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
JAN 25 2010
NMOCD ARTESIA

Form C-141
Revised October 10, 2003

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

30-015-21733

nMLB0929334946

Release Notification and Corrective Action

OPERATOR

☐ Initial Report ☒ Final Report

Name of Company	OGRID Number	Contact
Yates Petroleum Corporation	25575	Robert Asher
Address		Telephone No.
104 S. 4TH Street		505-748-1471
Facility Name	API Number	Facility Type
Dayton FG Battery	~~30-015-21271~~	Tank Battery

Surface Owner	Mineral Owner	Lease No.
Fee	Fee	

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
C	28	18S	26E	450	North	2310	East	Eddy

Latitude 32.72485 **Longitude** 104.38558

NATURE OF RELEASE

Type of Release	Volume of Release	Volume Recovered
Oil	100 B/O	0 B/O
Source of Release	Date and Hour of Occurrence	Date and Hour of Discovery
Production Tank	8/4/2009, PM	8/4/2009, PM
Was Immediate Notice Given? ☒ Yes ☐ No ☐ Not Required	If YES, To Whom? Mike Bratcher/NMOCD, Artesia (Telephone & E-mail)	
By Whom? Robert Asher/Yates Petroleum Corporation	Date and Hour 8/4/2009, PM	
Was a Watercourse Reached? ☐ Yes ☒ 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.*
Tank bottom failure causing release of oil. Called hot oiler truck, roustabout, backhoe crew.

Describe Area Affected and Cleanup Action Taken.*
An approximate area of 30' X 30' (contained inside bermed battery). Hot oiler transferred remaining oil from leaking tank to other production tank, crew moved tanks, backhoe is excavating impacted soils/hauling to an NMOCD approved facility. Vertical and horizontal delineation samples will be taken and analysis ran for TPH & BTEX. If initial analytical results for TPH & BTEX are under RRAL's a Final Report, C-141 will be submitted to the OCD requesting closure. **Depth to Ground Water: 50-99' (approx. 60' per New Mexico Office of the State Engineer), Wellhead Protection Area: No, Distance to Surface Water Body: >1000', SITE RANKING IS 10. Based on enclosed analytical results, further excavated/hauled impacted soils, 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:

Printed Name: Robert Asher

Title: Environmental Regulatory Agent

E-mail Address: boba@yatespetroleum.com

Date: Thursday, January 21, 2010 Phone: 505-748-1471

OIL CONSERVATION DIVISION

Approved by District Supervisor: Signed By

Approval Date: FEB 02 2010 Expiration Date: N/A

Conditions of Approval: N/A

Attached ☐

2RP-352

* Attach Additional Sheets If Necessary

pMLB0929334920

YATES PETROLEUM CORPORATION

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

January 21, 2010

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

Re: Dayton FG Battery
2RP-352
30-015-21733
Section 28, T18S-R26E
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 August 4, 2009 (100 B/O with no oil recovered). The release was the results of a tank bottom failure. Impacted soils were excavated and hauled to an NMOCD approved facility. All samples (11/6/2009 & 11/12/2009) were sent to NMOCD approved laboratory for analysis. Per our discussion on November 17, 2009, addition impacted soils were excavated and hauled to an NMOCD approved facility. The excavated area has been backfilled with clean like soils, the battery area has been downsized and is now south of the excavation area (no tanks or production equipment will be on the backfilled area), this new battery is being bermed and lined with a 20 millimeter liner for future containment if needed. Site ranking is ten (10), with the depth to ground water 50-99'. Yates Petroleum Corporation requests closure.

If you have any questions, please call me at 575-748-4217.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

/rca
Enclosure(s)

Bob Asher

From: Bratcher, Mike, EMNRD [mike.bratcher@state.nm.us]
Sent: Thursday, November 19, 2009 8:11 AM
To: Bob Asher
Cc: Jerry Fanning
Subject: RE: Dayton FG Battery

As agreed, thanks Bob.

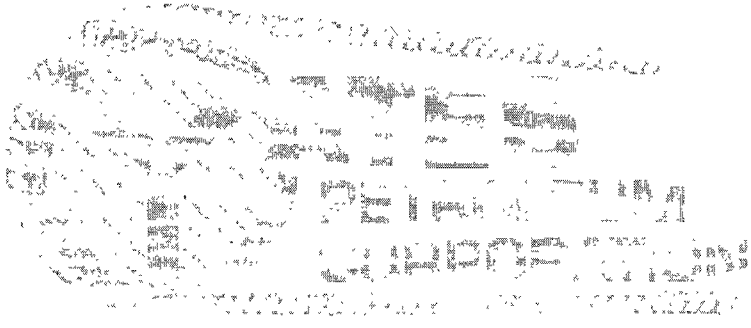
Mike Bratcher

From: Bob Asher [mailto:BobA@yatespetroleum.com]
Sent: Tuesday, November 17, 2009 10:59 AM
To: Bratcher, Mike, EMNRD
Cc: Jerry Fanning
Subject: Dayton FG Battery

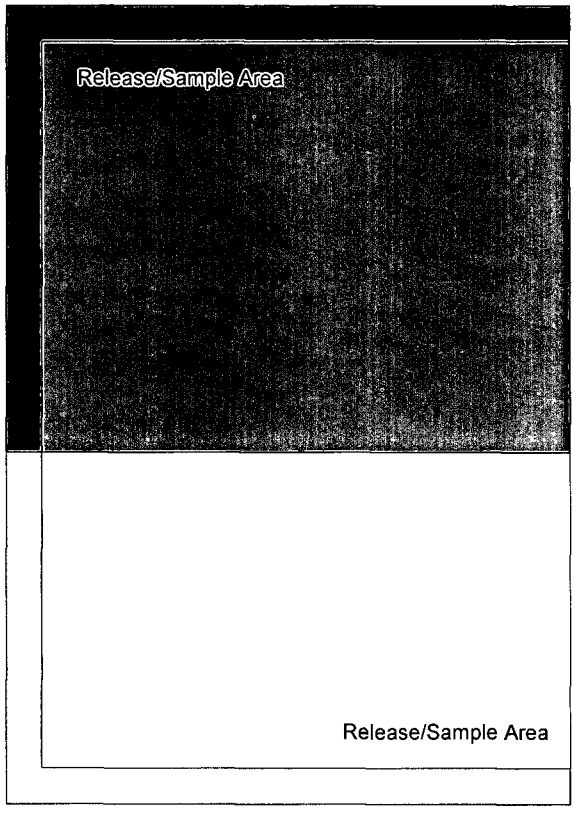
Mike,

Per our conversation today, November 17, 2009, on the work plan submitted for the Dayton FG Battery, Yates will have a contractor excavate an additional two (2) feet of impacted soils on the north half of the current excavation (to a total depth of 10'). Impacted soils will be taken to an NMOCD approved facility. When soils have been removed the scope of work described in the work plan will be started.

Thank you.



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



Sample ID	Sample Area	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL
GS/Comp-008	Bottom (N 1/2)	10/26/2009	Grab/Trackhoe	8'	0.376	ND	138	138
GS/Comp-010	Bottom (N 1/2)	10/26/2009	Grab/Trackhoe	10'	38.600	537	1290	1827
GS/Comp-012	Bottom (N 1/2)	10/26/2009	Grab/Trackhoe	12'	28.510	218	256	474
GS/Comp-015	Bottom (N 1/2)	10/26/2009	Grab/Trackhoe	15'	37.850	420	1310	1730
GS/Comp-018	Bottom (N 1/2)	10/26/2009	Grab/Trackhoe	18'	2.381	40.7	171	211.7
Sample ID	Sample Area	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL
GS/Comp-004	Sidewall 1	10/13/2009	Grab/Shovel	5' X 1'	ND	ND	ND	ND
GS/Comp-005	Bottom (S 1/2)	10/13/2009	Grab/Shovel	5'	0.366	69.9	162	231.9
GS/Comp-006	Sidewall 2	10/13/2009	Grab/Shovel	5' X 1'	0.001	ND	ND	ND

Site Ranking is Ten (10). Depth to Ground Water 50-99' (approx. 60, per New Mexico State Engineer Office).
All results are ppm.

YATES PETROLEUM CORPORATION

Dayton FG Battery

Section 28, T18S-R26E

Eddy County, NM

SAMPLE DIAGRAM (Not to Scale)
Xenco Laboratories: #350003
Report Date: 11/6/2009
Xenco Laboratories: #351228
Report Date: 11/12/2009
Prepared by Robert Asher
Environmental Regulatory Agent

Analytical Report 351228

for

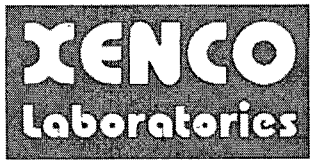
Yates Petroleum Corporation

Project Manager: Robert Asher

Dayton FG Battery

30-015-21733

12-NOV-09



12600 West I-20 East Odessa, Texas 79765

Xenco-Houston (EPA Lab code: TX00122):
Texas (T104704215-08-TX), Arizona (AZ0738), Arkansas (08-039-0), Connecticut (PH-0102), Florida (E871002)
Illinois (002082), Indiana (C-TX-02), Iowa (392), Kansas (E-10380), Kentucky (45), Louisiana (03054)
New Hampshire (297408), New Jersey (TX007), New York (11763), Oklahoma (9218), Pennsylvania (68-03610)
Rhode Island (LAO00308), USDA (S-44102)

Xenco-Atlanta (EPA Lab Code: GA00046):
Florida (E87428), North Carolina (483), South Carolina (98015), Utah (AALI1), West Virginia (362), Kentucky (85)
Louisiana (04176), USDA (P330-07-00105)

Xenco-Miami (EPA Lab code: FL01152): Florida (E86678), Maryland (330)
Xenco-Tampa Mobile (EPA Lab code: FL01212): Florida (E84900)
Xenco-Odessa (EPA Lab code: TX00158): Texas (T104704400-08-TX)
Xenco-Dallas (EPA Lab code: TX01468): Texas (T104704295-08-TX)
Xenco-Corpus Christi (EPA Lab code: TX02613): Texas (T104704370-08-TX)
Xenco-Boca Raton (EPA Lab Code: FL00449): Florida(E86240),
South Carolina(96031001), Louisiana(04154), Georgia(917)

12-NOV-09

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

Reference: XENCO Report No: **351228**
Dayton FG Battery
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 351228. 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. 351228 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

Sample Cross Reference 351228

Yates Petroleum Corporation, Artesia, NM

Dayton FG Battery

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
GS/Comp-001	S	Nov-05-09 09:34	1 - 1 ft	351228-001
GS/Comp-002	S	Nov-05-09 09:46	5 - 5 ft	351228-002
GS/Comp-003	S	Nov-05-09 09:56	1 - 1 ft	351228-003

CASE NARRATIVE

Client Name: Yates Petroleum Corporation
Project Name: Dayton FG Battery

Project ID:	*30-015-21733*	*Report Date:*	*12-NOV-09*
Work Order Number:	*351228*	*Date Received:*	*11/06/2009*

Sample receipt non conformances and Comments:

None

Sample receipt Non Conformances and Comments per Sample:

None

Analytical Non Conformances and Comments:

Batch: LBA-780680 Percent Moisture
None

Batch: LBA-781088 TPH by SW 8015B
None

Batch: LBA-781159 BTEX by EPA 8021
SW8021BM

Batch 781159, Benzene, Ethylbenzene, Toluene, m,p-Xylenes, o-Xylene recovered below QC limits in the Matrix Spike and Matrix Spike Duplicate.
Samples affected are: 351228-001, -003, -002.
The Laboratory Control Sample for Toluene, m,p-Xylenes , Benzene, Ethylbenzene, o-Xylene is within laboratory Control Limits

Certificate of Analysis Summary 351228

Yates Petroleum Corporation, Artesia, NM

Project Name: Dayton FG Battery

Project Id: 30-015-21733
Contact: Robert Asher
Project Location: Eddy County

Date Received in Lab: Fri Nov-06-09 09:43 am
Report Date: 12-NOV-09
Project Manager: Brent Barron, II

Analysis Requested												
	Lab Id:	351228-001		351228-002		351228-003						
	Field Id:	GS/Comp-001		GS/Comp-002		GS/Comp-003						
	Depth:	1-1 ft		5-5 ft		1-1 ft						
	Matrix:	SOIL		SOIL		SOIL						
	Sampled:	Nov-05-09 09.34		Nov-05-09 09:46		Nov-05-09 09:56						
BTEX by EPA 8021	*Extracted:*	Nov-10-09 15.30		Nov-10-09 15.30		Nov-10-09 15 30						
	Analyzed:	Nov-10-09 23:30		Nov-10-09 23 51		Nov-11-09 00 12						
	Units/RL:	mg/kg	RL	mg/kg	RL	mg/kg	RL					
Benzene		ND	0.0012	ND	0.0012	ND	0.0011					
Toluene		ND	0.0023	0.0183	0.0023	ND	0 0023					
Ethylbenzene		ND	0.0012	0.0345	0.0012	ND	0.0011					
m,p-Xylenes		ND	0.0023	0.1551	0.0023	ND	0.0023					
o-Xylene		ND	0.0012	0.1583	0 0012	ND	0.0011					
Xylenes, Total		ND	0.0012	0.3134	0.0012	ND	0.0011					
Total BTEX		ND	0.0012	0.3662	0.0012	ND	0.0011					
Percent Moisture	*Extracted:*											
	Analyzed:	Nov-06-09 17:00		Nov-06-09 17.00		Nov-06-09 17:00						
	Units/RL:	%	RL	%	RL	%	RL					
Percent Moisture		13.8	1.00	13.8	1.00	11.3	1.00					
TPH by SW 8015B	*Extracted:*	Nov-09-09 12:00		Nov-09-09 12.00		Nov-09-09 12:00						
	Analyzed:	Nov-10-09 04:12		Nov-10-09 04.38		Nov-10-09 05:04						
	Units/RL:	mg/kg	RL	mg/kg	RL	mg/kg	RL					
C6-C10 Gasoline Range Hydrocarbons		ND	17.4	69.9	17.4	ND	16 9					
C10-C28 Diesel Range Hydrocarbons		ND	17.4	162	17.4	ND	16.9					
Total TPH 8015B		ND	17.4	232	17.4	ND	16.9					

Since 1990 Houston - Dallas - San Antonio - Austin - Tampa - Miami - Latin America - Atlanta - Corpus Christi

Brent Barron, II
Odessa Laboratory Manager

Final Ver. 1.000

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 and above the SQL.

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.

JN A combination of the "N" and the "J" qualifier. The analysis indicates that the analyte is "tentatively identified" and the associated numerical value may not be consistent with the amount actually present in the environmental sample.

BRL Below Reporting Limit.

RL Reporting Limit

* Outside XENCO's scope of NELAC Accreditation.

Environmental Lab of Texas

CHAIN OF CUSTODY RECORD AND ANALYSIS REQUEST

12600 West I-20 East
Odessa, Texas 79765
Phone: 432-563-1800
Fax: 432-563-1713

Project Manager: Robert Asher Cooler # YPC-001 Project Name: Dayton FG Battery

Company Name: Yates Petroleum Corporation Project #: 30-015-21733

Company Address: 105 South 4th Street Project Loc: Eddy County

City/State/Zip: Artesia, NM 88210 PO #: 105632

Telephone No: 575-748-4217 Fax No: 575-748-4662 Report Format: [X] Standard [ ] TRRP [ ] NPDES

Sampler Signature: Robert Asher e-mail: boba@yatespetroleum.com

(lab use only)
ORDER #: 351228

LAB # (lab use only)	FIELD CODE	Beginning Depth	Ending Depth	Date Sampled	Time Sampled	Field Filtered	Total #. of Containers	Preservation & # of Containers: Ice	HNO3	HCl	H2SO4	NaOH	Na2S2O3	None	Other (Specify)	Matrix: DW=Drinking Water SL=Sludge	GW = Groundwater S=Soil/Solid	NP=Non-Potable Specify Other	Analyze For: TCLP/TOTAL: TPH 418.1 8015M 8015B	TPH TX 1005 TX 1006	Cations (Ca, Mg, Na, K)	Anions (Cl, SO4, Alkalinity)	SAR / ESP / CEC	Metals As Ag Ba Cd Cr Pb Hg Se	Volatiles	Semivolatiles	BTEX 8021B/5030 or BTEX 8260	RCI	N O R M.	Chlorides	RUSH TAT (Pre-Schedule) 24, 48, 72 hrs	Standard TAT
01	GS/Comp-001	1'	1'	11/5/2009	9:34 AM		1	X								S			X								X					X
02	GS/Comp-002	5'	5'	11/5/2009	9:46 AM		1	X								S			X								X					X
03	GS/Comp-003	1'	1'	11/5/2009	9:56 AM		1	X								S			X								X					X

Special Instructions: TPH: 8015B, BTEX: 8021B Thank you.

Relinquished by:	Date	Time	Received by:	Date	Time
Robert Asher Rcvd/UPS	11/05/09	3:33 PM			
Relinquished by:	Date	Time	Received by:	Date	Time
Relinquished by: Fedex	Date	Time	Received by ELOT: Andrea Lam	Date 11.6.09	Time 9:43

Laboratory Comments:

Sample Containers Intact?	N
VOCs Free of Headspace?	N
Labels on container(s)	N
Custody seals on container(s)	N
Custody seals on cooler(s)	N
Sample Hand Delivered by Sampler/Client Rep ?	Y N
by Courier? UPS DHL FedEx Lone Star	
4029195	
Temperature Upon Receipt: 3.6 °C	

Environmental Lab of Texas

Variance/ Corrective Action Report- Sample Log-In

Client: Yates Petroleum

Date/ Time: 11.6.09 9:43

Lab ID # : 351278

Initials. AL

Sample Receipt Checklist

					Client Initials
#1	Temperature of container/ cooler?	(Yes)	No	3.6 °C	
#2	Shipping container in good condition?	(Yes)	No		
#3	Custody Seals intact on shipping container/ cooler?	(Yes)	No	Not Present	
#4	Custody Seals intact on sample bottles/ container?	(Yes)	No	Not Present	
#5	Chain of Custody present?	(Yes)	No		
#6	Sample instructions complete of Chain of Custody?	(Yes)	No		
#7	Chain of Custody signed when relinquished/ received?	(Yes)	No		
#8	Chain of Custody agrees with sample label(s)?	(Yes)	No	ID written on Cont./ Lid	
#9	Container label(s) legible and intact?	(Yes)	No	Not Applicable	
#10	Sample matrix/ properties agree with Chain of Custody?	(Yes)	No		
#11	Containers supplied by ELOT?	(Yes)	No		
#12	Samples in proper container/ bottle?	(Yes)	No	See Below	
#13	Samples properly preserved?	(Yes)	No	See Below	
#14	Sample bottles intact?	(Yes)	No		
#15	Preservations documented on Chain of Custody?	(Yes)	No		
#16	Containers documented on Chain of Custody?	(Yes)	No		
#17	Sufficient sample amount for indicated test(s)?	(Yes)	No	See Below	
#18	All samples received within sufficient hold time?	(Yes)	No	See Below	
#19	Subcontract of sample(s)?	Yes	No	(Not Applicable)	
#20	VOC samples have zero headspace?	(Yes)	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 350003

for

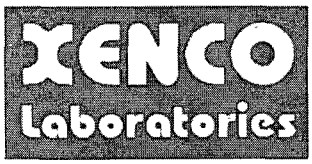
Yates Petroleum Corporation

Project Manager: Robert Asher

Dayton FG Battery

30-015-21733

06-NOV-09



12600 West I-20 East Odessa, Texas 79765

Xenco-Houston (EPA Lab code: TX00122):
Texas (T104704215-08-TX), Arizona (AZ0738), Arkansas (08-039-0), Connecticut (PH-0102), Florida (E871002)
Illinois (002082), Indiana (C-TX-02), Iowa (392), Kansas (E-10380), Kentucky (45), Louisiana (03054)
New Hampshire (297408), New Jersey (TX007), New York (11763), Oklahoma (9218), Pennsylvania (68-03610)
Rhode Island (LAO00308), USDA (S-44102)

Xenco-Atlanta (EPA Lab Code: GA00046):
Florida (E87428), North Carolina (483), South Carolina (98015), Utah (AALI1), West Virginia (362), Kentucky (85)
Louisiana (04176), USDA (P330-07-00105)

Xenco-Miami (EPA Lab code: FL01152): Florida (E86678), Maryland (330)
Xenco-Tampa Mobile (EPA Lab code: FL01212): Florida (E84900)
Xenco-Odessa (EPA Lab code: TX00158): Texas (T104704400-08-TX)
Xenco-Dallas (EPA Lab code: TX01468): Texas (T104704295-08-TX)
Xenco-Corpus Christi (EPA Lab code: TX02613): Texas (T104704370-08-TX)
Xenco-Boca Raton (EPA Lab Code: FL00449): Florida(E86240),
South Carolina(96031001), Louisiana(04154), Georgia(917)

06-NOV-09

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

Reference: XENCO Report No: **350003**
Dayton FG Battery
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 350003. 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. 350003 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

Sample Cross Reference 350003

Yates Petroleum Corporation, Artesia, NM

Dayton FG Battery

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
GS/Comp-008	S	Oct-26-09 09:16	8 - 8 ft	350003-001
GS/Comp-010	S	Oct-26-09 09:22	10 - 10 ft	350003-002
GS/Comp-012	S	Oct-26-09 09:31	12 - 12 ft	350003-003
GS/Comp-015	S	Oct-26-09 09:42	15 - 15 ft	350003-004
GS/Comp-018	S	Oct-26-09 09:50	18 - 18 ft	350003-005

CASE NARRATIVE

Client Name: Yates Petroleum Corporation
Project Name: Dayton FG Battery

Project ID:	*30-015-21733*	*Report Date:*	*06-NOV-09*
Work Order Number:	*350003*	*Date Received:*	*10/28/2009*

Sample receipt non conformances and Comments:

None

Sample receipt Non Conformances and Comments per Sample:

None

Analytical Non Conformances and Comments:

Batch: LBA-779318 Percent Moisture
None

Batch: LBA-779662 BTEX by EPA 8021
SW8021BM

Batch 779662, 1,4-Difluorobenzene recovered below QC limits . Matrix interferences is suspected; data confirmed by re-analysis
Samples affected are: 350003-003,350003-002,350003-004.
4-Bromofluorobenzene recovered below QC limits . Matrix interferences is suspected; data not confirmed by re-analysis
Samples affected are: 350078-009 S,350078-009 SD.

4-Bromofluorobenzene recovered above QC limits . Matrix interferences is suspected; data confirmed by re-analysis
Samples affected are:350003-004.
SW8021BM

Batch 779662, Benzene, Ethylbenzene, Toluene, m,p-Xylenes, o-Xylene recovered below QC limits in the Matrix Spike and Matrix Spike Duplicate.
Samples affected are: 350003-001, -003, -005, -002, -004.
The Laboratory Control Sample for Toluene, m,p-Xylenes , Benzene, Ethylbenzene, o-Xylene is within laboratory Control Limits

Batch: LBA-780514 TPH by SW 8015B
None

Certificate of Analysis Summary 350003

Yates Petroleum Corporation, Artesia, NM

Project Name: Dayton FG Battery

Project Id: 30-015-21733
Contact: Robert Asher
Project Location: Eddy County

Date Received in Lab: Wed Oct-28-09 09:35 am
Report Date: 06-NOV-09
Project Manager: Brent Barron, II

Analysis Requested		350003-001		350003-002		350003-003		350003-004		350003-005	
	Field Id:	GS/Comp-008		GS/Comp-010		GS/Comp-012		GS/Comp-015		GS/Comp-018	
	Depth:	8-8 ft		10-10 ft		12-12 ft		15-15 ft		18-18 ft	
	Matrix:	SOIL		SOIL		SOIL		SOIL		SOIL	
	Sampled:	Oct-26-09 09:16		Oct-26-09 09:22		Oct-26-09 09:31		Oct-26-09 09:42		Oct-26-09 09:50	
BTEX by EPA 8021	*Extracted:*	Oct-29-09 13:15		Oct-29-09 13:15		Oct-29-09 13:15		Oct-29-09 13:15		Oct-29-09 13:15	
	Analyzed:	Oct-30-09 00:43		Oct-30-09 01:05		Oct-30-09 01:48		Oct-30-09 02:52		Oct-30-09 03.34	
	Units/RL:	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL
Benzene		0.1760	0 0306	0.6091	0.1221	1.528	0 0762	0 3355	0.0594	0.1102	0.0278
Toluene		0.0888	0.0612	7.050	0.2441	7.416	0.1525	6 353	0.1188	0.4685	0.0556
Ethylbenzene		0.0343	0.0306	7.347	0.1221	5.056	0.0762	6.630	0 0594	0.4298	0.0278
m,p-Xylenes		ND	0.0612	17.42	0.2441	10.75	0.1525	17.79	0.1188	0 9848	0.0556
o-Xylene		0.0772	0.0306	6.169	0.1221	3.759	0.0762	6 745	0.0594	0 3878	0.0278
Xylenes, Total		0.0772	0.0306	23 59	0.1221	14.51	0.0762	24 54	0 0594	1 3726	0.0278
Total BTEX		0.3763	0.0306	38.60	0.1221	28.51	0.0762	37 85	0 0594	2 3811	0 0278
Percent Moisture	*Extracted:*										
	Analyzed:	Oct-28-09 17:00		Oct-28-09 17:00		Oct-28-09 17:00		Oct-28-09 17 00		Oct-28-09 17 00	
	Units/RL:	%	RL	%	RL	%	RL	%	RL	%	RL
Percent Moisture		34.7	1.00	18.2	1.00	34.8	1 00	16 1	1 00	28 3	1.00
TPH by SW 8015B	*Extracted:*	Oct-28-09 13:15		Oct-28-09 13:15		Oct-28-09 13:15		Oct-28-09 13:15		Oct-28-09 13:15	
	Analyzed:	Oct-30-09 15:25		Oct-30-09 15:51		Oct-30-09 16:17		Oct-30-09 16:43		Oct-30-09 17:09	
	Units/RL:	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL	mg/kg	RL
C6-C10 Gasoline Range Hydrocarbons		ND	22.9	537	18.3	218	23 0	420	17.8	40.7	20.9
C10-C28 Diesel Range Hydrocarbons		138	22.9	1290	18.3	256	23 0	1310	17.8	171	20 9
Total TPH 8015B_NM		138	22.9	1827	18.3	474	23.0	1730	17.8	212	20.9

Brent Barron, II
Odessa Laboratory Manager

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 and above the SQL.

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.

JN A combination of the "N" and the "J" qualifier. The analysis indicates that the analyte is "tentatively identified" and the associated numerical value may not be consistent with the amount actually present in the environmental sample.

BRL Below Reporting Limit.

RL Reporting Limit

* Outside XENCO's scope of NELAC Accreditation.

Environmental Lab of Texas

CHAIN OF CUSTODY RECORD AND ANALYSIS REQUEST

12600 West I-20 East
Odessa, Texas 79765
Phone: 432-563-1800
Fax: 432-563-1713

Project Manager: Robert Asher Cooler # YPC-004 Project Name: Dayton FG Battery

Company Name: Yates Petroleum Corporation Project #: 30-015-21733

Company Address: 105 South 4th Street Project Loc: Eddy County

City/State/Zip: Artesia, NM 88210 PO #: 105632

Telephone No: 575-748-4217 Fax No: 575-748-4662 Report Format: [X] Standard [ ] TRRP [ ] NPDES

Sampler Signature: e-mail: boba@yatespetroleum.com

(lab use only)
ORDER #: 350003

LAB # (lab use only)	FIELD CODE	Beginning Depth	Ending Depth	Date Sampled	Time Sampled	Field Filtered	Total # of Containers	Preservation & # of Containers: Ice	HNO3	HCl	H2SO4	NaOH	Na2S2O3	None	Other (Specify)	Matrix: DW=Drinking Water SL=Sludge GW = Groundwater S=Soil/Solid NP=Non-Potable Specify Other	Analyze For: TCLP/TOTAL: TPH: 418.1 8015M 8015B	TPH: TX 1005 TX 1006	Cations (Ca, Mg, Na, K)	Anions (Cl, SO4, Alkalinity)	SAR / ESP / CEC	Metals As Ag Ba Cd Cr Pb Hg Se	Volatiles	Semivolatiles	BTEX 8021B/5030 or BTEX 8260	RCI	N.O.R.M	Chlorides	RUSH TAT (Pre-Schedule) 24, 48, 72 hrs	Standard TAT
01	GS/Comp-008	8'	8'	10/26/2009	9:16 AM		1	X								S	X							X					X
02	GS/Comp-010	10'	10'	10/26/2009	9:22 AM		1	X								S	X							X					X
03	GS/Comp-012	12'	12'	10/26/2009	9:31 AM		1	X								S	X							X					X
04	GS/Comp-015	15'	15'	10/26/2009	9:42 AM		1	X								S	X							X					X
05	GS/Comp-018	18'	18'	10/26/2009	9:50 AM		1	X								S	X							X					X

Special Instructions: TPH: 8015B, BTEX: 8021B Thank you.

Relinquished by:	Date	Time	Received by:	Date	Time
Robert Asher Rcvd/fax	10/27/09	3:05 PM			
Relinquished by:	Date	Time	Received by:	Date	Time
Relinquished by:	Date	Time	Received by ELOT:	Date	Time
Fedex			Andrea Sam	10/28/09	9:35

Laboratory Comments:

Sample Containers Intact?	Y	N
VOCs Free of Headspace?	Y	N
Labels on container(s)	Y	N
Custody seals on container(s)	Y	N
Custody seals on cooler(s)	Y	N
Sample Hand Delivered by Sampler/Client Rep. ?	Y	N

by Courier? UPS DHL FedEx Lone Star

4029455

Temperature Upon Receipt: 3.6 °C

Environmental Lab of Texas

Variance/ Corrective Action Report- Sample Log-In

Client: Yates Petroleum

Date/ Time: 10.28.09 9:35

Lab ID # : 350003

Initials: AL

Sample Receipt Checklist

					Client Initials
#1	Temperature of container/ cooler?	(Yes)	No	3.6 °C	
#2	Shipping container in good condition?	(Yes)	No		
#3	Custody Seals intact on shipping container/ cooler?	(Yes)	No	~~Not Present~~ AL	
#4	Custody Seals intact on sample bottles/ container?	(Yes)	No	Not Present	
#5	Chain of Custody present?	(Yes)	No		
#6	Sample instructions complete of Chain of Custody?	(Yes)	No		
#7	Chain of Custody signed when relinquished/ received?	(Yes)	No		
#8	Chain of Custody agrees with sample label(s)?	(Yes)	No	ID written on Cont./ Lid	
#9	Container label(s) legible and intact?	(Yes)	No	Not Applicable	
#10	Sample matrix/ properties agree with Chain of Custody?	(Yes)	No		
#11	Containers supplied by ELOT?	(Yes)	No		
#12	Samples in proper container/ bottle?	(Yes)	No	See Below	
#13	Samples properly preserved?	(Yes)	No	See Below	
#14	Sample bottles intact?	(Yes)	No		
#15	Preservations documented on Chain of Custody?	(Yes)	No		
#16	Containers documented on Chain of Custody?	(Yes)	No		
#17	Sufficient sample amount for indicated test(s)?	(Yes)	No	See Below	
#18	All samples received within sufficient hold time?	(Yes)	No	See Below	
#19	Subcontract of sample(s)?	Yes	No	~~Not Applicable~~	
#20	VOC samples have zero headspace?	(Yes)	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