

AP - 022

**GENERAL  
CORRESPONDENCE**

**YEAR(S):**  
2005-2000

MARTIN YATES, III  
1912 - 1985  
FRANK W. YATES  
1936 - 1986



105 SOUTH FOURTH STREET  
ARTESIA, NEW MEXICO 88210-2118  
TELEPHONE (505) 748-1471

S. P. YATES  
CHAIRMAN OF THE BOARD  
JOHN A. YATES  
PRESIDENT  
PEYTON YATES  
EXECUTIVE VICE PRESIDENT  
RANDY G. PATTERSON  
SECRETARY  
DENNIS G. KINSEY  
TREASURER

August 19, 2005

Mr. Glenn von Gonten, Senior Hydrologist  
Environmental Bureau  
New Mexico Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

RE: Stage 1 Abatement Plan Proposals  
Williams Pit Site (AP-22)  
Lattion Pit Site (AP-23)  
Inex Pit Site (AP-24)  
Scripps Pit Site (AP-25)

Dear Mr. von Gonten:

Enclosed please find the amended Stage 1 Abatement Plan Proposals for the above sites. The New Mexico Oil Conservation Division (NMOCD) has required submittal of abatement plans for the subject sites. An amended Stage 1 Abatement Plan Proposal was submitted on February 15, 2005. The OCD disapproved the workplans in letters dated July 18, 2005.

The amended workplans submitted with this letter address OCD's concerns detailed in the July letter including the need for additional soil borings to characterize subsurface conditions within the pit and additional groundwater monitoring wells to determine quality of groundwater downgradient from the pits.

If you have any questions on the submittals, please contact me at 505-748-4181.

Sincerely,

Dan Dolan, CWC  
Environmental Regulatory Agent

Encl.

cc. Tim Gum, OCD Artesia District Office

RECEIVED

AUG 22 2005

Oil Conservation Division  
Environmental Bureau



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

**Mark E. Fesmire, P.E.**

Director

**Oil Conservation Division**

July 18, 2005

CERTIFIED MAIL

RETURN RECEIPT NO: 7923 4535

Mr. Dan Dolan  
Yates Petroleum Corporation  
105 South Fourth St.  
Artesia, New Mexico 88210

**RE: YATES PETROLEUM COMPANY  
AMENDED STAGE 1 ABATEMENT PLAN PROPOSAL AND WORK PLAN  
WILLIAMS PIT SITE (AP-22)**

Dear Mr. Dolan:

The New Mexico Oil Conservation Division (OCD) has reviewed the Yates Petroleum Corporation's (Yates) AMENDED STAGE 1 ABATEMENT PLAN PROPOSAL AND WORK PLAN - WILLIAMS PIT SITE (AP-22) submitted on February 15, 2005, in response to OCD's letter of October 6, 2004. OCD required Yates to submit this workplan because it had not completely defined the extent of the ground water contamination at the Williams pit site. Yates requested and received a 45 day extension to the required due date of December 31, 2004.

As discussed below in detail, OCD has noted several problems with this proposed workplan that must be addressed before the workplan can be approved.

1) In its proposed Action Plan, Yates states that "*Based on evaluation of the existing information, the conditions at this site appear to be related to natural mineralization of the soil and groundwater rather than contamination by the pit.*" After reviewing all of the information in the Williams pit site file, OCD strongly disagrees with Yates' assertion that the contamination detected at the site was not released from the former unlined and grossly contaminated pit during its operational life. Yates has not provided any compelling arguments to support its "natural mineralization" interpretation in its proposal nor in any of its previous submittals. Review of the

local geology and hydrogeology at the Williams pit site, using maps and cross sections constructed using the data submitted by Yates, clearly demonstrates that a release from the Williams pit has contaminated ground water with chlorides at concentrations that exceed the WQCC ground water protection standards (20.6.2.3103 NMAC) and that residual chlorides contaminate the vadose zone beneath the pit.

2) Yates' Amended Stage 1 Abatement Plan includes a proposal to conduct several routine action items, such as resurveying the monitor well elevations, the installation of an additional upgradient monitor well, measuring water levels and ground water quality, and submitting a site investigation report. Taking these actions will not enable Yates to meet the general performance standard for conducting a Stage 1 Abatement Plan specified in OCD Rule 19.E.3. The proposed Stage 1 workplan will not allow Yates to define the vertical and horizontal extent and magnitude of vadose zone and ground water contamination and to determine the rate and direction of contaminant migration. Yates may voluntarily pursue an alternate source demonstration for the known contamination, but regardless of what Yates chooses to do about a possible alternate source demonstration, it must submit a revised Stage 1 workplan to OCD in which it proposes additional investigation that will enable it to completely characterize the release at the Williams pit site and to provide the data necessary to select and design an effective abatement option that it must propose in a Stage 2 Abatement Plan.

3) OCD requires Yates to submit a revised Stage 1 Abatement Plan for its Williams pit site in accordance with OCD's 1993 remediation guidelines by August 19, 2005, with a copy provided to OCD's Artesia District Office. The proposed workplan should be based on the interpretation of site specific data supported by an appropriate number of isoconcentration maps and cross sections that depict the contamination that has been released from the former pit.

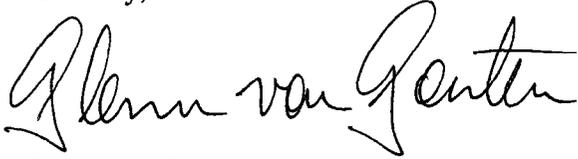
The workplan must be revised to propose a sufficient number of additional soil borings beneath and adjacent to the former pit that will enable Yates to completely characterize the release from the Williams pit. The workplan must also propose a sufficient number of additional downgradient monitor wells that will enable Yates to characterize the ground water contamination beneath and downgradient from its pit and for use in a ground water monitoring program. The workplan must also propose additional contingent soil borings and monitor wells if the next phase of the Stage 1 investigation fails to completely delineate the release. The workplan must also specify that Yates will analyze for all of the constituents specified by OCD in its February 1, 2002 conditional approval letter. OCD notes that Yates has not analyzed samples for the New Mexico Water Quality Control Commission (WQCC) metals as required.

4) The workplan must also address the requirement for Yates to provide the data necessary to select and design an effective abatement option, which it must propose in a separate Stage 2 Abatement Plan to be submitted after the Stage 1 investigation has been concluded. Of course, Yates may propose appropriate remedial actions to be taken concurrently with the Stage 1 investigation.

5) Finally, please note that OCD will not approve Yates' proposal to plug and abandon monitor well MW-4. This well is the single most useful data point that Yates has at this site and the proposal to abandon this well appears to be completely without merit.

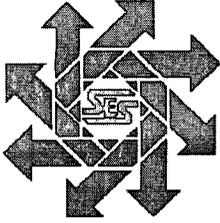
If you have any questions, please contact me at (505) 476-3488.

Sincerely,

A handwritten signature in cursive script that reads "Glenn von Gonten". The signature is written in black ink and is positioned above the printed name and title.

Glenn von Gonten  
Senior Hydrologist

xc: Tim Gum, OCD Artesia District Office



P.O. Box 1613  
703 E. Clinton Suite 102  
Hobbs, New Mexico 88240  
505/397-0510  
Fax 505/393-4388  
www.sesi-nm.com

## **Safety & Environmental Solutions, Inc.**

December 17, 2004

Mr. Ed Martin  
New Mexico Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, New Mexico 87505

Dear Ed:

As per our conversation today this letter is to request 45-day extension on submittal of the work plan for the Yates Petroleum Corporation former Williams Pit Site (AP-22). The letter dated October 6, 2004 required submittal of the work plan by December 31, 2004. The Williams Pit Site is located in the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 25, Township 18 south, Range 26 East, Eddy County, New Mexico.

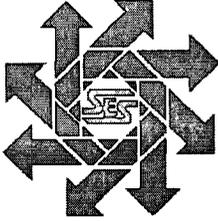
Thank you for your consideration in this matter.

Sincerely,

Bob Allen ASP, CHMM, REM, CET, CES  
President

BA/jra

*Approved*  
*[Signature]*



P.O. Box 1613  
703 E. Clinton Suite 102  
Hobbs, New Mexico 88240  
505/397-0510  
Fax 505/393-4388  
www.sesi-nm.com

## **Safety & Environmental Solutions, Inc.**

December 17, 2004

Mr. Ed Martin  
New Mexico Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, New Mexico 87505

Dear Ed:

As per our conversation today this letter is to request 45-day extension on submittal of the work plan for the Yates Petroleum Corporation former Lattion Pit Site (AP-22). The letter dated October 6, 2004 required submittal of the work plan by December 31, 2004. The Lattion Pit Site is located in the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 23, Township 18 South, Range 26 East, Eddy County, New Mexico.

Thank you for your consideration in this matter.

Sincerely,

Bob Allen ASP, CHMM, REM, CET, CES  
President

BA/jra

*Approved*  
*BA*



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

**Mark E. Fesmire, P.E.**

Director

Oil Conservation Division

October 6, 2004

Mr. Dan Dolan  
Yates Petroleum Corporation  
105 South Fourth St.  
Artesia, New Mexico 88210

**RE: STAGE 1 ABATEMENT PLAN PROPOSALS  
WILLIAMS PIT SITE (AP-22)  
LATTION PIT SITE (AP-23)  
INEX PIT SITE (AP-24)  
SCRIPP PIT SITE (AP-25)**

Dear Mr. Dolan:

The New Mexico Oil Conservation Division (OCD) has reviewed the Yates Petroleum Corporation's (Yates) February 19, 2004 correspondence and the following accompanying documents:

- June 2003 "PRELIMINARY SITE INVESTIGATION REPORT, FORMER WILLIAMS PIT LOCATION, NE ¼ OF THE NW ¼ OF SECTION 25, TOWNSHIP 18 SOUTH, RANGE 26 EAST, EDDY COUNTY, NEW MEXICO".
- June 2003 "PRELIMINARY SITE INVESTIGATION REPORT, FORMER LATTION PIT LOCATION, NE ¼ OF THE SW ¼ OF SECTION 23, TOWNSHIP 18 SOUTH, RANGE 26 EAST, EDDY COUNTY, NEW MEXICO".
- June 2003 "PRELIMINARY SITE INVESTIGATION REPORT, FORMER INEX PIT LOCATION, SE ¼ OF THE NW ¼ OF SECTION 26, TOWNSHIP 18 SOUTH, RANGE 26 EAST, EDDY COUNTY, NEW MEXICO".
- June 2003 "PRELIMINARY SITE INVESTIGATION REPORT, FORMER SCRIPPS PIT LOCATION, NW ¼ OF THE SW ¼ OF SECTION 25, TOWNSHIP 18 SOUTH, RANGE 26 EAST, EDDY COUNTY, NEW MEXICO".

These documents contain the results of Yates' Stage 1 investigation of the extent of contamination related to former unlined pits at Yates' Williams Pit Site located in Unit C, Section 25, Township 18 South, Range 26 East, Eddy County, New Mexico; the Lattion Pit Site located in Unit K, Section 23, Township 18 South, Range 26 East, Eddy County, New Mexico; the Inex Pit Site located in Unit F, Section 26, Township 18 South, Range 26 East, Eddy County and; the Scripp Pit Site located in Unit L, Section 25, Township 18 South, Range 26 East, Eddy County, New Mexico.

A review of the above-referenced reports shows that the extent of ground water contamination at each site has not been completely determined. The OCD requires that Yates submit a work plan to the OCD to complete the definition of the extent of ground water contamination at each site. The work plan shall be submitted to the OCD Santa Fe Office by December 31, 2004 with a copy provided to the OCD Artesia District Office.

If you have any questions, please contact me at (505) 476-3491.

Sincerely,



William C. Olson  
Hydrologist  
Environmental Bureau

cc: Tim Gum, OCD Artesia District Office  
B.R. Wilson



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**  
Governor  
**Betty Rivera**  
Cabinet Secretary

**Lori Wrotenbery**  
Director  
Oil Conservation Division

August 5, 2002

Ms. Lisa Norton  
Yates Petroleum Corporation  
105 South Fourth St.  
Artesia, New Mexico 88210

**RE: ABATEMENT PLAN AP-22, WILLIAMS PIT SITE  
ABATEMENT PLAN AP-23, LATTION PIT SITE  
ABATEMENT PLAN AP-24, INEX PIT SITE  
ABATEMENT PLAN AP-25, SCRIPP PIT SITE**

Dear Ms. Norton:

The New Mexico Oil Conservation Division (OCD) has reviewed Yates Petroleum Corporation's (Yates) July 31, 2002 correspondence titled "ABATEMENT PLANS AP-22 WILLIAMS PIT SITE, ABATEMENT PLANS AP-23 LATTION PIT SITE, ABATEMENT PLANS AP-24 INEX PIT SITE,, ABATEMENT PLANS AP-25 SCRIPP PIT SITE". This document contains Yates' request for an extension of the deadline for submission of Stage 1 investigation reports for the abatement plans on the above listed sites due to the closing of their consultants office.

The above-referenced request to extend the Stage 1 investigation report submission deadline from August 1, 2002 to September 1, 2002 is approved.

If you have any questions, please contact me at (505) 476-3491.

Sincerely,

William C. Olson  
Hydrologist  
Environmental Bureau

xc: Tim Gum, OCD Artesia District Office  
B.R. Wilson



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**

Governor  
**Betty Rivera**  
Cabinet Secretary

**Lori Wrotenbery**  
Director  
Oil Conservation Division

June 28, 2002

Ms. Lisa Norton  
Yates Petroleum Corporation  
105 South Fourth St.  
Artesia, New Mexico 88210

**RE: ABATEMENT PLAN AP-22, WILLIAMS PIT SITE  
ABATEMENT PLAN AP-23, LATTION PIT SITE  
ABATEMENT PLAN AP-24, INEX PIT SITE  
ABATEMENT PLAN AP-25, SCRIPP PIT SITE**

Dear Ms. Norton:

The New Mexico Oil Conservation Division (OCD) has reviewed Yates Petroleum Corporation's (Yates) February 21, 2002 correspondence titled "REQUEST FOR EXTENSION OF STAGE 1 INVESTIGATION REPORTS, ABATEMENT PLAN AP-25 SCRIPP PIT SITE, ABATEMENT PLAN AP-24 INEX PIT SITE, ABATEMENT PLAN AP-23 LATTION PIT SITE, ABATEMENT PLAN AP-22 WILLIAMS PIT SITE". This document contains Yates' request for an extension of the deadline for submission of Stage 1 investigation reports for the abatement plans on the above listed sites from April 1, 2002 to August 1, 2002.

The above-referenced request is approved.

If you have any questions, please contact me at (505) 476-3491.

Sincerely,

William C. Olson  
Hydrologist  
Environmental Bureau

xc: Tim Gum, OCD Artesia District Office  
Jeffrey D. Minchak, Harding ESE, Inc.  
B.R. Wilson

William Olson  
New Mexico  
Oil Cons, Dept.

02-19-04

**RECEIVED**

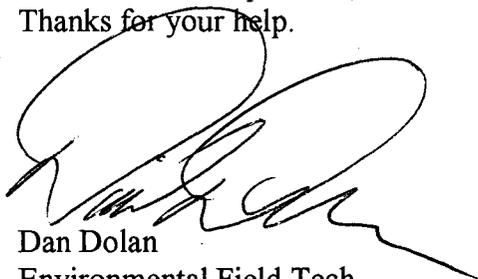
FEB 25 2004

**OIL CONSERVATION  
DIVISION**

Bill:

These are the reports that we talked about at the start of this week. Please look them over and give me your opinion and advice on how to attack the problem, this has been going on for a long time, and seeing as this was just given to me, I would like to get them closed as soon as possible, and do it right so we can smile and be proud of it.

Thanks for your help.



Dan Dolan  
Environmental Field Tech.  
Yates Petroleum Corp.

MARTIN YATES, III  
1912 - 1985  
FRANK W. YATES  
1936 - 1986



105 SOUTH FOURTH STREET  
ARTESIA, NEW MEXICO 88210-2118  
TELEPHONE (505) 748-1471

S. P. YATES  
CHAIRMAN OF THE BOARD  
JOHN A. YATES  
PRESIDENT  
PEYTON YATES  
EXECUTIVE VICE PRESIDENT  
RANDY G. PATTERSON  
SECRETARY  
DENNIS G. KINSEY  
TREASURER

RECEIVED

AUG 02 2002

ENVIRONMENTAL BUREAU  
OIL CONSERVATION DIVISION

Mr. William C. Olson  
New Mexico Energy, Minerals and  
Natural Resources Department  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, NM 87505

July 31, 2002

RE: Abatement Plans AP-22 Williams Pit Site  
Abatement Plans AP-23 Lattion Pit Site  
Abatement Plans AP-24 Inex Pit Site  
Abatement Plans AP-25 Scripp Pit Site

Dear Mr. Olson,

Yates is in the process of preparing Stage I investigation reports for abatement plans for the above sites. These reports were due to be submitted to the Division on August 1, 2002.

Mr. Jeffrey Minchak with Harding ESE, Inc. had been retained to prepare the reports. Harding ESE, Inc. is now in the process of closing their Albuquerque office and is unable to complete the project. Yates is now in the process of contracting with another firm to complete the project and requests an extension until September 1, 2002.

We apologize for the delay and hope that you will recognize our situation and allow the extension. If you have any questions, please contact me at 505-748-4185 or via email at [lnorton@ypcnm.com](mailto:lnorton@ypcnm.com).

Sincerely,

A handwritten signature in cursive script that reads 'Lisa Norton'.

Lisa Norton  
Environmental  
Coordinator

cc: Tim Gum, OCD Artesia District Office  
Ron Beasley  
file

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**Harding ESE**

A MACTEC COMPANY

**Harding ESE, Inc.**  
6400 Uptown Boulevard NE  
Suite 310E  
Albuquerque, NM 87110  
Telephone: 505/248-0017  
Fax: 505/248-0021  
Home Page: www.mactec.com

OIL CONSERVATION DIV.

02 FEB 22 PM 4:22

February 21, 2002

53470.1

Mr. Roger Anderson  
Environmental Bureau Chief  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

**Re: Request for Extension of Stage 1 Investigation Reports**  
**Abatement Plan AP-25 Scripp Pit Site**  
**Abatement Plan AP-24 Inex Pit Site**  
**Abatement Plan AP-23 Lattion Pit Site**  
**Abatement Plan AP-22 Williams Pit Site**

Dear Mr. Anderson:

At the request of Yates Petroleum Corporation (Yates), Harding ESE is requesting an extension of time for the submittal of the Stage I Investigation Reports for the four above-referenced sites. Yates is requesting a 120-day extension of the due date for the submittal of the four Stage I Investigation Reports from April 1, 2002 to August 1, 2002. Yates has budgeted the Stage I work for initiation during the second quarter of calendar year 2002. Scheduling the work within this time frame allows Yates to more effectively monitor their non-recurring environmental expenses during this period of depressed oil and natural gas prices.

In 1997, Yates purchased production facilities, including the above referenced sites, from H&S Oil Company (H&S). H&S was a small, privately operated oil and gas producer that did not maintain an effective environmental management or compliance program. Since purchasing the facilities, Yates has made a considerable investment of both time and financial resources which has resulted in significant improvements to the environmental conditions of the Sites. The primary result of the improvements made to-date by Yates is the removal of the hydrocarbon source areas by properly closing the former unlined waste disposal pits, as presented in the Stage I Abatement Plan Proposals for each of the four sites. Once investigation activities are underway, the scope of work from each of the Stage I Abatement Plan Proposals will be

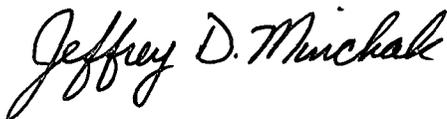
Mr. Roger Anderson  
Environmental Bureau Chief  
Oil Conservation Division  
February 21, 2002

Page 2 of 2

implemented. Additionally, the four conditions set forth in the Oil Conservation Division (OCD) letter dated February 1, 2002 will be met.

Please direct any questions or comments regarding this request or the Stage I Investigation Reports to me at (505) 248-0017 or to Ms. Lisa Norton, Yates Environmental Coordinator, at (505) 748-4185.

Sincerely,  
**HARDING ESE, Inc.**



Jeffrey D. Minchak, P.G.  
Senior Project Geologist

cc: Mr. Tim Gumm  
OCD District 2 Office  
1301 W. Grand Avenue  
Artesia, NM 88210

Lisa Norton, Yates Petroleum Corporation



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**  
Governor  
**Carol Leach**  
Acting Cabinet Secretary

**Lori Wrotenbery**  
Director  
Oil Conservation Division

February 1, 2002

**CERTIFIED MAIL**

**RETURN RECEIPT NO: 7001-1940-0004-3929-7105**

Ms. Lisa Norton  
Yates Petroleum Corporation  
105 South Fourth St.  
Artesia, New Mexico 88210

**RE: STAGE 1 ABATEMENT PLAN PROPOSALS  
WILLIAMS PIT SITE (AP-22)  
LATTION PIT SITE (AP-23)  
INEX PIT SITE (AP-24)  
SCRIPP PIT SITE (AP-25)**

Dear Ms. Norton:

The New Mexico Oil Conservation Division (OCD) has reviewed the following Yates Petroleum Corporation (Yates) documents:

- October 19, 2001 "STAGE 1 ABATEMENT PLANS, WILLIAMS PIT SITE (AP-22), LATTION PIT SITE (AP-23), INEX PIT SITE (AP-24), SCRIPP PIT SITE, (AP-25)".
- July 3, 2001 "TRANSMITTAL OF STAGE 1 ABATEMENT PLAN PROPOSALS, ABATEMENT PLAN AP-25 SCRIPP PIT SITE, ABATEMENT PLAN AP-24 INEX PIT SITE, ABATEMENT PLAN AP-23 LATTION PIT SITE, ABATEMENT PLAN AP-22 WILLIAMS PIT SITE".
- July 2, 2001 "STAGE 1 ABATEMENT PLAN PROPOSAL, ABATEMENT PLAN AP-22, WILLIAMS PIT SITE, EDDY COUNTY, NEW MEXICO".
- July 2, 2001 "STAGE 1 ABATEMENT PLAN PROPOSAL, ABATEMENT PLAN AP-23, LATTION PIT SITE, EDDY COUNTY, NEW MEXICO".
- July 2, 2001 "STAGE 1 ABATEMENT PLAN PROPOSAL, ABATEMENT PLAN AP-24, INEX PIT SITE, EDDY COUNTY, NEW MEXICO".
- July 2, 2001 "STAGE 1 ABATEMENT PLAN PROPOSAL, ABATEMENT PLAN AP-25, SCRIPP PIT SITE, EDDY COUNTY, NEW MEXICO".

These documents contain Yates' proposed Stage 1 abatement plan proposals and proof of public notice for investigation of the extent of contamination related to former unlined pits at Yates' Williams Pit Site located in Unit C, Section 25, Township 18 South, Range 26 East, Eddy County, New Mexico; the Lattion Pit Site located in Unit K, Section 23, Township 18 South, Range 26 East, Eddy County, New Mexico; the Inex Pit Site located in Unit F, Section 26, Township 18 South, Range 26 East, Eddy County and; the Scripp Pit Site located in Unit L, Section 25, Township 18 South, Range 26 East, Eddy County, New Mexico.

The Stage 1 Abatement Plans for the Williams, Lattion, Inex and Scripps pit sites, as contained in the above-referenced documents, are approved with the following conditions:

1. Ground water from all site monitor wells shall be sampled and analyzed for concentrations of benzene, toluene, ethylbenzene and xylene (BTEX); major cations and anions; and, New Mexico Water Quality Control Commission (WQCC) metals using EPA approved methods and quality assurance/quality control procedures.
2. All wastes generated shall be disposed of at an OCD approved facility or in an OCD approved manner.
3. Yates shall submit a Stage 1 investigation report for each site to the OCD Santa Fe Office by April 1, 2002. Please provide a copy of all documents to the OCD Artesia District Office.
4. Yates shall notify the OCD at least 48 hours in advance of all scheduled activities such that the OCD has the opportunity to witness the events and split samples.

Please be advised that OCD approval does not relieve Yates of responsibility if the Stage 1 abatement plan fails to adequately determine the extent of contamination related to Yates' facilities. In addition, OCD approval does not relieve Yates of responsibility for compliance with any other federal, state or local laws and regulations.

If you have any questions, please contact Bill Olson of my staff at (505) 476-3491.

Sincerely,



Roger C. Anderson  
Environmental Bureau Chief

RCA/wco

cc: Tim Gum, OCD Artesia District Office  
Jeffrey D. Minchak, Harding ESE, Inc.  
B.R. Wilson



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**  
Governor  
**Carol Leach**  
Acting Cabinet Secretary

**Lori Wrotenberg**  
Director  
Oil Conservation Division

February 1, 2002

Mr. B.R. Wilson  
1312 South First Street  
Artesia, New Mexico 88210-9733

**RE: YATES PETROLEUM STAGE 1 ABATEMENT PLAN PROPOSALS  
WILLIAMS PIT SITE (AP-22)  
LATTION PIT SITE (AP-23)  
INEX PIT SITE (AP-24)  
SCRIPP PIT SITE (AP-25)**

Dear Mr. Wilson:

The Oil Conservation Division (OCD) has received your October 10, 2000 letter commenting on Yates Petroleum Corporation's (Yates) proposed Stage 1 abatement plans for investigation of the extent of contamination related to former unlined pits at Yates' Williams Pit Site located in Unit C, Section 25, Township 18 South, Range 26 East, Eddy County, New Mexico; the Lattion Pit Site located in Unit K, Section 23, Township 18 South, Range 26 East, Eddy County, New Mexico; the Inex Pit Site located in Unit F, Section 26, Township 18 South, Range 26 East, Eddy County and; the Scripp Pit Site located in Unit L, Section 25, Township 18 South, Range 26 East, Eddy County, New Mexico.

Pursuant to OCD Rule 19, the OCD required abatement plans because ground water at each site was found to be contaminated in excess of state standards during prior soil remediation and investigation activities. A review of the OCD's records shows that the water wells that you are concerned about are upgradient of the sites being investigated by Yates and therefore any problems with these wells would not be related to the contamination at the above-referenced sites. However, the OCD welcomes any comments you may have on these sites. Due to your interest in the investigations, you will receive copies of all future OCD correspondence concerning the abatement plan.

The abatement plan is broken into 2 stages, a Stage 1 Abatement Plan Proposal and a Stage 2 Abatement Plan Proposal. The purpose of the Stage 1 Abatement Plan Proposal is for the responsible person to determine the magnitude and extent of contamination that is related to their operations. The rules require that the responsible person provide public notice of the plan and allows a 30 day period

for receipt of public comments. Based upon a technical review of the proposal and consideration of the public comments, the OCD resolves deficiencies in the proposal with the responsible person and issues administrative approval of the Stage 1 Abatement Plan. The responsible person then conducts the investigations at the site and provides a Stage 1 Investigation Report to the OCD for approval.

Once the extent of contamination has been determined, the responsible person is required to submit a Stage 2 Abatement Plan Proposal which contains a proposed plan to remediate the site to state standards. The rule also requires that the responsible person provide public notice of the plan and allows a 30 day period for receipt of public comments and public requests for a hearing on the merits of the plan. A request for a public hearing must be in writing and must include the reasons why a hearing should be held. Based upon a technical review of the proposal and consideration of the public comments, the OCD attempts to resolve deficiencies in the proposal with the responsible person and then determines whether the Stage 2 Abatement Plan is administratively approvable or denied. If the plan is administratively denied, the applicant will be notified and it will be its responsibility to request a hearing appealing the denial. If the Stage 2 Abatement Plan is determined to be administratively approvable, the OCD will notify the applicant and all intervenors of the conditions under which the plan would be approved. Intervenors will be allowed fifteen (15) days from receipt of the determination to notify the OCD whether they still wish to proceed to hearing.

The OCD appreciates your input on environmental and public health issues relating to this abatement plan. If you have any questions or comments, please do not hesitate to contact me at (505) 476-3491.

Sincerely,



William C. Olson  
Hydrologist  
Environmental Bureau

cc: Tim Gum, OCD Artesia District Office  
Lisa Norton, Yates Petroleum Corporation.

MARTIN YATES, III  
1912 - 1985  
FRANK W. YATES  
1936 - 1986



105 SOUTH FOURTH STREET  
ARTESIA, NEW MEXICO 88210-2118  
TELEPHONE (505) 748-1471

S. P. YATES  
CHAIRMAN OF THE BOARD  
JOHN A. YATES  
PRESIDENT  
PEYTON YATES  
EXECUTIVE VICE PRESIDENT  
RANDY G. PATTERSON  
SECRETARY  
DENNIS G. KINSEY  
TREASURER

Mr. Roger Anderson  
New Mexico Energy & Natural Resources Dept.  
Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

October 19, 2001

**Re: Stage 1 Abatement Plans  
Williams Pit Site (AP-22)  
Lattion Pit Site (AP-23)  
Inex Pit Site (AP-24)  
Scripp Pit Site (AP-25)**

OIL CONSERVATION DIV  
01 OCT 22 AM 10:49

Dear Roger,

Pursuant to OCD Rule 19.G and your letter dated September 25, 2001, enclosed are:

- 1) Affidavits of Publication from the Albuquerque Journal and Artesia Daily Press
- 2) Certification of written notice via regular mail to:
  - a. Surface owners within one (1) mile perimeter of the sites
  - b. Persons on list provided by the Division
- 3) Certified mail receipts from:
  - a. Eddy County Commission
  - b. New Mexico Trustee for Natural Resources

Yates requests the Division complete their review of the above Stage 1 Abatement Plans Proposals.

If you need additional information, please contact me at 505-748-4185.

Sincerely,

Lisa Norton  
Environmental Coordinator

enc.  
cc: Tim Gum, OCD Artesia District Office  
Jeff Minchak, Harding ESE, Inc.

### Certification of Written Notice

Yates Petroleum Corporation (Yates) has submitted a Stage I Water Abatement Plan to the New Mexico Oil Conservation Division (OCD) for four (4) former unlined disposal pits located south of Artesia in Eddy County.

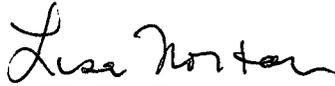
Pursuant to New Mexico Oil Conservation Division (OCD) Rule 19.G, I certify that written notice has been given to:

- (a) Surface owners of record within one (1) mile perimeter of locations - see attached list (via regular mail)
- (b) The Eddy County Commission (via certified mail)
- (c) Persons identified by the OCD Director who requested notification - see attached list (via regular mail)
- (d) New Mexico Trustee for Natural Resources (via certified mail)

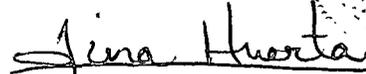
Additionally, notice was published in the Artesia Daily Press and the Albuquerque Journal. (see attached affidavits of publication.)

October 19, 2001

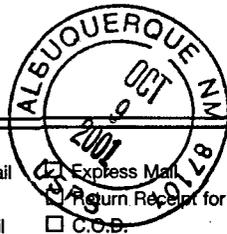
Signed



Lisa Norton  
Environmental Coordinator

  
Notary

my commission expires 04-15-04

| SENDER: COMPLETE THIS SECTION  | COMPLETE THIS SECTION ON DELIVERY   |  |
|--|---|--|
| <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> | A. Received by (Please Print Clearly)   | B. Date of Delivery  |
| 1. Article Addressed to:<br>William Turner<br>NM Trustee for Natural Resources<br>c/o American Ground Water Consultants<br>610 Gold St. SW, Suite 111<br>Albuquerque, NM 87102   | C. Signature<br>X <i>[Signature]</i>  | <input type="checkbox"/> Agent<br><input type="checkbox"/> Addressee |
| 2. Article Number (Copy from service label)<br>7000 0520 0017 1087 9748  | D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br>If YES, enter delivery address below: <input type="checkbox"/> No<br>  |  |
| PS Form 3811, July 1999  | 3. Service Type<br><input checked="" type="checkbox"/> Certified Mail<br><input type="checkbox"/> Registered<br><input type="checkbox"/> Insured Mail<br><input checked="" type="checkbox"/> Express Mail<br><input type="checkbox"/> Return Receipt for Merchandise<br><input type="checkbox"/> C.O.D. | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes     |
| Domestic Return Receipt 102595-00-M-0952   |   |  |

| SENDER: COMPLETE THIS SECTION  | COMPLETE THIS SECTION ON DELIVERY  |  |
|--|--|--|
| <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> | A. Received by (Please Print Clearly)<br>Imie Carrasco   | B. Date of Delivery<br>10-9-97                                       |
| 1. Article Addressed to:<br>County Commissioners<br>101 W. Greene Ste. 225<br>Carlsbad, NM 88220-6219  | C. Signature<br>X <i>[Signature]</i>   | <input type="checkbox"/> Agent<br><input type="checkbox"/> Addressee |
| 2. Article Number (Copy from service label)<br>7000 0520 0017 1087 9748  | D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br>If YES, enter delivery address below: <input type="checkbox"/> No  |  |
| PS Form 3811, July 1999  | 3. Service Type<br><input checked="" type="checkbox"/> Certified Mail<br><input type="checkbox"/> Registered<br><input type="checkbox"/> Insured Mail<br><input type="checkbox"/> Express Mail<br><input type="checkbox"/> Return Receipt for Merchandise<br><input type="checkbox"/> C.O.D. | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes     |
| Domestic Return Receipt 102595-00-M-0952   |  |  |

**NOTICE OF PUBLICATION**

**STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL  
RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION**

Notice is hereby given that pursuant to New Mexico Oil Conservation Division Regulations, the following Stage 1 Abatement Plan Proposals have been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Dr., Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-22) for the Williams Pit Site, located in Unit C of Section 25, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report; and a schedule for implementation of all investigation activities.

Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-23) for the Lattion Pit Site, located in Unit K of Section 23, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated on the site. Petroleum-related contamination in excess of

New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report; and a schedule for implementation of all investigation activities.

Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-24) for the Inex Pit Site, located in Unit F of Section 26, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report; and a schedule for implementation of all investigation activities.

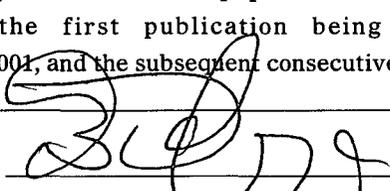
Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-25) for the Scripp Pit Site, located in Unit L of Section 25, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report; and a schedule for implementation of all investigation activities.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division, at the address given above. The Stage 1 Abatement Plan Proposals may be viewed at the above address or at the Oil Conservation Division Artesia District Office, 1301 W. Grand Ave., Artesia, New Mexico 88210, Telephone (505) 748-1283 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on the proposed Stage 1 Abatement Plan Proposals, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which written comments may be submitted.  
Journal: October 9, 2001

STATE OF NEW MEXICO  
County of Bernalillo

SS

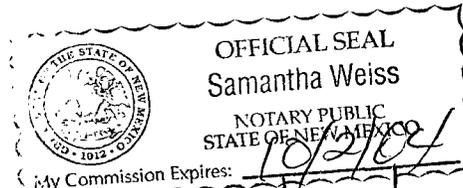
Bill Tafoya, being duly sworn, declares and says that he is Classified Advertising Manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for 9 times, the first publication being on the 9 day of Oct, 2001, and the subsequent consecutive publications on \_\_\_\_\_, 2001.

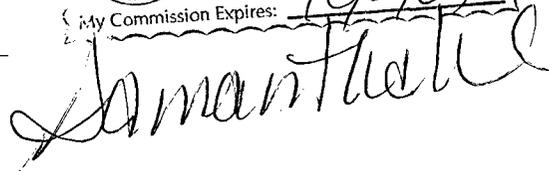
  
Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 9 day Oct of 2001.

PRICE 86.13

Statement to come at end of month.

ACCOUNT NUMBER C899440





Land Owners – Section

Thomas Egger Estate  
PO Box 407  
Texico, NM 88135-0407

Thomas & Wanda Faye Wilson  
1312 First Street  
Artesia, NM 88210

TM Griswold  
PO Box 1627  
Lovington, NM 88260-1627

Blanche Widaman  
PO Box 82408  
Lincoln, NM 68501-2408

Mccaw & Nix  
PO Box 440  
Artesia, NM 88211-0440

Alice Martin Morgan  
2112 Kirby NE  
Albuquerque, NM 87112

Charles Martin Inc.  
PO Box 706  
Artesia, NM 88211-0706

Rogers Inc.  
52 Rogers Drive  
Artesia, NM 88220

Donald Fanning & Sons  
52 Fanning Road  
Artesia, NM 88210

Hubert & Thelma Green  
PO Box 1821  
Artesia, NM 88211-1821

N.A. Fetters  
252 E. Kincaid Road  
Artesia, NM 88210

George & Mary Anella Anderman  
Anderman Operating Company  
1775 Sherman Street #2080  
Denver, CO 80203-4340

Beverly S. Wilson  
P.O. Box 1534  
Roswell, NM 88202-1534

Cecilia P. Halsey  
P.O. Box 22  
Huntsville, AL 35804-0022

Morris E. Schertz  
P.O. Box 2292  
Roswell, NM 88202-2292

Sue Douglas  
29154 S. Lakeshore Dr.  
Agoura, CA 91301-2872

Delpha Hunter  
2532 E. North  
Decatur, IL 62521

Virginia Kindle Wingert  
2563 NE 107<sup>th</sup> Street  
Seattle, WA 98125-6707

Lynden A. Rueter  
124 Brown Pelican Dr.  
Daytona Beach, FL 32119

Cara Smith  
4120 Thomason Avenue  
El Paso, TX 79904

Eva Prouty  
735 Coleen Drive  
San Jose, CA 95123

**State Land Office  
Hobbs District  
3830 North Grimes  
Suite C  
Hobbs, NM 88240**

**Chris Shuey  
Southwest Research  
& Information Center  
P. O. Box 4524  
Albuquerque, N.M. 87106**

**Director  
State Parks & Recreation  
Villagra Building  
Santa Fe, N.M. 87503**

**Dr. Jay Sorenson  
2800 Charleston NE**

**Albuquerque, N.M. 87110**

**Bob Steele  
Land & Mineral Resources  
P. O. Box 194  
Laguna, N.M. 87026**

**Westinghouse Electric Corp.  
Manager - Uranium Resources Div.  
P. O. Box 355  
Pittsburg, P.A. 15230**

**George Vlahos  
Sierra Club  
212 Tulane SE  
Albuquerque, N.M. 87106**

**Lee Wilson & Associates  
P. O. Box 931  
Santa Fe, N.M. 87501**

**Secretary  
New Mexico Environment Department  
P. O. Box 26110  
Santa Fe, NM 87504**

**Thomas Kellahin  
Kellahin & Kellahin  
P. O. Box 2265  
Santa Fe, NM 87501**

**Director  
Department of Game & Fish  
Villagra Building  
Santa Fe, NM 87503**

**Jackie Jennings  
Core Laboratories, Inc.  
10703 E. Bethany Drive  
Aurora, CO 80014**

**Olson Plunk  
Southwestern Public Service  
P. O. Box 1261  
Amarillo, TX 79170**

**Soil and Water Conservation Bureau  
New Mexico Department of Agriculture  
Agriculture Programs and Resources Division  
Box 30005/APR  
Las Cruces, New Mexico 88003-8005**

**Environmental Affairs  
Public Service Company  
of New Mexico  
P. O. Box 2267  
Albuquerque, NM 87103**

**Governor  
Pueblo of Laguna  
P. O. Box 194  
Laguna, NM 87026**

**State Engineer  
Water Resources Division  
Bataan Building  
Santa Fe, NM 87503**

**State Director  
Bureau of Land Management  
P. O. Box 27115  
Santa Fe, NM 87502-0115**

**NM Citizens  
Clean Air & Water  
John Bartlit, Chairman  
113 Monte Ray Dr., North  
Los Alamos, NM 87544**

**William F. Carr  
Campbell & Black  
P. O. Box 2208  
Santa Fe, NM 87501**

**NM Municipal League  
P. O. Box 846  
1229 Paseo De Peralta  
Santa Fe, NM 87501**

**Jay Lazarus  
P. O. Box 5727  
Santa Fe, NM 87502**

**Director  
Water Resources Dept.  
p. O. Box 1293  
Albuquerque, NM 87103**

**NM Water Well Association  
1205 California NE  
Albuquerque, NM 87110**

**Field Supervisor  
US Fish & Wildlife Service  
2105 Osuna Road, Northeast  
Albuquerque, NM 87113-1001**

**Patricia A. D'Andrea  
P. O. Box 6387  
Santa Fe, NM 87502**

**Bruce S. Garber**  
Attorney at Law  
P. O. Box 0850  
Santa Fe, NM 87504-0850

**Mike Matush**  
State Land Office Building  
Santa Fe, NM 87503

**Science Applications, Inc.**  
P. O. Box 3344  
Boulder, CO 80303

**Dr. Harry Bishara**  
P. O. Box 748  
Cuba, NM 87013

**Director**  
Albuquerque Environmental  
Health Department  
P. O. Box 1293  
Albuquerque, NM 87103

**John Draper**  
Montgomery & Andrews  
P. O. Box 2307  
Santa Fe, NM 87504

**Perry Pearce**  
Burlington Resources  
300 Galisteo, Suite 101  
Santa Fe, NM 87501

**Lynn Brandvold**  
NM Bureau of Mines &  
Mineral Resources  
NM Institute of Mining & Tech.  
Socorro, NM 87801

**Jeanne Haffen**  
El Paso Natural Gas  
P. O. Box 1492  
El Paso, TX 79978

**Richard P. Chagnon**  
**Hydrologist**  
**2825 E. Malvern Drive**  
**Tucson, AZ 85716**

**Regional Forester**  
**USFS Regional Office**  
**517 Gold Avenue SW**  
**Albuquerque, NM 87102**

**Director**  
**Colorado River Comm**  
**of Nevada**  
**555 East Washington Avenue,**  
**Suite 3100**  
**Las Vegas, NV 89158**

**Gerald R. Zimmerman**  
**Colorado River Board of Calif.**  
**770 Fairmont Ave., Ste. 100**  
**Glendale, CA 91203-1035**

**Director**  
**Division of Water Quality**  
**288 North 1460 West**  
**Salt Lake City, UT 84114**

**Jack A. Barnett**  
**Colorado River Basin Ctrl. Forum**  
**106 West 500 South,**  
**Suite 101**  
**Bountiful, UT 84010**

**Chief**  
**Groundwater Bureau**  
**Runnels Building**  
**Santa Fe, NM 87504**

**Chief**  
**Hazardous Waste Bureau**  
**Runnels Building**  
**Santa Fe, NM 87504**

**Thomas W. Merlan, Director**  
**228 East Palace Avenue**  
**Villa Rivera Room 101**  
**Santa Fe, NM 87503**

**Chester Rail**  
**10613 Calle De Elena NW**  
**Albuquerque, NM 87048**

**Ken Marsh**  
**Controlled Recovery Inc.**  
**P. O. Box 369**  
**Hobbs, NM 88241**

**Attorney General's Office**  
**P. O. Box 1508**  
**Santa Fe, NM 87504**

**Colin Adams**  
**Environmental Counsel**  
**Public Service Company**  
**of New Mexico**  
**414 Silver, Southwest**  
**Albuquerque, NM 87158**

**Devon E. Jercinovic**  
**International Technology Corp.**  
**5301 Central Avenue, N.E.**  
**Suite 700**  
**Albuquerque, NM 87108**

**NM Oil & Gas Association**  
**P. O. Box 1864**  
**Santa Fe, New Mexico 87504-1864**

**Len Oyenque**  
**The Tewa Company**  
**P.O. Box 1261**  
**San Juan Pueblo, NM 87566**

**William Turner**  
**New Mexico Trustee for Natural Resources**  
**c/o American Ground Water Consultants**  
**610 Gold St. SW, Suite 111**  
**Albuquerque, NM 87102**

# Affidavit of Publication

# Copy of Publication:

NO. 17509

STATE OF NEW MEXICO

County of Eddy:

Gary D. Scott being duly

sworn, says: That he is the Publisher of The  
Artesia Daily Press, a daily newspaper of general  
circulation, published in English at Artesia, said county  
and county and state, and that the here to attached

### Legal Notice

was published in a regular and entire issue of the said  
Artesia Daily Press, a daily newspaper duly qualified  
for that purpose within the meaning of Chapter 167 of  
the 1937 Session Laws of the state of New Mexico for

1 consecutive weeks/days on the same

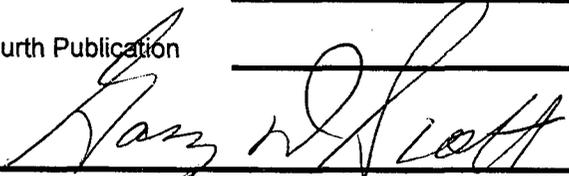
day as follows:

First Publication October 9 2001

Second Publication \_\_\_\_\_

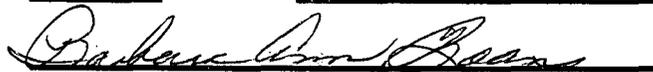
Third Publication \_\_\_\_\_

Fourth Publication \_\_\_\_\_



Subscribed and sworn to before me this

9th day of October 2001

  
Notary Public, Eddy County, New Mexico

My Commission expires September 23, 2003

# Copy of Publication:

## LEGAL NOTICE

### NOTICE OF PUBLICATION STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Oil Conservation Division Regulations, the following Stage 1 Abatement Plan Proposals have been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Dr., Santa Fe, New Mexico 85705, Telephone (505) 476-3440.

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Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico, 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-23) for the Lattion Pite Site, located in Unit K of Section 23, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report and a schedule for implementation of all investigation activities.

Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St.,

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Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico, 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-25) for the Scripp Pit Site, located in Unit L of Section 25, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality

Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report and a schedule for implementation of all investigation activities. Any interested person may obtain further information from the Oil Conservation Division, and may submit written comments to the Director of the Oil Conservation Division at the address given above. The Stage 1 Abatement Plan Proposals may be viewed at the above address or at the Oil Conservation Division, Artesia District Office, 1301 W. Grand Ave., Artesia, New Mexico, 88210, Telephone (505) 748-1283 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on the proposed Stage 1 Abatement Plan Proposals, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which written comments may be submitted.

Published in the Artesia Daily Press, Artesia, N.M., October 9, 2001, Legal 17509

# Affidavit of Publication

NO. 17509

STATE OF NEW MEXICO

County of Eddy:

Gary D. Scott being duly

sworn, says: That he is the Publisher of The

Artesia Daily Press, a daily newspaper of general

circulation, published in English at Artesia, said county

and county and state, and that the here to attached

### Legal Notice

was published in a regular and entire issue of the said

Artesia Daily Press, a daily newspaper duly qualified

for that purpose within the meaning of Chapter 167 of

the 1937 Session Laws of the state of New Mexico for

1 consecutive weeks/days on the same

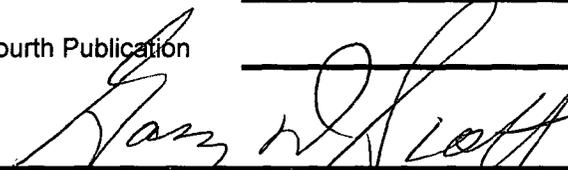
day as follows:

First Publication October 9 2001

Second Publication \_\_\_\_\_

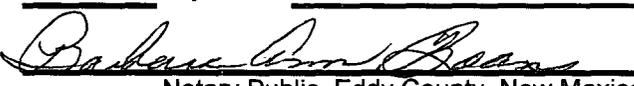
Third Publication \_\_\_\_\_

Fourth Publication \_\_\_\_\_



Subscribed and sworn to before me this

9th day of October 2001



Notary Public, Eddy County, New Mexico

My Commission expires September 23, 2003

# Copy of Publication:

## LEGAL NOTICE

NOTICE OF PUBLIC HEARING  
STATE OF NEW MEXICO  
ENERGY, MINERAL AND  
NATURAL RESOURCES  
DEPARTMENT  
OIL CONSERVATION  
DIVISION

Notice is hereby given pursuant to New Mexico Conservation Regulations, the following Stage 1 Abatement Proposals, have been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Dr., Santa Fe, New Mexico 85705, Telephone 476-3440: Yates Petroleum Corporation, Lisa N. Environmental Coordinator, Telephone (505) 748-105 South Fourth Artesia, New Mexico, 88 has submitted a Stage Abatement Plan Proposal (AP-22) for the Williams Site, located in Unit C Section 25, Township South, Range 26 E, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water

## ARTESIA POLICE DEPARTMENT

Oct. 8

### ARRESTS

**11:49 p.m.** — Teresa K. Duncan, 34, of 112 W. Grand Ave., arrested on warrant at Touch of Texas. Duncan charged with failure to pay fines. Posted \$42 cash.

**10:45 p.m.** — Keeden A. Green of 512 S. Seventh St. arrested at residence. Green charged with damage to streetlight.

**1:43 p.m.** — Benjamin Valenzuela, 15, of 306 Cleveland Ave., arrested in the alley in the 800 block of N. Eighth Street. Valenzuela charged with simple battery. Cited and released to parent.

### COLLISION

**8:27 a.m.** — Vehicle driven by Sonia V. Madrid, 34, of 2500 W. Missouri Ave. struck vehicle driven by Ismael G. Juarez, 75, of 1902 W. Booker Ave. Juarez and passenger received first aid from Artesia Fire Department EMTs. Madrid cited for expired license plate; no registration; collision from stop sign.

### FOUND

**4:08 p.m.** — Employee at Artesia General Hospital reported finding a knife on the property. Turned over to police.

### LARCENY

**10:08 a.m.** — Sonja L. Keim of 1405 W. Briscoe Ave., reported two bicycles taken from residence. Also, reported finding two bicycles left in place of those missing.

### COMMERCIAL BURGLARY; LARCENY; CRIMINAL DAMAGE

**9 a.m.** — Pastor at West Main Baptist Church at 1701 W. Main St. reported unknown persons entered building and removed items.

Pu

DIRECTOR OF OIL CONSERVATION 10-8-01  
122 ST. FRANCIS DR.  
SANTA FE, N.M. 87504

ATTEN. BILL OWEN

OIL CONSERVATION DIV.

To who it may concern  
OCT 11 PH 1:21

BR & Wanda Wilson own a small farm & grass land every direction from the abatement plan proposal Yates Pt. has submitted to the oil conservation.

The wells I am most concerned about are on my farm to the East of the 4 sites.

I have 2 domestic wells one taste so bad you can't drink the water the other doesn't taste bad but hasn't been tested since it was drilled approx. 3 years ago. We haul drinking water.

I have an irrigation well Artesian that when you first turn it on you can see a blue haze when you look at sprinklers.

When you pull this well the pipe is coated with oil.

About every three years the pipe has to be replaced it is ate up.

I own around 8,000 acres with in 5 miles of this area.

I own several blocks of land in the old Dayton town site if the water is not good I won't be able to sell these.

I have owned some of this land for 30 years. I am familiar with Yates Pt. and how they operate. I have had the misfortune to have to deal with them. They get what they want.

I don't see how they can say that if this water is contaminated that these 4 sites has caused the problem when their disregard for the land owners and environment has occurred in this and other areas for years. I understand Gates has had wells since the date 1920 in the Dayton area. The legal description is as follows:

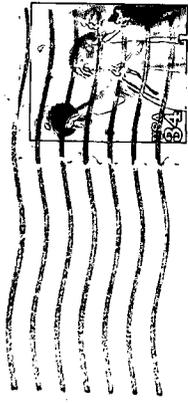
old  
Farm  
wells

|         |                  |                  |            | TOWNS. | RANGE |
|---------|------------------|------------------|------------|--------|-------|
| RA-888A | NE $\frac{1}{4}$ | NE $\frac{1}{4}$ | SECTION 21 | -18S   | 26E.  |
| RA-888A | NW $\frac{1}{4}$ | NW $\frac{1}{4}$ | 22         | 18S    | 26E   |

The plat lays in these same areas & legal description  
our land within  $\frac{1}{4}$  mile from the sites except on the South side.  
If you need more info. please let me know.

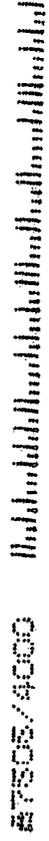
BR Wilson

**RECEIVED**  
OCT 11 2001  
OIL CONSERVATION  
DIVISION



~~██████████~~  
B. R. WILSON  
1212 SOUTH FIRST STREET  
ARTESIA, NM 88210-9733

Director of the Oil Conservation Division  
1220 St. Francis Dr. (C)  
Santa Fe N.M. 87505

87505/4000 



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**  
Governor  
**Jennifer A. Salisbury**  
Cabinet Secretary

**Lori Wrotenberg**  
Director  
Oil Conservation Division

September 25, 2001

**CERTIFIED MAIL**  
**RETURN RECEIPT NO: 5357-7942**

Ms. Lisa Norton  
Yates Petroleum Corporation  
105 South Fourth St.  
Artesia, New Mexico 88210

**RE: STAGE 1 ABATEMENT PLAN PROPOSALS**  
**WILLIAMS PIT SITE (AP-22)**  
**LATTION PIT SITE (AP-23)**  
**INEX PIT SITE (AP-24)**  
**SCRIPP PIT SITE (AP-25)**

Dear Ms. Norton:

The New Mexico Oil Conservation Division (OCD) has reviewed the following Yates Petroleum Corporation (Yates) documents:

- July 3, 2001 "TRANSMITTAL OF STAGE 1 ABATEMENT PLAN PROPOSALS, ABATEMENT PLAN AP-25 SCRIPP PIT SITE, ABATEMENT PLAN AP-24 INEX PIT SITE, ABATEMENT PLAN AP-23 LATTION PIT SITE, ABATEMENT PLAN AP-22 WILLIAMS PIT SITE"
- July 2, 2001 "STAGE 1 ABATEMENT PLAN PROPOSAL, ABATEMENT PLAN AP-22, WILLIAMS PIT SITE, EDDY COUNTY, NEW MEXICO".
- July 2, 2001 "STAGE 1 ABATEMENT PLAN PROPOSAL, ABATEMENT PLAN AP-23, LATTION PIT SITE, EDDY COUNTY, NEW MEXICO".
- July 2, 2001 "STAGE 1 ABATEMENT PLAN PROPOSAL, ABATEMENT PLAN AP-24, INEX PIT SITE, EDDY COUNTY, NEW MEXICO".
- July 2, 2001 "STAGE 1 ABATEMENT PLAN PROPOSAL, ABATEMENT PLAN AP-25, SCRIPP PIT SITE, EDDY COUNTY, NEW MEXICO".

These documents, which were submitted on behalf of Yates by their consultant Harding ESE, contain Yates' proposed Stage 1 abatement plan proposals for investigation of the extent of contamination related to former unlined pits at Yates' Williams Pit Site located in Unit C, Section 25, Township 18 South, Range 26 East, Eddy County, New Mexico; the Lattion Pit Site located in Unit K, Section 23, Township 18 South, Range 26 East, Eddy County, New Mexico; the Inex Pit Site located in Unit F, Section 26, Township 18 South, Range 26 East, Eddy County and; the Scripp Pit Site located in Unit L, Section 25, Township 18 South, Range 26 East, Eddy County, New Mexico

The OCD has determined that the above referenced Stage 1 Abatement Plan Proposals are administratively complete. Before the OCD can complete a review of the Stage 1 proposals, the OCD requires that:

1. Yates issue by October 10, 2001 the enclosed Stage 1 notice of publication in the Albuquerque Journal and Artesia Daily Press pursuant to OCD Rule 19.G.(2).
2. Prior to issuing public notice, Yates shall issue written notice of the Stage 1 proposals pursuant to OCD Rule 19.G.(1). Enclosed you will find a 3.5" disk containing a "Word" listing "those persons, as identified by the Director, who have requested notification" pursuant to OCD Rule 19.G.(1).(d). The disk also contains the contact for the New Mexico Trustee for Natural Resources.
3. Yates provide the OCD with proof of publication and proof of written notice by October 24, 2001.

If you have any questions, please contact Bill Olson of my staff at (505) 476-3491.

Sincerely,



Roger C. Anderson  
Environmental Bureau Chief

RCA/wco

enclosures

cc: Tim Gum, OCD Artesia District Office  
Jeffrey D. Minchak, Harding ESE, Inc.

## **NOTICE OF PUBLICATION**

### **STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION**

Notice is hereby given that pursuant to New Mexico Oil Conservation Division Regulations, the following Stage 1 Abatement Plan Proposals have been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Dr., Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico, 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-22) for the Williams Pit Site, located in Unit C of Section 25, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report; and a schedule for implementation of all investigation activities.

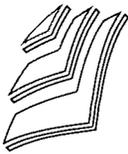
Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico, 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-23) for the Lattion Pit Site, located in Unit K of Section 23, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report; and a schedule for implementation of all investigation activities.

Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico, 88210, has submitted a Stage 1

Abatement Plan Proposal (AP-24) for the Inex Pit Site, located in Unit F of Section 26, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report; and a schedule for implementation of all investigation activities.

Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico, 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-25) for the Scripp Pit Site, located in Unit L of Section 25, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report; and a schedule for implementation of all investigation activities.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division, at the address given above. The Stage 1 Abatement Plan Proposals may be viewed at the above address or at the Oil Conservation Division Hobbs District Office, 1625 N. French Drive, Hobbs, New Mexico 88240, Telephone (505) 393-6161 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on the proposed Stage 1 Abatement Plan Proposals, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which written comments may be submitted.



**Harding ESE**

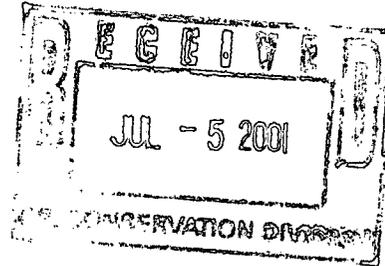
A MACTEC COMPANY

**Harding ESE, Inc.**  
6400 Uptown Boulevard, NE  
Suite 310E  
Albuquerque, NM 87110  
Telephone: 505/248-0017  
Fax: 505/248-0021  
Home Page: www.mactec.com

July 3, 2001

53470.1

Mr. Roger Anderson  
Environmental Bureau Chief  
New Mexico Energy, Minerals, and  
Natural Resources Department  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505



**Re: Transmittal of Stage 1 Abatement Plan Proposals**  
**Abatement Plan AP-25 Scripp Pit Site**  
**Abatement Plan AP-24 Inex Pit Site**  
**Abatement Plan AP-23 Lattion Pit Site**  
**Abatement Plan AP-22 Williams Pit Site**

Dear Mr. Anderson:

Harding ESE is providing you with a copy of each of the above referenced Stage I Abatement Plan Proposals (Abatement Plans) for four former pit locations. The Abatement Plans have been prepared in accordance with the Oil Conservation Division (OCD) requirements set forth in the letter of March 7, 2001 to Yates Petroleum Corporation (Yates). Harding ESE is also transmitting one copy of each Abatement Plan to Mr. Mike Stubblefield, in the OCD-Artesia office.

Please direct any questions or comments regarding the Abatement Plans to me at (505) 248-0017 or to Ms. Lisa Norton, Yates Environmental Coordinator, at (505) 748-4185.

Sincerely,  
**HARDING ESE**

Jeffrey D. Minchak, P.G.  
Senior Project Geologist

cc: Mike Stubblefield  
OCD District 2 Office  
1301 W. Grand Avenue  
Artesia, NM 88210

Lisa Norton, Yates Petroleum Corporation



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**  
Governor  
**Jennifer A. Salisbury**  
Cabinet Secretary

**Lori Wrotenbery**  
Director  
Oil Conservation Division

May 14, 2001

Ms. Lisa Norton  
Yates Petroleum Corporation  
105 South Fourth St.  
Artesia, New Mexico 88210

**RE: ABATEMENT PLAN AP-22, WILLIAMS PIT SITE  
ABATEMENT PLAN AP-23, LATTION PIT SITE  
ABATEMENT PLAN AP-24, INEX PIT SITE  
ABATEMENT PLAN AP-25, SCRIPP PIT SITE**

Dear Ms. Norton:

The New Mexico Oil Conservation Division (OCD) has reviewed Yates Petroleum Corporation's (Yates) April 27, 2001 correspondence titled "ABATEMENT PLAN AP-25 SCRIPP PIT SITE, ABATEMENT PLAN AP-24 INEX PIT SITE, ABATEMENT PLAN AP-23 LATTION PIT SITE, ABATEMENT PLAN AP-22 WILLIAMS PIT SITE". This document contains Yates' request for an extension of the deadline for submission of abatement plans for the above listed sites from May 7, 2001 to July 7, 2001.

The above-referenced request is approved. If you have any questions, please contact Bill Olson at (505) 827-7154.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger C. Anderson".

for Roger C. Anderson  
Environmental Bureau Chief

xc: Tim Gum, OCD Artesia District Office

MARTIN YATES, III  
1912 - 1985  
FRANK W. YATES  
1936 - 1986



105 SOUTH FOURTH STREET  
ARTESIA, NEW MEXICO 88210-2118  
TELEPHONE (505) 748-1471

S. P. YATES  
CHAIRMAN OF THE BOARD  
JOHN A. YATES  
PRESIDENT  
PEYTON YATES  
EXECUTIVE VICE PRESIDENT  
RANDY G. PATTERSON  
SECRETARY  
DENNIS G. KINSEY  
TREASURER

Roger Anderson  
Environmental Bureau Chief  
New Mexico Energy, Minerals and  
Natural Resources Department  
Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

RECEIVED  
MAY - 7 2001

April 27, 2001

**RE: Abatement Plan AP-25 Scripp Pit Site  
Abatement Plan AP-24 Inex Pit Site  
Abatement Plan AP-23 Lattion Pit Site  
Abatement Plan AP-22 Williams Pit Site**

Dear Mr. Anderson,

Your letters dated March 7, 2001 request a "Stage 1 abatement plan investigation proposal" pursuant to OCD Rule 10.E.1 and OCD Rule 19.E.3 by May 7, 2001 for the above locations.

Yates is requesting an extension of sixty (60) days and proposes submission of plans on or before July 7, 2000. We have retained Jeff Minchak with Harding ESE to prepare the plans.

Please contact me at 505-748-4185 or Mr. Minchak at 505-248-0017 if you have questions or need additional information.

Sincerely,

Lisa Norton  
Environmental  
Coordinator

cc: Darrell Atkins  
Jeff Minchak, Harding ESE  
file



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**  
Governor  
**Jennifer A. Salisbury**  
Cabinet Secretary

**Lori Wrotenbery**  
Director  
Oil Conservation Division

March 7, 2001

**CERTIFIED MAIL**  
**RETURN RECEIPT NO. 5051-4188**

Ms. Lisa Norton  
Yates Petroleum Corporation  
105 South Fourth St.  
Artesia, New Mexico 88210

**RE: ABATEMENT PLAN AP-22  
WILLIAMS PIT SITE**

Dear Ms. Norton:

The New Mexico Oil Conservation Division (OCD) has reviewed Yates Petroleum Corporation's (Yates) December 15, 2000 "PIT CLOSURE FOR WILLIAMS PIT SITE" and accompanying December 15, 2000 "PIT REMEDIATION AND CLOSURE REPORT", November 2000 "PRELIMINARY SITE INVESTIGATION REPORT, WILLIAMS PIT SITE, EDDY COUNTY, NEW MEXICO" and February 28, 2000 "FINAL CLOSURE OF UNLINED SURFACE IMPOUNDMENTS - EDDY COUNTY, NEW MEXICO". These documents contain information on the closure and investigation of the extent of contamination at Yates' Williams Pit Site located in the NE/4 of the NW/4 of Section 25, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. The documents also request closure of the site remediation actions.

A review of the information provided shows that ground water underlying the pit is contaminated with benzene and chloride in excess of the New Mexico Water Quality Control Commission (WQCC) standards. Therefore, the OCD cannot issue final closure approval for the site. Pursuant to 19 NMAC 15.A.19.C.1, the OCD requires an abatement plan for the Williams Pit Site to abate ground water pollution. To initiate the abatement plan process, the OCD requires that Yates submit to the OCD by May 7, 2001 a Stage 1 abatement plan investigation proposal pursuant to OCD Rule 19.E.1. and OCD Rule 19.E.3. If you have any questions, please contact Bill Olson at (505) 827-7154.

Sincerely,

Roger C. Anderson  
Environmental Bureau Chief

xc: Tim Gum, OCD Artesia District Office

MARTIN YATES, III  
1912 - 1985  
FRANK W. YATES  
1936 - 1986



105 SOUTH FOURTH STREET  
ARTESIA, NEW MEXICO 88210-2118  
TELEPHONE (505) 748-1471

S. P. YATES  
CHAIRMAN OF THE BOARD  
JOHN A. YATES  
PRESIDENT  
PEYTON YATES  
EXECUTIVE VICE PRESIDENT  
RANDY G. PATTERSON  
SECRETARY  
DENNIS G. KINSEY  
TREASURER

Mike Stubblefield  
New Mexico Oil Conservation Division  
811 S. 1<sup>st</sup> Street  
Artesia, NM  
88210

15 December, 2000

RECEIVED

DEC 19 2000

ENVIRONMENTAL BUREAU  
OIL CONSERVATION DIVISION

Ref: Pit Closure for Williams Pit Site

Dear Mike:

Yates Petroleum Corporation requests closure of the Williams Unlined Surface Impoundment located in Eddy County New Mexico with no further action required. A brief explanation of the history of our actions at this site follows, and is supplemented with reports from the contractors hired to close the pit. These actions followed OCD guidelines, and included scientific evidence obtained through analytical soil and water testing samples. The narrative explains our risk based analysis and request for closure. These results are contained in the "Preliminary Site Investigation Report" produced by Environmental Technology Group, Inc. (ETGI) and field activity notes and analytical results prepared by Bioremediation Contractors & Consultants, Inc. (BCC).

This Williams Unlined Surface Impoundment site is located in the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 25, Township 18 S, Range 26 East in Eddy County, New Mexico approximately 9 miles South of Artesia.

In 1997, Yates Petroleum Corporation purchased the H & S Production facilities. These facilities included unlined surface impoundments. As part of the purchase we had an Environmental Assessment done by Harding Lawson Associates (HLA) on this pit. HLA recommended we proceed with closure of this pit. In 1998 we received a bid from BCC to remove liquids, excavate and remediate the contaminated soil via an onsite land farm and to conduct analytical sampling until the pit site was clean enough to pursue closure activities.

Once BCC thought the pit was remediated to proper levels, they sent a closure request dated February 28, 2000 to Donna Williams at the OCD office in Hobbs. When I met with Donna in August 2000, she informed me that the closure report submitted by BCC (see enclosure) was inadequate for three reasons:

Williams, p. 2

- The soil and water were not sampled for Chlorides
- There was inadequate soil sampling done
- There was no site map or narrative explanation of activities enclosed

In addition to this, BCC inadvertently sent the closure request to the OCD office in Hobbs when in fact the Artesia office had jurisdiction. Once we brought these situations to the attention of Mike Stubblefield, and discussed the deficiencies of the closure request, we contracted ETGI to conduct further analysis of this pit and assist us in our closure.

A complete closure report produced by ETGI is enclosed. Per that report, we drilled bore holes to ground water and sampled for Chlorides, TPH and BTEX, as well as took analytical samples and PID samples on the way down. We completed a site map with sample locations and narrative of all activities.

The results of the soil and water sampling, and an analysis of ground water subsurface flow along with a risk based analysis of the complete situation, lead us to the conclusion that the risk is acceptable and we should proceed with this closure request.

Please review the enclosed materials, and if acceptable grant us our closure request. If you have any questions on this request please do not hesitate to contact me at (505) 748-4223. We would like an approval for this pit closure request by January 26<sup>th</sup>, 2001.

Sincerely,



David Haggith  
Yates Petroleum Corporation  
Environmental Coordinator

3 enclosures (Pit closure form, BCC report, ETGI report)

CC: Bill Olsen, OCD  
Darrell Atkins  
Ron Beasley  
File