

# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

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

Director

**Oil Conservation Division**

Mr. Dan Dolan  
Yates Petroleum Corporation  
105 S 4<sup>th</sup> Street  
Artesia, NM 88210

December 8, 2005

## REMEDIATION WORK PLAN APPROVAL - GRAHAM AKD STATE NO. 1

The New Mexico Oil Conservation Division District 2 Office is in receipt of your letter dated 12-05-05 which provides an outline for work to remediate the release at the Graham AKD State No. 1 (30-015-26875).

Your proposed method of surface soil flushing, utilizing a water jet to remove contaminated soils and vacuum truck to recover contaminated soils and flushing fluids, is approved for this remediation under the following conditions:

- The potential of washing the contaminant beyond the capture zone and the introduction of surfactants to the subsurface soils must be minimized by use of berms or dikes that will direct the flushing fluids, and any dissolved contaminants or soils, to a sump or other low point containment and recapture point. In addition the vacuum truck must be on location and immediately capture fluids and contaminated materials as they are washed from the target area into the low point containment and recapture point.
- Once surface soil flushing is complete, the low point containment and recapture point must be sampled for residual contamination and remediated as appropriate.
- The addition of environmentally compatible surfactants may be used to increase the effective solubility of the contaminants subject to approval by the NMOCD District 2 Office. If surfactants are to be used the manufacturers application procedure and data information sheet must be submitted for review prior to their use in this remediation.
- Contaminated soils requiring remediation should be remediated so that residual contaminant concentrations are below the recommended soil remediation action level. If soil action levels cannot practicably be attained, a detailed evaluation of risk may be performed and provided in writing to OCD for approval showing that the remaining contaminants will not pose a threat to present or foreseeable beneficial use of fresh water, public health and the environment.
- If alternate methods of remediation are to be used, prior approval from the OCD District 2 Office is required prior to beginning any work using these alternate methods. A specific proposal outlining the alternate methods must be submitted in writing.
- If ground water is encountered during the soil/waste characterization, excavation or remediation of the impacted soils, a sample should be obtained to assess the incidents potential impact on ground water quality and the OCD District 2 Office should be notified immediately.
- Notify OCD District 2 Office 24 hours prior to commencement of operations.
- Notify OCD District 2 Office 24 hours prior to obtaining samples where analysis of samples will be submitted to OCD.

- Upon termination of any required remedial actions, the area of a leak, spill or release may be closed, **after obtaining approval for the closure from the OCD District 2 office**, by backfilling any excavated areas, contouring to provide drainage, revegetating the area or other OCD approved methods. Upon completion of remedial activities a final report summarizing all actions taken to mitigate environmental damage related to the leak, spill or release will be provided to OCD for approval.
  - For all Federal Lease wells, a "Like Approval" by the United States Bureau of Land Management may be required. It is the operators responsibility to obtain this approval and the approval of any other surface owner that may be required by law, regulation or contractual obligation of the operator and surface owner.
- 

Further discussion of remediation techniques, site ranking criteria, remediation action levels and alternative methods for remediation may be found on our website. You are encouraged to use the OCD publication entitled "Remediation of Leaks, Spills and Releases" as a guide during your remediation of this location. This guide may be found on our web site at: <http://www.emnrd.state.nm.us/emnrd/ocd/EH-MiscGuidelines.htm> .

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

NMOCD District 2 Contact Person: Chris Beadle, Office: (505) 748-1283 x107 / Cell: (505) 626-0831 / Fax: (505) 748-9720 / E-mail: [Chris.Beadle@state.nm.us](mailto:Chris.Beadle@state.nm.us)

Thank you for your prompt attention to this matter and your efforts in helping to protect our environment and the infrastructure of the oil and gas industry.

Sincerely,

  
Artesia OCD District Office

MARTIN YATES, III  
1912 - 1985  
FRANK W. YATES  
1936 - 1905



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

12-05-05

Mr. Chris Beadle  
NM Oil Conservation Division  
District 2  
1300 W. Grand St.  
Artesia NM 88210

**RE: Graham AKD State #1 API# 30-015-26875**

Mr. Beadle;

The following is a proposed work plan for the remediation of the above noted location.

The current operations at this location are designed to delineate the horizontal and vertical areas of contamination, this method employs a vacuum truck and water jet to remove the soil, and leave a clean area.

After the area has been cleaned, borings will be taken with a hand auger to determine if more soil is to be removed.

After this determination has been made, samples will be taken as a primary measure to determine any contamination left in place, which will include BTEX, TPH, and Chlorides.

A Field headspace test will be performed with a PID as required in Rule 116, and all other samples will be sent to Assagai Labs for analyticals.

When results are returned, further excavation will be made if required, if not then you will be notified and a time for testing will be arranged.

In any case, you will be notified at least 24hrs prior to any testing where the results are to be submitted to the OCD.

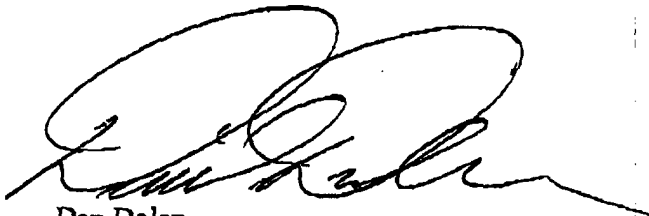
**RE: Graham AKD State #1**

After the excavation and final testing, the area will be leveled and refilled with clean dirt of the same type removed.

The ranking for this location is as follows; Depth to ground water-0. Wellhead protection area-0. Distance to surface water-0. This information was taken from the NM State Engineers web site.

All procedures outlined in Rule 116 will be followed.

For further information or questions you can contact me at 748-4181.

A handwritten signature in black ink, appearing to read 'Dan Dolan', with a large, stylized loop at the end.

Dan Dolan  
Environmental Regulatory Agent

FAX COVER SHEET



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

Date: 12-06-05

To: MR. CHRIS BEADLE  
DISTRICT 2 NIMED

From: Dan Dolan  
Yates Petroleum Corporation

Fax #: 748-9720

Number of Pages 3  
(Including Cover Sheet)

If you do not receive all of this transmission, Please call me at 748-4181

Note:

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

Form C-141  
Revised October 10, 2003

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

### Release Notification and Corrective Action

#### OPERATOR

☒ Initial Report ☐ Final Report

Name of Company Yates Petroleum Corp.	Contact Dan Dolan
Address 105 S. 4 <sup>th</sup> St., Artesia NM 88210	Telephone No. 748-4181
Facility Name Graham AKB State #1	Facility Type Tank Battery

Surface Owner State	Mineral Owner State	Lease No.
---------------------	---------------------	-----------

#### LOCATION OF RELEASE

Unit Letter A	Section 2	Township 22S	Range 31E	Feet from the	North/South Line	Feet from the	East/West Line	County Eddy
------------------	--------------	-----------------	--------------	---------------	------------------	---------------	----------------	----------------

Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

#### NATURE OF RELEASE

Type of Release Produced Water	Volume of Release Unk	Volume Recovered 0
Source of Release Unk	Date and Hour of Occurrence Unk	Date and Hour of Discovery 11-14-05
Was Immediate Notice Given? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom?	
By Whom?	Date and Hour	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	

If a Watercourse was Impacted, Describe Fully. \*

Describe Cause of Problem and Remedial Action Taken. \*

An unknown amount of fluid was found by the water tank of the above location by Mr. Chris Beadle, of District 2, NMOCED, the fluid has soaked into the ground inside the berm area.

Describe Area Affected and Cleanup Action Taken. \*

The mentioned area is being cleaned up under the direction of the production foreman Joe Chaves of Yates, Badger Daylighting is doing the work. When the area is cleaned, OCD will be notified and Samples taken for BTEX, TPH, and Chlorides, the Ranking for this area is as follows, Depth to ground water-0, Wellhead protection area-0, distance to surface water-0, ranking was taken from State Engineers Water Site, a full work plan will follow.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCED 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 NMOCED 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, NMOCED 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.

#### OIL CONSERVATION DIVISION

Signature: 

Printed Name: Dan Dolan

Title: Environmental Regulatory Agent

E-mail Address: ddolan@ypcnm.com

Date: 12-05-05

Phone: 748-4181

Approved by District Supervisor:

Approval Date:

Expiration Date:

Conditions of Approval:

Attached ☐

\* Attach Additional Sheets If Necessary