<u>District 1</u> 1625 N. French Dr., Hobbs, NM 88240 <u>District II</u> 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**

MAY 26 2009

Form C-141 Revised October 10, 2003

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

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

Oil Conservation Division side of form

30-005-	63689		Rele	ease Notific	catio	n and Co	orrective A	ction											
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Yates Petrol	eum Corp	oration		25575		Robert Ash					_								
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State				State															
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Unit Letter	Section	Township	Range	Feet from the	North	/South Line	Feet from the	East/West L		County									
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Oil						186 B/O			B/O										
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By Whom?						Date and I	lour		_										
Robert Asher	YPC Envi	ronmental				4/24/2009													
Was a Water	course Rea	ched?	1 5	7			olume Impacting t	the Watercour	se.										
If a Watercou	irce was Im	npacted, Descr	Yes ⊠			N/A													
N/A	iise was iii	ipacicu, Desci	ibe runy.																
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Date: Tuesda	y, May 26,	2009	Phor	ne: 505-748-4217		area Prior	f Approval: As of be installed to remstall	stang each	's Me	t									
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MARTIN YATES, III 1912-1985

FRANK W. YATES 1936-1986

> S.P. YATES 1914-2008



105 SOUTH FOURTH STREET ARTESIA, NEW MEXICO 88210-2118

TELEPHONE (575) 748-1471

JOHN A. YATES CHAIRMAN OF THE BOARD PRESIDENT

JOHN A. YATES JR. ASSISTANT TO THE PRESIDENT

JAMES S. BROWN CHIEF OPERATING OFFICER

JOHN D. PERINI CHIEF FINANCIAL OFFICER

MAY 26 2009

May 26, 2009

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

Re:

Boffin State Unit #1

30-005-63684

Section 16, T9S-R27E

Chaves County, New Mexico

Dear Mr. Bratcher,

Enclosed please find a Form C-141, Final Report for the above captioned site regarding the release on April 24, 2009, (186 B/O with 140 B/O recovered). Samples were taken on April 27, 2009 and sent to an OCD approved laboratory, analytical reports (enclosed). Impacted soils have been excavated and taken to an OCD approved facility. Samples were again taken on May 18, 2009 and sent to an OCD approved laboratory, analytical reports and sample diagram enclosed. Site ranking is ten (10), with the depth to ground water is 50-99' (approximately 70'). RRAL's based on the site ranking of 10, BTEX (ppm) @ 50 and TPH (ppm) @ 1000, sample results are within these limits. Based on impacted soils removed and sample results, Yates Petroleum Corporation requests closure. When final approval is granted Yates will have a contractor backfill excavation area with clean, like materials.

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

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher

Environmental Regulatory Agent

Enclosure(s)

Bratcher, Mike, EMNRD

From:

Bratcher, Mike, EMNRD

Sent:

Tuesday, May 26, 2009 10:20 AM

To:

Bob Asher

Subject:

Boffin State Unit 001

Bob,

Per our conversation this morning, and based on analytical data presented, the excavated area at the Boffin State Unit 001 (30-005-63684) (J-16-9s-27e) is approved to backfill. It is OCD's understanding that the oil release at this site was the result of vandalism. It is also OCD's understanding that Yates Petroleum intends on installing a liner in the release area prior to reinstalling equipment.

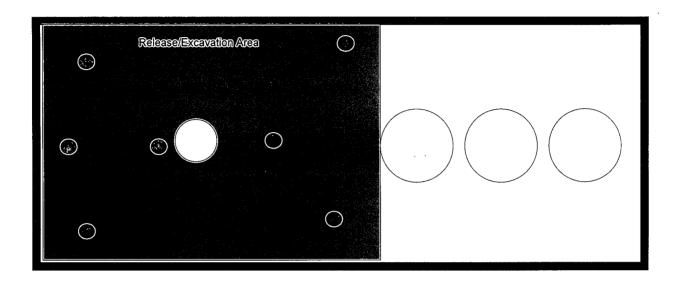
This incident has been assigned 2RP-312.

Please be advised that NMOCD approval does not relieve Yates Petroleum Corporation of liability should their operations have failed to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD approval does not relieve Yates Petroleum Corporation of responsibility for compliance with any other federal, state, local laws and/or regulations.

Sincerely,

Mike Bratcher NMOCD District 2 1301 W. Grand Ave. Artesia, NM 88210 575-748-1283 Ext.108 mike.bratcher@state.nm.us





Sample ID	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL							
@S/Comp=001	4/27/2009	Grab/Auger	Surface	386.1	2190	59100	61290							
@\$/Comp=002	4/27/2009	Grab/Auger	1'	285.1	1530	47300	48830							
Impacted soils above limits were excavated and taken to an OCD approved facility.														
Sample ID	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL							
@S/Comp-008	4/27/2009	Grab/Auger	2'	2.475	76.9	868	944.9							
@S/Comp=001	5/18/2009	Grab/Auger	3'	<0.08	<2.00	<50.0	<52.0							
@\$/Comp=002	5/18/2009	Grab/Auger	4'	<0.08	<2.00	<50.0	<52.0							

Site Ranking is Ten (10). Depth to Ground Water 50-99' (approx. 70'). All results are ppm.



Boffin State Unit #1
Section 16, T9S-R27E
Chaves County, NM

SAMPLE DIAGRAM (Not to Scale)

Trace Report(s) #: 9042805 & 9051903
Sample Date(s): 4/27/2009 & 5/18/2009
Report Date(s): April 30, 2009
& May 22, 2009
Prepared by Robert Asher
Environmental Regulatory Agent



6701 Aberdeen Avenue, Suna 9 200 East Sunset Road, Suite E 5002 Pasin Street, Suite A1 6015 Harris Parkway, Suite 110 Ft. Worth Texas 76132

Lubbook, Tekar 79424 El Paso, Texas 79021 Midland, Ionas 79703 888 + 588 + 3140

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FAX 806 • 794 · 1298 FAX 915 • 585 • 4944 FAX 432 • 689 • 6313

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F-Mail Tan@araccanalysis.com

Certifications

WBENC: 237019

HUB:

1752439743100-86536

DBE: VN 20657

NCTRCA WFWB38444Y0909

NELAP Certifications

Lubbock: T104704219-08-TX

LELAP-02003

Kansas E-10317

T104704221-08-TX El Paso:

LELAP-02002

Midland: T104704392-08-TX

Analytical and Quality Control Report

Robert Asher Yates Petroleum Corp. 105 South 4th South Artesia, NM, 88210

Report Date: May 22, 2009

Work Order:

9051903

Project Location:

Chaves County

Project Name:

Boffin State Unit #1

Project Number:

30-005-36223

Enclosed are the Analytical Report and Quality Control Report for the following sample(s) submitted to TraceAnalysis, Inc.

			Date	rime	Date
Sample	Description	Matrix	Taken	Taken	Received
196317	GS/Comp001	soil	2009-05-18	22:15	2009-05-19
196318	GS/Comp002	soil	2009-05-18	22:29	2009-05-19

These results represent only the samples received in the laboratory. The Quality Control Report is generated on a batch basis. All information contained in this report is for the analytical batch(es) in which your sample(s) were analyzed.

This report consists of a total of 11 pages and shall not be reproduced except in its entirety, without written approval of TraceAnalysis, Inc.

Michael april

Dr. Blair Leftwich, Director

Standard Flags

 $\, B\,$ - The sample contains less than ten times the concentration found in the method blank.

Report Date: May 22, 2009 Work Order: 9051903 Page Number: 1 of 1 30-005-36223 Boffin State Unit #1 Chaves County

Summary Report

Robert Asher Yates Petroleum Corp. 105 South 4th South Artesia, NM 88210

Report Date: May 22, 2009

Work Order: 9051903

Project Location: Chaves County
Project Name: Boffin State Unit #1

Project Number: 30-005-36223

			Date	Time	Date
Sample	Description	Matrix	Taken	Taken	Received
196317	GS/Comp001	soil	2009-05-18	22:15	2009-05-19
196318	$\mathrm{GS/Comp}002$	soil	2009-05-18	22:29	2009-05-19

		1	BTEX		MTBE	TPH DRO	TPH GRO
	Benzene	Toluene	Ethylbenzene	Xylene	MTBE	DRO	GRO
Sample - Field Code	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)
196317 - GS/Comp001	< 0.0200	< 0.0200	< 0.0200	< 0.0200		< 50.0	< 2.00
196318 - GS/Comp002	< 0.0200	< 0.0200	< 0.0200	0.0233		< 50.0	< 2.00

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6701 Aberdeen Avenue, Suna S 200 East Sunset Road, Suite F 5002 Basin Street, Strite A1

Fliraso, Texas 7997?

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806 • 794 • 1296 915+585+3442

EAX 806 • 794 • 1298 FAX 915 • 585 • 4944

Midland Texas 79703 6015 Harris Parkway, Suite 110

Ft. Worth, Texas 76032

402+089+6301

FAX 430 • 689 • 6313

817*201*5260

E-Mail lan@traceanalysis.com

Certifications

WBENC: 237019

HUB:

1752439743100-86536

DBE: VN 20657

NCTRCA WFWB38444Y0909

NELAP Certifications

T104704219-08-TX Lubbock:

LELAP-02003

Kansas E-10317

El Paso: T104704221-08-TX

LELAP-02002

Midland: T104704392-08-TX

Analytical and Quality Control Report

Robert Asher Yates Petroleum Corp. 105 South 4th South Artesia, NM, 88210

Report Date: April 30, 2009

Work Order:

9042805

Project Location:

Chaves County

Project Name:

Boffin State Unit #1

Project Number:

30-005-36223

Enclosed are the Analytical Report and Quality Control Report for the following sample(s) submitted to TraceAnalysis, Inc.

			Date	${f Time}$	Date
Sample	Description	Matrix	Taken	Taken	Received
194157	GS/Comp-001	soil	2009-04-27	22:33	2009-04-28
194158	GS/Comp-002	soil	2009-04-27	22:55	2009-04-28
194159	GS/Comp-003	soil	2009-04-27	23:15	2009-04-28

These results represent only the samples received in the laboratory. The Quality Control Report is generated on a batch basis. All information contained in this report is for the analytical batch(es) in which your sample(s) were analyzed.

This report consists of a total of 13 pages and shall not be reproduced except in its entirety, without written approval of TraceAnalysis, Inc.

Michael april

Dr. Blair Leftwich, Director

Standard Flags

 ${f B}$ - The sample contains less than ten times the concentration found in the method blank.

Report Date: April 30, 2009

30-005-36223

Work Order: 9042805

Boffin State Unit #1

Page Number 1 of 1 Chaves County

Summary Report

Robert Asher Yates Petroleum Corp. 105 South 4th South Artesia, NM 88210

Report Date: April 30, 2009

Work Order: 9042805

Project Location: Chaves County

Project Name:

Boffin State Unit #1 Project Number: 30-005-36223

			Date	Time	Date
Sample	Description ′	Matrix	Taken	Taken	Received
$\overline{194157}$	GS/Comp-001	soil	2009-04-27	22:33	2009-04-28
194158	GS/Comp-002	soil	2009-04-27	22.55	2009-04-28
194159	GS/Comp-003	soil	2009-04-27	23:15	2009-04-28

]	BTEX	MTBE	TPH DRO	TPH GRO	
	Benzene	Toluene	Ethylbenzene	Xylene	MTBE	DRO	GRO
Sample - Field Code	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)	(mg/Kg)
194157 - GS/Comp-001	12.8	83.3	40.0	250		59100	2190
194158 - GS/Comp-002	18.8	78.5	21.8	166		47300	1530
194159 - GS/Comp-003	0.0520	0.310	0.183	1.93		868	76.9

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	Robert Asher boba@yatespetroleum.com											1			<u>6</u>		/B/													g				
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LAB USE N		# CONTAINERS Volume/Amount Volume/Amount NATER SOIL AIR SCIL HOC HOC HNO3 NAHSO4 OOHTSM ICE NONE NONE											DATE	TIME	MTBE	BTEX	TPH 4	TPH &	Total N	TCLP !	TCLP \	TCLP S	TCLPF	RCI	GC/MS Vol	GC/MS	PCB's	BOD, TSS,	Moisture	Chlorides		Turn A	Hold	
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Bratcher, Mike, EMNRD

From:

Bob Asher [BobA@yatespetroleum.com]

Sent:

Friday, May 15, 2009 8:07 AM

To:

Bratcher, Mike, EMNRD

Cc:

Jerry Fanning

Subject:

Sampling

Mike,

I will be sampling at the following location on Monday, May 18, 2009 at 10:00 AM.

Boffin State Unit #1 30-005-63684 Section 16, T9S-R27E Chaves County, New Mexico

Thank you.

Robert Asher Yates Petroleum Corporation boba@yatespetroleum.com 575-748-4217 (Office) 575-365-4021 (Cell) 575-748-4662 (Fax)

And Joshua said unto the people, Sanctify yourselves: for to morrow the LORD will do wonders among you. Joshua 3:5

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