

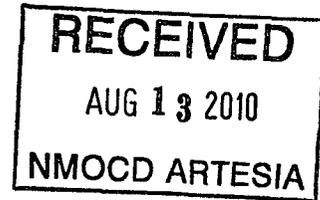
**RECEIVED**  
AUG 13 2010  
NMOCD ARTESIA

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

## **FINAL REPORT**

**Prepared By**  
**Eddie Seay Consulting**  
**August 2010**

August 6, 2010



NMOCD , Artesia  
ATTN: Mike Bratcher  
1301 W. Grand Ave.  
Artesia, NM 88210

RE: Burnett Oil Co., Inc.  
Final Report  
Gissler B Battery Spill

Mr. Bratcher:

Enclosed is the final cleanup report for the above battery. The area has been backfilled and seeded as required. This is a site that was approved for closing by Sherry Bonham.

Should you have any questions or need anything further, please call. A final C-141 is attached.

Thanks,

A handwritten signature in black ink, appearing to read "Eddie W. Seay". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Eddie W. Seay, Agent  
Eddie Seay Consulting  
601 W. Illinois  
Hobbs, NM 88242  
575-392-2236  
[seay04@leaco.net](mailto:seay04@leaco.net)

cc: Burnett Oil  
BLM, Terry Gregston



**RECEIVED**  
 AUG 13 2010  
 NMOCD ARTESIA

ANALYTICAL RESULTS FOR  
 EDDIE SEAY CONSULTING  
 ATTN: EDDIE SEAY  
 601 W. ILLINOIS  
 HOBBS, NM 88242  
 FAX TO: (575) 392-6949

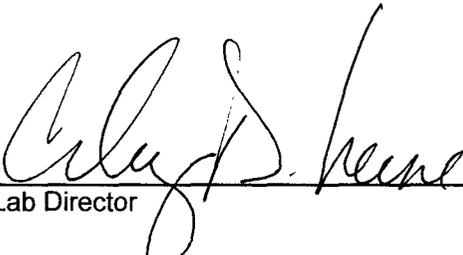
Receiving Date: 03/09/10  
 Reporting Date: 03/10/10  
 Project Owner: BURNETT OIL  
 Project Name: GISSLER B BATTERY  
 Project Location: NW/NE SECT. 11-17-30

Sampling Date: 03/09/10  
 Sample Type: SOIL  
 Sample Condition: COOL & INTACT @ 4.5°C  
 Sample Received By: AB  
 Analyzed By: AB/ZL

LAB NO. SAMPLE ID	GRO (C <sub>6</sub> -C <sub>10</sub> ) (mg/kg)	DRO (>C <sub>10</sub> -C <sub>28</sub> ) (mg/kg)	BENZENE (mg/kg)	TOLUENE (mg/kg)	ETHYL BENZENE (mg/kg)	TOTAL XYLENES (mg/kg)
ANALYSIS DATE:	03/10/10	03/10/10	03/10/10	03/10/10	03/10/10	03/10/10
H19407-1 GB-1	28.7	1240	<0.050	0.251	0.244	0.365
H19407-2 GB-2	206	1240	<0.050	0.154	0.324	1.53
H19407-3 GB-3	<10.0	253	<0.050	<0.050	<0.050	<0.300
Quality Control	456	522	0.060	0.056	0.052	0.152
True Value QC	500	500	0.050	0.050	0.050	0.150
% Recovery	91.2	104	120	112	104	101
Relative Percent Difference	1.7	2.0	<1.0	1.8	9.6	9.8

METHODS: TPH GRO & DRO - EPA SW-846 8015 M; BTEX - SW-846 8021B.

TEXAS NELAP ACCREDITATION T104704398-08-TX FOR BENZENE, TOLUENE, ETHYL BENZENE, AND TOTAL XYLENES.

  
 \_\_\_\_\_  
 Lab Director

  
 \_\_\_\_\_  
 Date

H19407 TPHBTEX SEAY

PLEASE NOTE **Liability and Damages.** Cardinal's liability and client's exclusive remedy for any claim arising, whether based in contract or tort, shall be limited to the amount paid by client for analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within thirty (30) days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including, without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above-stated reasons or otherwise. Results relate only to the samples identified above. This report shall not be reproduced except in full with written approval of Cardinal Laboratories.



# CARDINAL LABORATORIES

101 East Marland, Hobbs, NM 88240

(575) 393-2326 Fax (575) 393-2476

Page \_\_\_\_ of \_\_\_\_

Company Name: <i>Eddie Sean Consulting</i>		<b>BILL TO</b>				<b>ANALYSIS REQUEST</b>																				
Project Manager: <i>Eddie Sean</i>		P.O. #:																								
Address: <i>601 W Illinois</i>		Company:																								
City: <i>Hobbs</i> State: <i>NM</i> Zip: <i>88242</i>		Attn:																								
Phone #: <i>2-2236</i> Fax #: <i>2-6949</i>		Address: <i>Same</i>																								
Project #: <i>Gissler B</i> Project Owner: <i>Burnett G.</i>		City:																								
Project Name: <i>Gissler B Battery</i>		State: Zip:																								
Project Location: <i>NW/NE Sect. 11-17-30</i>		Phone #:																								
Sampler Name: <i>Eddie Sean</i>		Fax #:																								
FOR LAB USE ONLY				MATRIX		PRESERV.		SAMPLING																		
Lab I.D.	Sample I.D.	(GRAB OR CONTAINER)	# CONTAINERS	GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER	ACID/BASE	ICE / COOL	OTHER	DATE	TIME												
<i>H19407-1</i>	<i>GB-1</i>	<input checked="" type="checkbox"/>	<i>1</i>			<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>			<i>3/9</i>	<i>9:47</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>										
<i>-2</i>	<i>GB-2</i>	<input checked="" type="checkbox"/>	<i>1</i>			<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>			<i>3/9</i>	<i>10:00</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>										
<i>-3</i>	<i>GB-3</i>	<input checked="" type="checkbox"/>	<i>1</i>			<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>			<i>3/9</i>	<i>10:10</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>										

*BTEX TPH (Soil)*

PLEASE NOTE: Liability and Damages Cardinal's liability and client's exclusive remedy for any claim arising whether based in contract or tort, shall be limited to the amount paid by the client for the analyses. All claims including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 30 days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise.

Terms and Conditions: Interest will be charged on all accounts more than 30 days past due at the rate of 24% per annum from the original date of invoice, and all costs of collections, including attorney's fees

Sampler Relinquished: <i>Eddie Sean</i>		Date: <i>3/9</i>	Received By: <i>CB</i>	Phone Result: <input type="checkbox"/> No	Add'l Phone #:
Relinquished By: <i>Eddie Sean</i>		Time: <i>1:05</i>	Received By: <i>CB</i>	Fax Result: <input checked="" type="checkbox"/> No	Add'l Fax #:
Delivered By: (Circle One)		Temp. <i>4.5°</i>	Sample Condition	CHECKED BY: <i>AS</i>	
Sampler - UPS - Bus - Other:		<i>#26</i>	Cool/ Intact <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No	REMARKS: <i>Please</i>	

† Cardinal cannot accept verbal changes. Please fax written changes to 575-393-2476.

*\* Samples Taken put on ice and brought immediately brought to lab.*

**Rena Seay**

---

**From:** "Bonham, Sherry, EMNRD" <Sherry.Bonham@state.nm.us>  
**To:** <seay04@leaco.net>  
**Sent:** Tuesday, April 27, 2010 9:13 AM  
**Subject:** Gissler B Battery 30-015-04120  
Eddie,

Per our phone conversation this morning and our phone conversation of March 31, 2010, based on the analytical data presented, your request to backfill is accepted.

Should you have any questions or concerns regarding this matter, please contact me. And should I not hear from you, I will assume you are in agreement.

Please be advised that NMOCD acceptance and/or approval of documents or work plans 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 and/or approval of documents or work plans do not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

Respectfully,  
Sherry Bonham  
NMOCD District II

Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message. – This email has been scanned by the Sybari - Antigen Email System.



BURNETT OIL CO. INC.  
GISSLER "B" - N.M. 2748  
BATTERY GB 3-1  
NW/NE SEC. 11-T17S-R30E

