed below were submitted to Environmental Lab of Texas and were received under chain of custody. Environmental Lab of Texas makes no representation or certification as to the method of sample collection, sample identification, or transportation/handling procedures used prior to the receipt of samples by Environmental Lab of Texas, unless otherwise noted.

Lab ID:	Sample :	Matrix:	Date / Time Collected	Date / Time Received	Container	Preservative
	8015M Chloride					
0307325-08	Fill-2	SOIL	8/26/03 14:44	8/26/03 16:35	4 oz glass	ice
	Lab Testing:	**Rejected:** No		**Temp:** 4.5 C		
	8015M Chloride					

ENVIRONMENTAL LAB OF TEXAS

ANALYTICAL REPORT

JOHN STEWART
LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Order#: G0307325
Project: 0-0100-56
Project Name: Dynegy #56
Location: None Given

Lab ID: 0307325-01
Sample ID: SS-6

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/27/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	<10.0	10.0
DRO, >C12-C35	51.3	10.0
TOTAL, C6-C35	51.3	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	113%	70	130
1-Chlorooctadecane	130%	70	130

Lab ID: 0307325-02
Sample ID: SS-7

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/27/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	<10.0	10.0
DRO, >C12-C35	<10.0	10.0
TOTAL, C6-C35	<10.0	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	112%	70	130
1-Chlorooctadecane	129%	70	130

DL = Diluted out N/A = Not Applicable RL = Reporting Limit

ENVIRONMENTAL LAB OF TEXAS

ANALYTICAL REPORT

JOHN STEWART
LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Order#: G0307325
Project: 0-0100-56
Project Name: Dynegy #56
Location: None Given

Lab ID: 0307325-03
Sample ID: SS-8

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/27/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	<10.0	10.0
DRO, >C12-C35	33.6	10.0
TOTAL, C6-C35	33.6	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	120%	70	130
1-Chlorooctadecane	129%	70	130

Lab ID: 0307325-04
Sample ID: SS-9

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/27/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	<10.0	10.0
DRO, >C12-C35	36.3	10.0
TOTAL, C6-C35	36.3	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	118%	70	130
1-Chlorooctadecane	120%	70	130

DL = Diluted out N/A = Not Applicable RL = Reporting Limit

ENVIRONMENTAL LAB OF TEXAS

ANALYTICAL REPORT

JOHN STEWART
LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Order#: G0307325
Project: 0-0100-56
Project Name: Dynegy #56
Location: None Given

Lab ID: 0307325-05
Sample ID: SS-11

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/27/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	<10.0	10.0
DRO, >C12-C35	<10.0	10.0
TOTAL, C6-C35	<10.0	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	109%	70	130
1-Chlorooctadecane	127%	70	130

Lab ID: 0307325-06
Sample ID: SS-12

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/27/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	<10.0	10.0
DRO, >C12-C35	79.5	10.0
TOTAL, C6-C35	79.5	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	113%	70	130
1-Chlorooctadecane	130%	70	130

DL = Diluted out N/A = Not Applicable RL = Reporting Limit

ENVIRONMENTAL LAB OF TEXAS

ANALYTICAL REPORT

JOHN STEWART
LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Order#: G0307325
Project: 0-0100-56
Project Name: Dynegy #56
Location: None Given

Lab ID: 0307325-07
Sample ID: Fill-1

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/27/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	12.5	10.0
DRO, >C12-C35	326	10.0
TOTAL, C6-C35	338	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	118%	70	130
1-Chlorooctadecane	140%	70	130

Lab ID: 0307325-08
Sample ID: Fill-2

8015M

Method Blank	Date Prepared	Date Analyzed	Sample Amount	Dilution Factor	Analyst	Method
		8/27/03	1	1	CK	8015M

Parameter	Result mg/kg	RL
GRO, C6-C12	13.2	10.0
DRO, >C12-C35	315	10.0
TOTAL, C6-C35	328	10.0

Surrogates	% Recovered	QC Limits (%)	
1-Chlorooctane	120%	70	130
1-Chlorooctadecane	138%	70	130

Approval: Celey D. Keene 08/28/03
Raland K. Tuttle, Lab Director, QA Officer — Date
Celey D. Keene, Org. Tech. Director
Jeanne McMurrey, Inorg. Tech. Director
Sandra Biezugbe, Lab Tech.
Sara Molina, Lab Tech.

DL = Diluted out N/A = Not Applicable RL = Reporting Limit

ENVIRONMENTAL LAB OF TEXAS

ANALYTICAL REPORT

JOHN STEWART
LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Order#: G0307325
Project: 0-0100-56
Project Name: Dynegy #56
Location: None Given

Lab ID: 0307325-01
Sample ID: SS-6

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	<20.0	mg/kg	1	20	9253	8/27/03	SB

Lab ID: 0307325-02
Sample ID: SS-7

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	<20.0	mg/kg	1	20	9253	8/27/03	SB

Lab ID: 0307325-03
Sample ID: SS-8

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	<20.0	mg/kg	1	20	9253	8/27/03	SB

Lab ID: 0307325-04
Sample ID: SS-9

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	<20.0	mg/kg	1	20	9253	8/27/03	SB

Lab ID: 0307325-05
Sample ID: SS-11

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	<20.0	mg/kg	1	20	9253	8/27/03	SB

Lab ID: 0307325-06
Sample ID: SS-12

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	<20.0	mg/kg	1	20	9253	8/27/03	SB

RL = Reporting Limit N/A = Not Applicable

ENVIRONMENTAL LAB OF TEXAS

ANALYTICAL REPORT

JOHN STEWART		Order#:	G0307325
LARSON AND ASSOCIATES, INC.		Project:	0-0100-56
P.O. BOX 50685		Project Name:	Dynegy #56
MIDLAND, TX 79710		Location:	None Given

Lab ID: 0307325-07
Sample ID: Fill-1

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	<20.0	mg/kg	1	20	9253	8/27/03	SB

Lab ID: 0307325-08
Sample ID: Fill-2

Test Parameters

Parameter	Result	Units	Dilution Factor	RL	Method	Date Analyzed	Analyst
Chloride	<20.0	mg/kg	1	20	9253	8/27/03	SB

Approval: Celey D. Keene 08/28/03
Date

Raland K. Tuttle, Lab Director, QA Officer
Celey D. Keene, Org. Tech. Director
Jeanne McMurrey, Inorg. Tech. Director
Sandra Biezugbe, Lab Tech.
Sara Molina, Lab Tech.

RL = Reporting Limit N/A = Not Applicable

ENVIRONMENTAL LAB OF TEXAS

QUALITY CONTROL REPORT

8015M

Order#: G0307325

BLANK SOIL	LAB-ID #	Sample Concentr.	Spike Concentr.	QC Test Result	Pct (%) Recovery	RPD
TOTAL, C6-C35-mg/kg	0006647-02			<10.0		
MS SOIL	**LAB-ID #**	**Sample Concentr.**	**Spike Concentr.**	**QC Test Result**	**Pct (%) Recovery**	**RPD**
TOTAL, C6-C35-mg/kg	0307325-04	36.3	952	1060	107.5%	
MSD SOIL	**LAB-ID #**	**Sample Concentr.**	**Spike Concentr.**	**QC Test Result**	**Pct (%) Recovery**	**RPD**
TOTAL, C6-C35-mg/kg	0307325-04	36.3	952	1050	106.5%	0.9%
SRM SOIL	**LAB-ID #**	**Sample Concentr.**	**Spike Concentr.**	**QC Test Result**	**Pct (%) Recovery**	**RPD**
TOTAL, C6-C35-mg/kg	0006647-05		1000	983	98.3%	

ENVIRONMENTAL LAB OF TEXAS

QUALITY CONTROL REPORT

Test Parameters

Order#: G0307325

BLANK SOIL	LAB-ID #	Sample Concentr.	Spike Concentr.	QC Test Result	Pct (%) Recovery	RPD
Chloride-mg/kg	0006643-01			<20.0		
MS SOIL	**LAB-ID #**	**Sample Concentr.**	**Spike Concentr.**	**QC Test Result**	**Pct (%) Recovery**	**RPD**
Chloride-mg/kg	0307325-01	0	500	496	99.2%	
MSD SOIL	**LAB-ID #**	**Sample Concentr.**	**Spike Concentr.**	**QC Test Result**	**Pct (%) Recovery**	**RPD**
Chloride-mg/kg	0307325-01	0	500	478	95.6%	3.7%
SRM SOIL	**LAB-ID #**	**Sample Concentr.**	**Spike Concentr.**	**QC Test Result**	**Pct (%) Recovery**	**RPD**
Chloride-mg/kg	0006643-04		5000	4960	99.2%	

CASE NARRATIVE

ENVIRONMENTAL LAB OF TEXAS

Prepared for:

LARSON AND ASSOCIATES, INC.
P.O. BOX 50685
MIDLAND, TX 79710

Order#: **G0307325**

Project: **Dynegy #56**

The following samples were received as indicated below and on the attached Chain of Custody record. All analyses were performed within the holding time and with acceptable quality control results unless otherwise noted.

SAMPLE ID	LAB ID	MATRIX	Date Collected	Date Received
SS-6	0307325-01	SOIL	08/26/2003	08/26/2003
SS-7	0307325-02	SOIL	08/26/2003	08/26/2003
SS-8	0307325-03	SOIL	08/26/2003	08/26/2003
SS-9	0307325-04	SOIL	08/26/2003	08/26/2003
SS-11	0307325-05	SOIL	08/26/2003	08/26/2003
SS-12	0307325-06	SOIL	08/26/2003	08/26/2003
Fill-1	0307325-07	SOIL	08/26/2003	08/26/2003
Fill-2	0307325-08	SOIL	08/26/2003	08/26/2003

Surrogate recoveries on the 8015M TPH are outside control limits due to matrix interference. (0307325-07,08)

The enclosed results of analyses are representative of the samples as received by the laboratory. Environmental Lab of Texas makes no representations or certifications as to the methods of sample collection, sample identification, or transportation handling procedures used prior to our receipt of samples. To the best of my knowledge, the information contained in this report is accurate and complete.

Approved By: Kelley D. Keene Date: 08/28/03

Environmental Lab of Texas I, Ltd.

Dynegy #56
60307325
Samples should be 55-6 — 55-11
Fill-1
Fill-2

Thanks!
[signature]

CHAIN—OF—CUSTODY RECORD

Larson & Associates, Inc.
Environmental Consultants
Fax: 915-687-0456
915-687-0901
507 N. Marienfeld, Ste 202 • Midland, TX 79701

CLIENT NAME: Dynegy
SITE MANAGER: John Stewart
PROJECT NO: 0-0108-56
PROJECT NAME: Dynegy #56
PAGE 1 OF 1
LAB PO #

	DATE	TIME	WATER	SOIL	OTHER	SAMPLE IDENTIFICATION	NUMBER OF CONTAINERS	PARAMETERS/METHOD NUMBER: TPH 8015M	PARAMETERS/METHOD NUMBER: Chlorides	LAB ID NUMBER (LAB USE ONLY)	REMARKS (I E, FILTERED, UNFILTERED, PRESERVED, UNPRESERVED, GRAB COMPOSITE)
01	8/26	2:30		✓		SS-6	1	✓	✓	0307325	
02	"	232		✓		SS-7	1	✓	✓		
03	"	234		✓		SS-8	1	✓	✓		
04	"	236		✓		SS-9	1	✓	✓		
05	"	238		✓		SS-~~10~~ 11	1	✓	✓		
06	"	240		✓		SS-11 12	1	✓	✓		
07	"	242		✓		FW-1	1	✓	✓		
08	"	244		✓		FW-2	1	✓	✓		

SAMPLED BY: (Signature) John J. Stewart — DATE: 8/26 TIME: —
RELINQUISHED BY: (Signature) — DATE: — TIME:
RECEIVED BY. (Signature) — DATE: — TIME:
RELINQUISHED BY: (Signature) John J. Stewart — DATE: 8/26 TIME: 3:00
RECEIVED BY: (Signature) — DATE: 8/26 TIME: 3:10
SAMPLE SHIPPED BY. (Circle) FEDEX BUS AIRBILL #: HAND DELIVERED UPS OTHER:

COMMENTS
TURNAROUND TIME NEEDED

RECEIVING LABORATORY
ADDRESS.
CITY. STATE: ZIP
CONTACT. PHONE:
RECEIVED BY. (Signature) Kim Anderson
DATE: 8/26/03 TIME: 1635

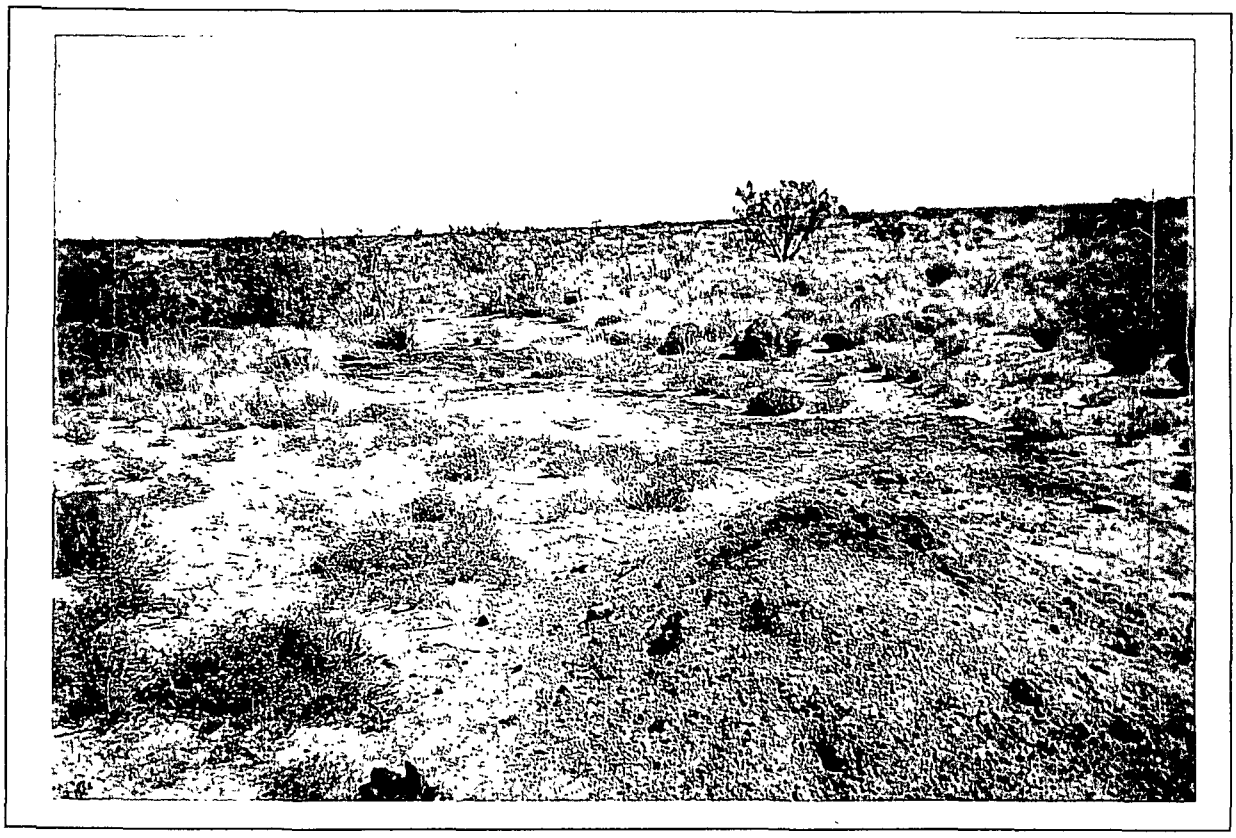
WHITE – RECEIVING LAB
YELLOW – RECEIVING LAB (TO BE RETURNED TO LA AFTER RECEIPT)
PINK – PROJECT MANAGER
GOLD – QA/QC COORDINATOR

SAMPLE CONDITION WHEN RECEIVED
LA CONTACT PERSON:
SAMPLE TYPE: 4.5°C 4oz glass

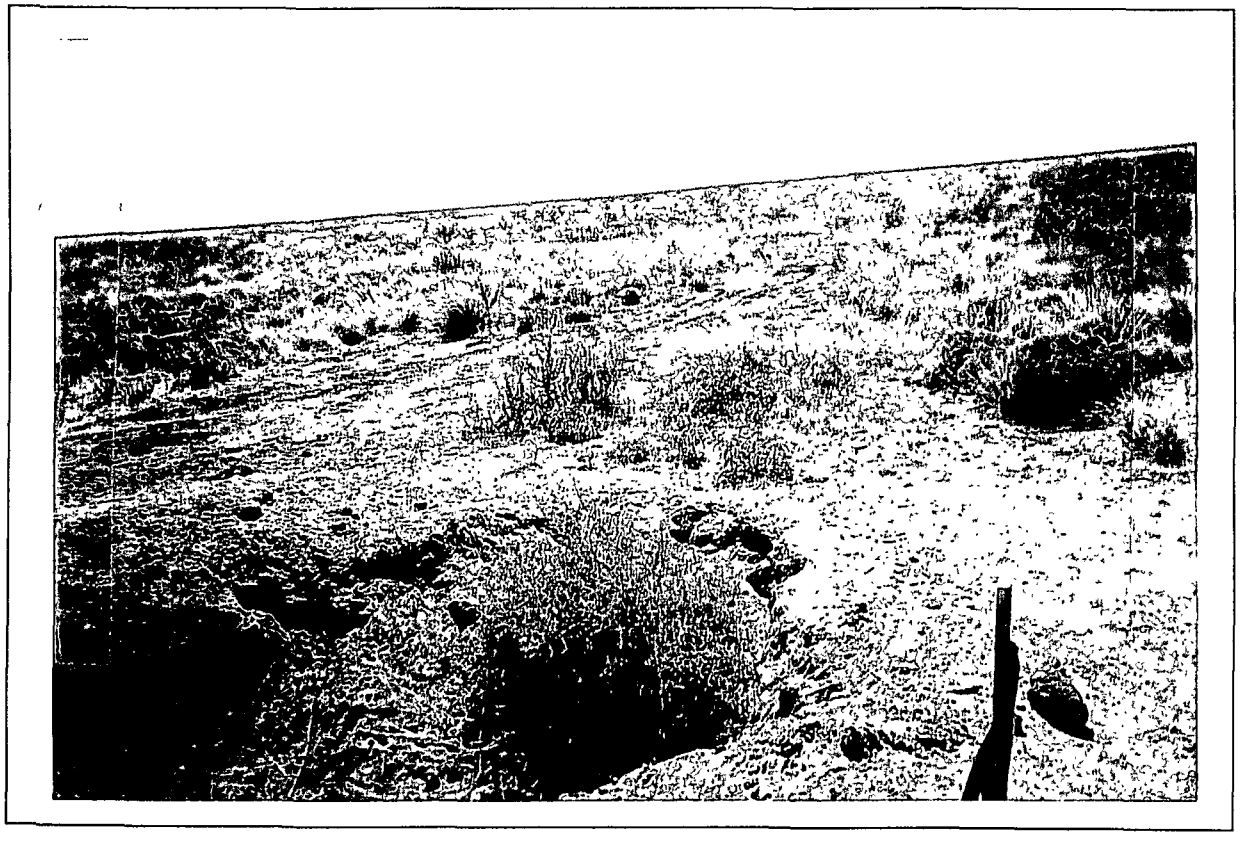
APPENDIX C

Photographs

Dynegy Midstream Services, L.P., Spill Site #56
SE/4, SW/4, Section 35, Township 22 South, Range 37 East
Lea County, New Mexico

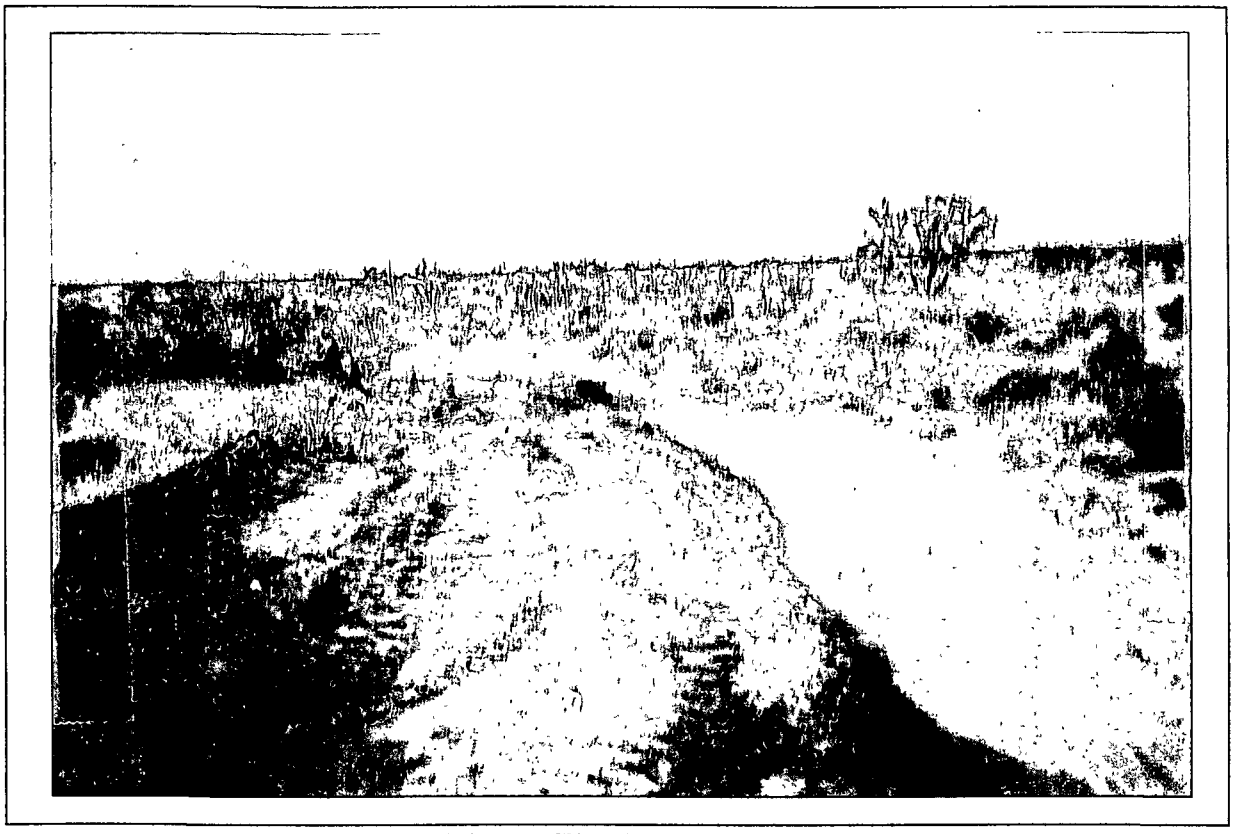


Photo# 1 View of site before excavation to N (8/19/03)

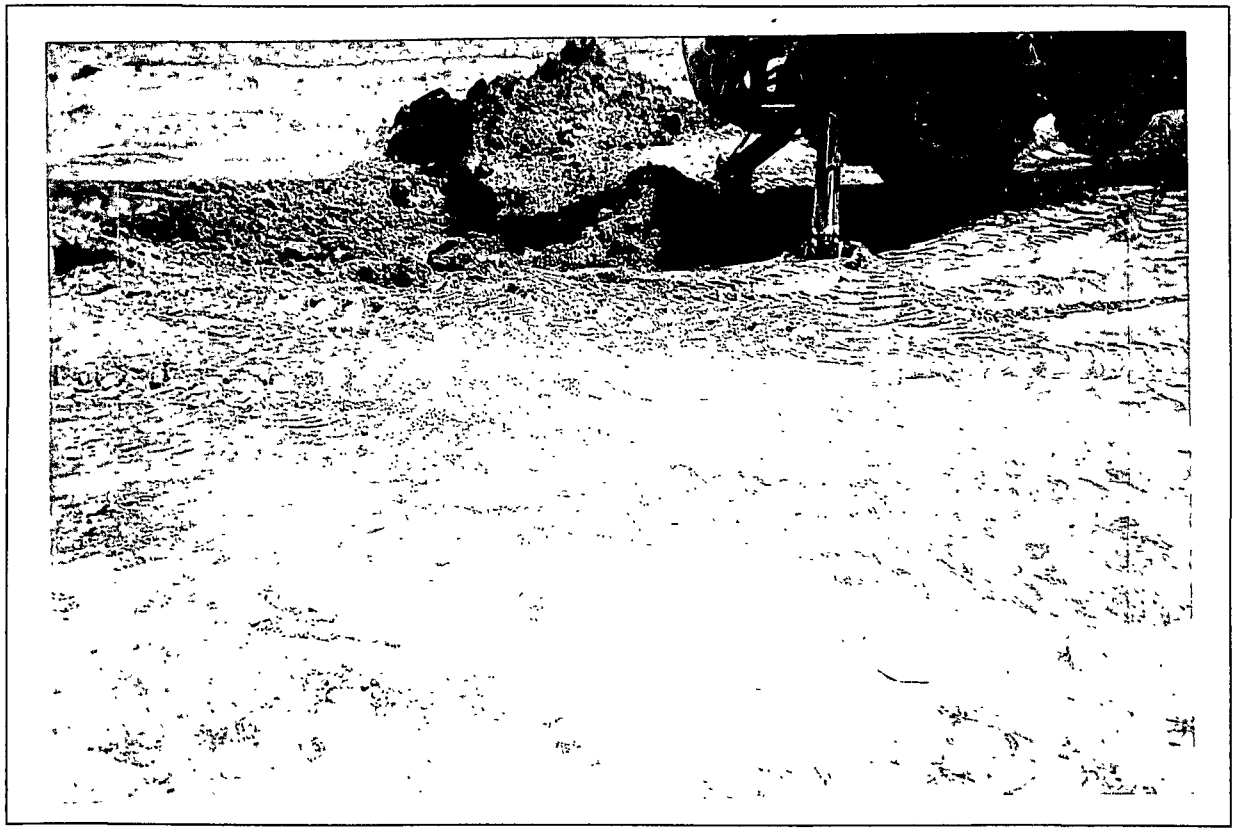


Photo# 2 View of site before excavation to S (8/19/03)

Dynegy Midstream Services, L.P., Spill Site #56
SE/4, SW/4, Section 35, Township 22 South, Range 37 East
Lea County, New Mexico



Photo# 3 View to SE of Excavation (8/21/03)



Photo# 4 View to SE of Excavation (8/21/03)

Dynegy Midstream Services, L.P., Spill Site #56
SE/4, SW/4, Section 35, Township 22 South, Range 37 East
Lea County, New Mexico

Photo# 5 View to SE of Excavation (8/26/03)

"Cindy Crain" <cindy@laenvironmental.com>
10/19/2004 09:52 AM

To: "Paul Sheeley" <Psheeley@state nm.us>
cc: "Roger Anderson" <rcanderson@state.nm.us>, "Chris Williams" <cwilliams@state.nm.us>, "Larry Johnson" <lwjohnson@state.nm.us>, "Dave Harris" <hdae@dynegy com>, "Cal Wrangham" <cwwr@dynegy.com>
Subject: Dynegy Midstream Services Spill Site #56 (SE/4, SW/4, Sec 35, T22S, R37E)

Dear Paul,

The October 8, 2004 letter from you, denying closure at Dynegy Midstream Services L.P. (Dynegy) spill site #56 (SE/4 SW/4, Sec. 35, T22S, R37E) is attached.

In the letter, you referred to the backfill being "over three times the TPH clean-up concentration and cannot be used for backfill...". Please note the following paragraph, found on Page 3 of the Pipeline Spill Investigation Report dated January 15, 2004:

"As soil samples obtained from the excavated soil showed TPH concentrations above the RRAL, excavated soil was hauled
from the site to an NMOCD approved landfarm, and the excavation was backfilled with clean soil."

Dynegy, once again, respectfully requests closure at Site #56. Please call or email me if you have any questions.

Sincerely,

Cindy Crain, PG
Project Manager
Larson and Associates, Inc.
507 N. Marienfeld, Suite 202
Midland, Texas 79702
office - (432) 687-0901
mobile - (432) 556-8665

 - 2nd NMOCD denial Oct 8, 04.doc

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

Mark E. Fesmire, P.E.
Director
Oil Conservation Division

RECEIVED
OCT 11 2004

October 8, 2004

Dynegy Midstream Services, L. P. Permian Basin Region, (Dynegy)
Attn: Cal Wrangham
6 Desta Drive, Suite 3300
Midland, TX 79705

Re: **Site # 56**, Pipeline Spill Remediation Closure Denial
UL-N, Sec.35, T22S-R37E, Dated: January 15, 2004, Larson & Associates, Inc.

Dear Mr. Wrangham,

The New Mexico Oil Conservation Division (OCD) has reviewed the closure proposal submitted for Dynegy, by Larson & Associates, and referenced above. **OCD hereby denies** the proposal according to the information provided. A ranking criteria score of 20 or more was established.

This clean-up level of 100 mg/Kg TPH applies to the backfill. The backfill is over three times the TPH clean-up concentration and cannot be used for backfill unless the location is "Risked Out".

If you have any questions or need any assistance call: (505) 393-6161 x113 or email: psheeley@state.nm.us

Sincerely,

Paul Sheeley-Environmental Engineer

Cc: Roger Anderson - Environmental Bureau Chief
Chris Williams - District I Supervisor
William Olson - OCD Hydrologist
Larry Johnson - Environmental Engineer
Cindy Crane - Larson & Associates, Inc.
Dave Harris - Dynegy

"Cindy Crain"
<cindy@laenvironmental.com>

10/08/2004 02:17 PM

To: "Sheeley, Paul" <PSheeley@state nm us>
cc: "Cal Wrangham" <cwwr@dynegy com>, "Dave Harris" <hdae@dynegy com>, "Roger Anderson" <rcanderson@state nm us>, "Chris Williams" <cwilliams@state nm us>, "Larry Johnson" <lwjohnson@state.nm us>
Subject: RE: Dynegy Site 26 & 56

Paul,

With regard to the Closure Denial of Site #56 (UL-N, Sec. 35, T22S, R37E), the 9-foot sample (SS-4) did report a TPH concentration of 6,600 mg/kg. Referring to Table 1 and Figure 2 of the Pipeline Spill Investigation Report dated January 15, 2004, the soil at the SS-4 location was excavated an additional four feet, and another sample was taken at a depth of thirteen feet (SS-6). The TPH concentration in sample SS-6 was reported at 51.3 mg/kg.

With regard to the depth to water at Site #56, there seems to be some discrepancy. The water information that I obtained from your office shows three wells in Section 35, with depths to groundwater ranging from 48 to 57 feet bgs. That information supposedly came from the NM State Engineer's office, but there are no well records listed on the NM State Engineer's website for the same section. Furthermore, the water information from your office provides no legal descriptions, which would aid in determining the proximity of the listed wells to Site #56. The nearest well documented in published literature (Geology and Ground-Water Conditions in Southern Lea County, New Mexico, 1961) shows a depth to groundwater of 64 feet bgs. As no domestic wells were observed within 1/2 mile of the site, Larson & Associates continues to believe that the RRAL for TPH at Site #56 is 1000 mg/kg.

As all final samples reported TPH concentrations below 1000 mg/kg, Dynegy once again respectfully requests closure at Site #56.

Sincerely,

Cindy Crain, PG
Project Manager
Larson and Associates, Inc.
507 N. Marienfeld, Suite 202
Midland, Texas 79702
office - (432) 687-0901
mobile - (432) 556-8665

-----Original Message-----
From: Sheeley, Paul [mailto:PSheeley@state.nm.us]
Sent: Wednesday, October 06, 2004 9:12 AM
To: 'Cindy Crain'
Subject: Dynegy Site 26 & 56

<<Site #26 gwm. appr. 041005.doc>> <<Site #56 clos. denial. 041005.doc>>

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NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

Mark E. Fesmire, P.E.
Director
Oil Conservation Division

OCT 0 8 2004

October 5, 2004

Dynegy Midstream Services, L. P. Permian Basin Region, (Dynegy)
Attn: Cal Wrangham
6 Desta Drive, Suite 3300
Midland, TX 79705

Re: **Site # 56**, Pipeline Spill Remediation Closure Denial
UL-N, Sec.35, T22S-R37E, Dated: January 15, 2004, Larson & Associates, Inc.

Dear Mr. Wrangham,

The New Mexico Oil Conservation Division (OCD) has reviewed the closure proposal submitted for Dynegy, by Larson & Associates, and referenced above. **OCD hereby denies** the proposal according to the information provided. The "Ranking Criteria" is 20 because groundwater is 50-55 ft. in that section. The 9-foot sample, SS-4 TPH, was reported as 6600 mg/Kg and it is inside the 50-foot ranking score criteria.

If you have any questions or need any assistance call: (505) 393-6161 x113 or email: psheeeley@state.nm.us

Sincerely,

Paul Sheeley-Environmental Engineer
Cc: Roger Anderson - Environmental Bureau Chief
Chris Williams - District I Supervisor
William Olson - OCD Hydrologist
Larry Johnson - Environmental Engineer
Cindy Crane - Larson & Associates, Inc.
Dave Harris - Dynegy

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By

October 5, 2004

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Chris Williams - District I Supervisor
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Dave Harris - Dynegy

				0	433113			04/10/91	82.07
				0	433333			01/21/76	50.08
			37 E	0	434111			09/09/71	272.40
			37 E	L	31243			03/13/96	61.42
			37 E	K	32342			03/18/81	69.28
		22 S	37 E	I	421243			10/28/65	58.75
	33	22 S	37 E	A	223121			02/14/96	72.97
	34	22 S	37 E	C	121344			04/26/91	48.47
4953	34	22 S	37 E	J	41123			03/19/81	51.01
4954	35	22 S	37 E	F	142441			03/19/81	57.43
4955	35	22 S	37 E	F	14421			03/05/86	54.49
4956	35	22 S	37 E	G	232333			04/25/91	48.28
4957	36	22 S	37 E	E	134221			02/14/96	28.89
4958	36	22 S	37 E	E	134222			12/02/70	43.18
4959	36	22 S	37 E	E	134222			12/02/70	31.06
4960	36	22 S	37 E	E	134223			10/12/54	32.24
4961	36	22 S	37 E	E	134434			04/25/91	27.42
4962	36	22 S	37 E	F	141333			04/20/66	29.85
4963	7	22 S	38 E	L	311131			02/14/96	50.23
4964	7	22 S	38 E	L	311131	A		10/26/65	44.30
4965	18	22 S	38 E	J	412			10/26/65	199.50
4966	18	22 S	38 E	J	412434			10/26/65	199.59
4967	19	22 S	38 E	A	222321			02/14/96	137.83
4968	19	22 S	38 E	A	22424			03/16/81	137.12
4969	19	22 S	38 E	N	34344			02/14/96	101.02
4970	20	22 S	38 E	E	13420			02/26/86	149.07
4971	2	23 S	22 E	H	242411			01/11/78	80.81
4972	2	23 S	22 E	H	242412			06/01/54	190.30
4973	24	23 S	22 E	A	222214			01/19/83	224.95
4974	36	23 S	22 E	D	11331			05/06/93	150.06
4975	8	23 S	23 E	D	11320	A		10/09/87	252.25
4976	9	23 S	23 E	N	343424			10/23/92	204.06
4977	10	23 S	23 E	O	431444			10/23/92	135.71
4978	13	23 S	23 E	O	433222			10/23/92	58.11
4979	14	23 S	23 E	G	23423			10/23/92	83.86
4980	16	23 S	23 E	E	13144			10/23/92	177.78
4981	23	23 S	23 E	M	332134			05/06/93	142.43
4982	29	23 S	23 E	L	311232			11/06/92	47.63
4983	14	23 S	24 E	P	44232			10/22/92	20.67
4984	16	23 S	24 E	I	42222			05/06/93	258.38
4985	25	23 S	24 E	B	21234			10/23/92	40.60
4986	1	23 S	25 E	L	310	CARLSBAD		/ /	0.00
4987	1	23 S	25 E	M	330	CARLSBAD		/ /	0.00
4988	1	23 S	25 E	P	440	CARLSBAD		/ /	0.00