



New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor

Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



November 4, 2009

Burnett Oil Co., Inc.
PO Box 188
Loco Hills, NM

RE: Gissler B Battery 30-015-04120
B-11-17S-30E Eddy County, New Mexico
2RP-361

Dear Operator:

The New Mexico Oil Conservation Division District 2 Office (OCD) is in receipt of a work plan proposal (plan) for remediation of a release of oil that occurred at the above referenced facility.

The plan is accepted with the following stipulations:

- Confirmation samples are to be obtained and submitted to OCD prior to backfilling.
- Notify the OCD 48 hours prior to obtaining samples where analyses are to be submitted to the OCD.
- Remediation requirements may be subject to change as site conditions warrant.
- Remediation to be completed by December 31, 2009.

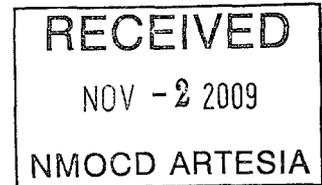
Please be advised that NMOCD acceptance of this plan does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of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

Respectfully,


Sherry Bonham
NMOCD District II



October 27, 2009



NMOCD , Artesia
ATTN: Sherry Bonham
1301 W. Grand Ave.
Artesia, NM 88210

RE: Burnett Oil Co., Inc.
Gissler B Battery
NW/NE Sect. 11, Tws., 17 S., Rng. 30 E.

Mrs. Bonham:

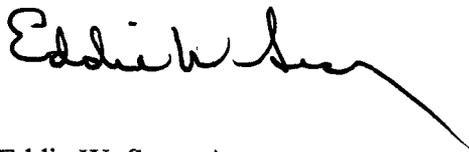
Burnett Oil has retained my services to perform remedial work on the above listed spill and battery area.

As the OCD requires, I have attached a work plan for your approval. Whenever we get approval, we will get the services of a contractor to excavate and haul as work plan suggests.

I appreciate your time on this project and look forward to hearing from you.

If you have any questions, please call.

Sincerely,



Eddie W. Seay, Agent
Eddie Seay Consulting
601 W. Illinois
Hobbs, NM 88242
575-392-2236
seay04@leaco.net

cc: Burnett Oil (817)332-5108

BURNETT OIL CO., INC.
GISSLER B BATTERY
NW/NE Sect. 11, Tws. 17 S., Rng. 30 E.
32 51' 14"
103 56' 22"

WORKPLAN

Prepared By
Eddie Seay Consulting
October 2009

WORKPLAN

General:

Leak occurred on circulating pump 10/22/09, area was stabilized, BLM was on location. OCD notified 10/23/09 and C-141 was filed.

Groundwater:

According to State Engineer and groundwater information, the depth of water occurs at approximately 300 feet below surface.

Remediation Proposal:

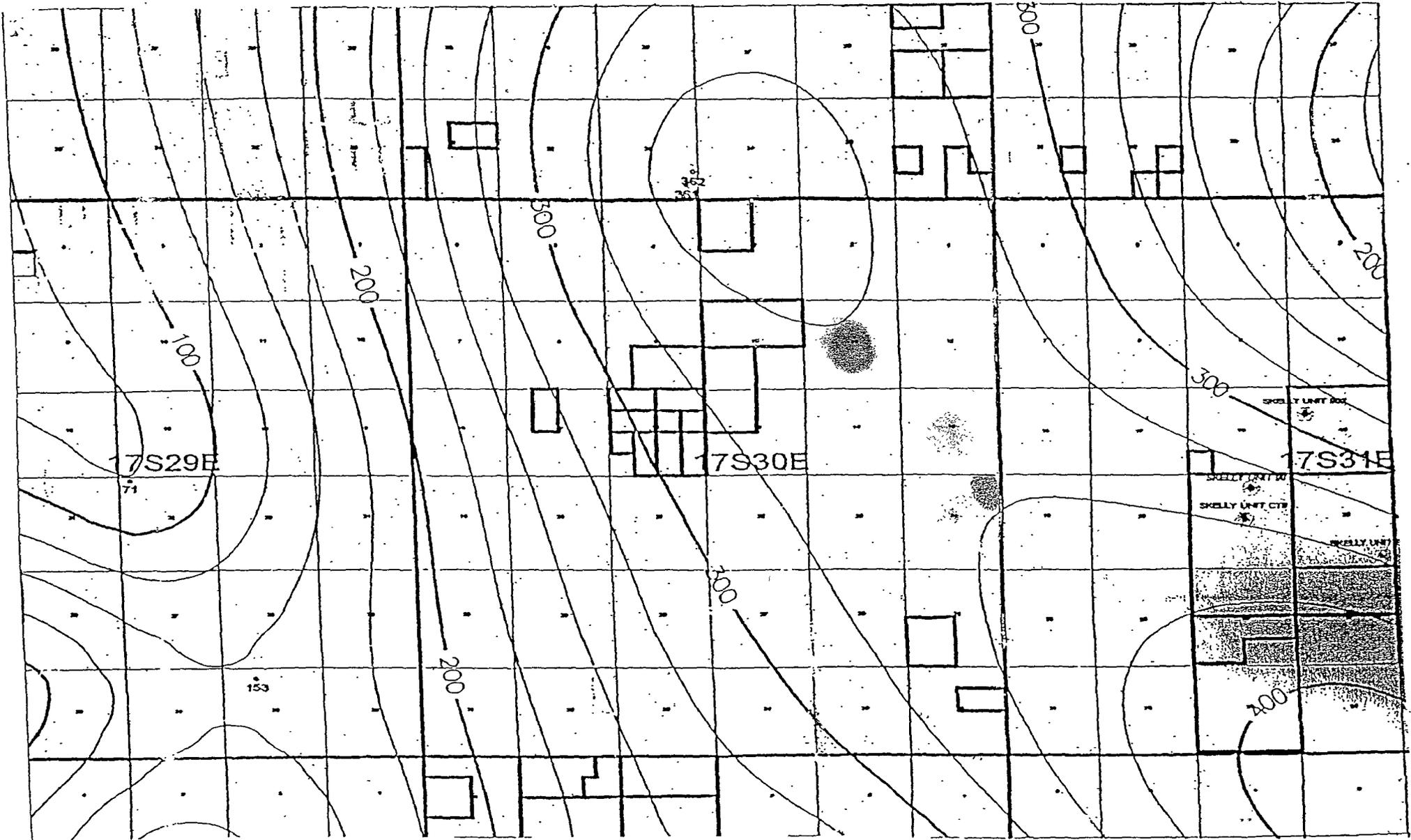
All available fluids were picked up awaiting remediation. Area will be bladed and excavated, and soil hauled to an OCD approved facility and replaced with clean soil and seeded. Before backfilling, the area will be tested for BTEX, TPH and Chloride to assure we meet OCD guidelines, and only after the OCD and BLM approves, we will backfill and level.

The OCD and BLM will be notified of all activities and a report will be filed upon completion.

Ranking Criteria Score - 0

This site has a 5000 ppm TPH cleanup and will cleanup BTEX and Chloride per OCD.

Groundwater





PHONE (575) 393-2328 • 101 E MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
EDDIE SEAY CONSULTING
ATTN: EDDIE SEAY
601 W ILLINOIS
HOBBS, NM 88242
FAX TO: (575) 392-8949

*Composite
Sample of spill area
No Calorizer*

Receiving Date: 10/23/09
Reporting Date: 10/27/09
Project Owner: BURNETT
Project Name: GIZZLER B TANK BATTERY
Project Location: SECT. 11 LOCO HILLS, NM

Sampling Date: 10/23/09
Sample Type: SOIL
Sample Condition: INTACT @ 15°C
Sample Received By: CK
Analyzed By: AB/HM

LAB NUMBER	SAMPLE ID	GRO (C ₈ -C ₁₀) (mg/kg)	DRO (>C ₁₀ -C ₂₈) (mg/kg)	CI* (mg/kg)
ANALYSIS DATE		10/26/09	10/26/09	10/23/09
H18563-1	GB-1	11,600	26,800	80
Quality Control		422	434	500
True Value QC		500	500	500
% Recovery		84.4	86.8	100
Relative Percent Difference		6.5	8.0	< 0.1

METHODS: TPH GRO & DRO: EPA SW-846 8015 M; Std Methods 4500-CFB
*Analysis performed on a 1:4 w:v aqueous extract. Reported on wet weight.

Alysa Keene
Lab Director

10/27/09
Date

H18563 TCL SEAY

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