

MARTIN YATES, III  
1912-1985  
FRANK W. YATES  
1936-1986  
S.P. YATES  
1914-2008

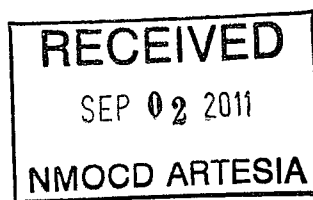


105 SOUTH FOURTH STREET  
ARTESIA, NEW MEXICO 88210-2118  
TELEPHONE (575) 748-1471

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JORGE S. MENDOZA  
CHIEF ADMINISTRATIVE OFFICER

September 2, 2011

Mr. Mike Bratcher  
NMOCD District II  
811 South First Street  
Artesia, NM 88210



Re: Foster AN Battery  
2RP-863  
30-015-26914  
Section 1, T20S-R24E  
Eddy County, New Mexico

Dear Mr. Bratcher,

Enclosed please find a Form C-141, Final Report for the above captioned site regarding the release on August 1, 2011 (90 bbls of produced water with 80 bbls of produced water being recovered). The release was from the failure of a Murphy switch on a water pump. Vertical and horizontal samples were taken on 8/15/2011 and sent to an NMOCD approved laboratory for analysis. Analytical results show TPH & BTEX (chlorides for documentation) below RRAL's for the site ranking of zero (0), (enclosed sample diagram and results). These analytical results have been accepted by the NMOCD for closure (8/30/2011). Yates Petroleum Corporation requests closure.

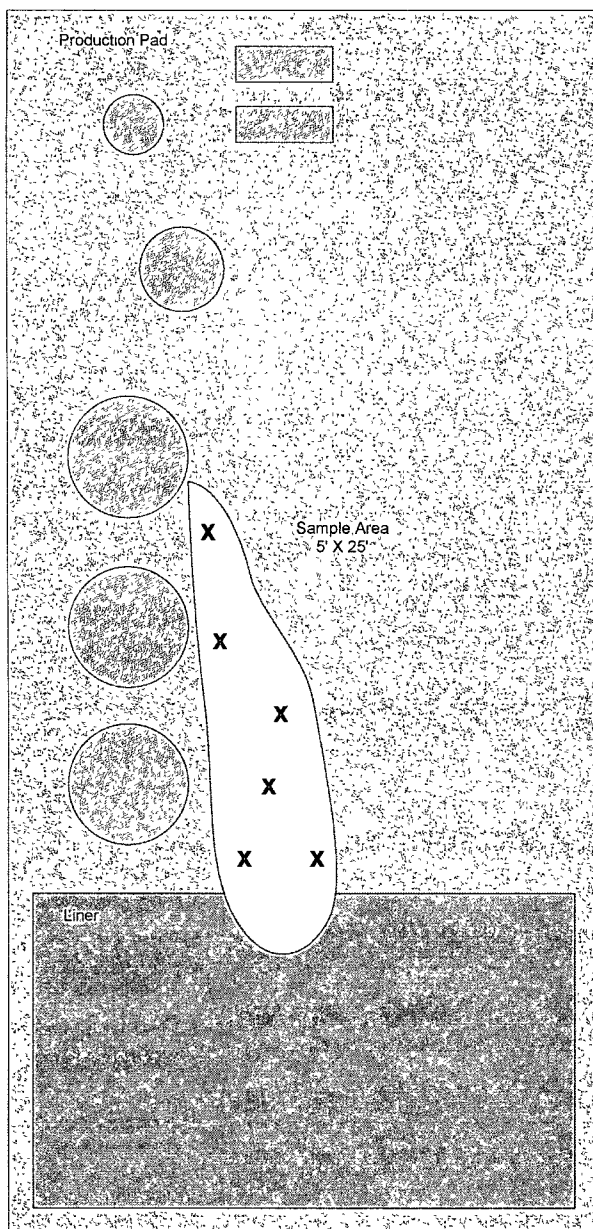
If you have any questions, please call me at 575-748-4217.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher  
Senior Environmental Regulatory Agent

/rca  
Enclosure(s)



Analytical Report 426015 & 426061	Sample Area	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL	Chlorides
Comp-00.5	Release Area	8/15/2011	Comp/Auger	6"	ND	ND	ND	0.0	452
Comp-01.0	Release Area	8/15/2011	Comp/Auger	12"	0.0012	ND	81.7	81.7	398

Site Ranking is Zero (0). Depth to Ground Water >100' (approx. 132', Per the ChevronTexaco Trend Map).

All results are ppm. **X - Sample Points**

Released: 90 B/PW; Recovered: 80 B/PW. Release Date: 8/1/2011



**Foster AN Battery**  
**30-015-26914**  
**Section 1, T20S-R24E**  
**Eddy County, NM**

**SAMPLE DIAGRAM(Not to Scale)**  
**Xenco Laboratories# 426015 & 426061**  
**Report Date: 8/24/2011**  
**Prepared by Robert Asher**  
**Environmental Regulatory Agent**

# Analytical Report 426015

## for Yates Petroleum Corporation

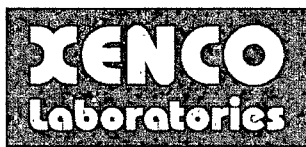
**Project Manager: Robert Asher**

**Foster AN Battery**

**30-015-26914**

**24-AUG-11**

Collected By: Client



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**12600 West I-20 East Odessa, Texas 79765**

Xenco-Houston (EPA Lab code: TX00122):

Texas (T104704215-10-6-TX), Arizona (AZ0765), Arkansas (08-039-0), Connecticut (PH-0102), Florida (E871002)  
Illinois (002082), Indiana (C-TX-02), Iowa (392), Kansas (E-10380), Kentucky (45), Louisiana (03054)  
New Hampshire (297408), New Jersey (TX007), New York (11763), Oklahoma (9218), Pennsylvania (68-03610)  
Rhode Island (LAO00312), USDA (S-44102)

Xenco-Atlanta (EPA Lab Code: GA00046):

Florida (E87429), North Carolina (483), South Carolina (98015), Utah (AALI1), West Virginia (362), Kentucky (85)  
Louisiana (04176), USDA (P330-07-00105)

Xenco-Miami (EPA Lab code: FL01152): Florida (E86678), Maryland (330)

Xenco-Tampa Mobile (EPA Lab code: FL01212): Florida (E84900)

Xenco-Odessa (EPA Lab code: TX00158): Texas (T104704400-TX)

Xenco-Dallas (EPA Lab code: TX01468): Texas (T104704295-TX)

Xenco Phoenix (EPA Lab Code: AZ00901): Arizona (AZ0757)

Xenco-Phoenix Mobile (EPA Lab code: AZ00901): Arizona (AZM757)

Xenco Tucson (EPA Lab code: AZ000989): Arizona (AZ0758)



24-AUG-11

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

Reference: XENCO Report No: **426015**  
**Foster AN Battery**  
Project Address: Eddy County

**Robert Asher:**

We are reporting to you the results of the analyses performed on the samples received under the project name referenced above and identified with the XENCO Report Number 426015. All results being reported under this Report Number apply to the samples analyzed and properly identified with a Laboratory ID number. Subcontracted analyses are identified in this report with either the NELAC certification number of the subcontract lab in the analyst ID field, or the complete subcontracted report attached to this report.

Unless otherwise noted in a Case Narrative, all data reported in this Analytical Report are in compliance with NELAC standards. Estimation of data uncertainty for this report is found in the quality control section of this report unless otherwise noted. Should insufficient sample be provided to the laboratory to meet the method and NELAC Matrix Duplicate and Matrix Spike requirements, then the data will be analyzed, evaluated and reported using all other available quality control measures.

The validity and integrity of this report will remain intact as long as it is accompanied by this letter and reproduced in full, unless written approval is granted by XENCO Laboratories. This report will be filed for at least 5 years in our archives after which time it will be destroyed without further notice, unless otherwise arranged with you. The samples received, and described as recorded in Report No. 426015 will be filed for 60 days, and after that time they will be properly disposed without further notice, unless otherwise arranged with you. We reserve the right to return to you any unused samples, extracts or solutions related to them if we consider so necessary (e.g., samples identified as hazardous waste, sample sizes exceeding analytical standard practices, controlled substances under regulated protocols, etc).

We thank you for selecting XENCO Laboratories to serve your analytical needs. If you have any questions concerning this report, please feel free to contact us at any time.

Respectfully,

---

**Brent Barron II**

Odessa Laboratory Manager

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## Sample Cross Reference 426015



Yates Petroleum Corporation, Artesia, NM

Foster AN Battery

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
Comp-00.5	S	08-15-11 11:44		426015-001
Comp-01.0	S	08-15-11 11:55		426015-002



## CASE NARRATIVE

**Client Name:** Yates Petroleum Corporation

**Project Name:** Foster AN Battery



**Project ID:** 30-015-26914

**Work Order Number:** 426015

**Report Date:** 24-AUG-11

**Date Received:** 08/18/2011

---

**Sample receipt non conformances and comments:**

None

---

**Sample receipt non conformances and comments per sample:**

None



# Certificate of Analysis Summary 426015

Yates Petroleum Corporation, Artesia, NM



Project Id: 30-015-26914

Contact: Robert Asher

Project Location: Eddy County

Project Name: Foster AN Battery

Date Received in Lab: Thu Aug-18-11 09:20 am


Report Date: 24-AUG-11

Project Manager: Brent Barron II

<b>Analysis Requested</b>	<b>Lab Id:</b>	426015-001	426015-002				
	<b>Field Id:</b>	Comp-00 5	Comp-01 0				
	<b>Depth:</b>						
	<b>Matrix:</b>	SOIL	SOIL				
	<b>Sampled:</b>	Aug-15-11 11:44	Aug-15-11 11:55				
<b>BTEX by EPA 8021B</b>	<b>Extracted:</b>	Aug-23-11 11:00	Aug-23-11 11:00				
	<b>Analyzed:</b>	Aug-23-11 17:02	Aug-23-11 17:25				
	<b>Units/RL:</b>	mg/kg RL	mg/kg RL				
Benzene		ND 0 00106	ND 0 00114				
Toluene		ND 0 00213	ND 0 00227				
Ethylbenzene		ND 0 00106	ND 0 00114				
m_p-Xylenes		ND 0 00213	ND 0 00227				
o-Xylene		ND 0 00106	0 00116 0 00114				
Total Xylenes		ND 0 00106	0 00116 0 00114				
Total BTEX		ND 0 00106	0 00116 0 00114				
<b>Percent Moisture</b>	<b>Extracted:</b>						
	<b>Analyzed:</b>	Aug-18-11 12:55	Aug-18-11 12:55				
	<b>Units/RL:</b>	% RL	% RL				
Percent Moisture		7.03 1.00	12.0 1 00				
<b>TPH By SW8015B Mod</b>	<b>Extracted:</b>	Aug-23-11 08:15	Aug-23-11 08:15				
	<b>Analyzed:</b>	Aug-23-11 12:27	Aug-23-11 12:56				
	<b>Units/RL:</b>	mg/kg RL	mg/kg RL				
C6-C10 Gasoline Range Hydrocarbons		ND 16 1	ND 17.0				
C10-C28 Diesel Range Hydrocarbons		ND 16 1	81.7 17.0				
Total TPH		ND 16 1	81.7 17.0				

This analytical report, and the entire data package it represents, has been made for your exclusive and confidential use. The interpretations and results expressed throughout this analytical report represent the best judgment of XENCO Laboratories. XENCO Laboratories assumes no responsibility and makes no warranty to the end use of the data hereby presented. Our liability is limited to the amount invoiced for this work order unless otherwise agreed to in writing.

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Brent Barron II  
Odessa Laboratory Manager



## Flagging Criteria

- X** In our quality control review of the data a QC deficiency was observed and flagged as noted. MS/MSD recoveries were found to be outside of the laboratory control limits due to possible matrix /chemical interference, or a concentration of target analyte high enough to affect the recovery of the spike concentration. This condition could also affect the relative percent difference in the MS/MSD.
- B** A target analyte or common laboratory contaminant was identified in the method blank. Its presence indicates possible field or laboratory contamination.
- D** The sample(s) were diluted due to targets detected over the highest point of the calibration curve, or due to matrix interference. Dilution factors are included in the final results. The result is from a diluted sample.
- E** The data exceeds the upper calibration limit; therefore, the concentration is reported as estimated.
- F** RPD exceeded lab control limits.
- J** The target analyte was positively identified below the quantitation limit and above the detection limit.
- U** Analyte was not detected.
- L** The LCS data for this analytical batch was reported below the laboratory control limits for this analyte. The department supervisor and QA Director reviewed data. The samples were either reanalyzed or flagged as estimated concentrations.
- H** The LCS data for this analytical batch was reported above the laboratory control limits. Supporting QC Data were reviewed by the Department Supervisor and QA Director. Data were determined to be valid for reporting.
- K** Sample analyzed outside of recommended hold time.
- JN** A combination of the "N" and the "J" qualifier. The analysis indicates that the analyte is "tentatively identified" and the associated numerical value may not be consistent with the amount actually present in the environmental sample.

**BRL** Below Reporting Limit.

**RL** Reporting Limit

**MDL** Method Detection Limit      **SDL** Sample Detection Limit      **LOD** Limit of Detection

**PQL** Practical Quantitation Limit      **MQL** Method Quantitation Limit      **LOQ** Limit of Quantitation

**DL** Method Detection Limit

**NC** Non-Calculable

+ Outside XENCO's scope of NELAC Accreditation.

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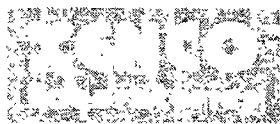
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12600 West I-20 East, Odessa, TX 79765  
6017 Financial Drive, Norcross, GA 30071  
3725 E. Atlanta Ave, Phoenix, AZ 85040

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(813) 620-2000	(813) 620-2033
(305) 823-8500	(305) 823-8555
(432) 563-1800	(432) 563-1713
(770) 449-8800	(770) 449-5477
(602) 437-0330	





andrea Elam <andrea.lam@xenco.com>

## Foster AN Battery

5 messages

andrea Elam <andrea.lam@xenco.com>  
To: boba@yatespetroleum.com

Thu, Aug 18, 2011 at 1:51 PM

Bob,

I would like to confirm our conversation that we should go by what is on the sample container labels then what is on the COC

--

Xenco

432-563-1800

432-563-1800

432-563-1800

andrea Elam <andrea.lam@xenco.com>  
To: boba@yatespetroleum.com

Thu, Aug 18, 2011 at 2:09 PM

One more question are you in need of chlorides on this work order as it is not on the COC but it is on the sample container labels

Bob Asher <BobA@yatespetroleum.com>  
To: andrea Elam <andrea.lam@xenco.com>

Thu, Aug 18, 2011 at 2:10 PM

Andrea

Yes, we will be needing chlorides for the sample container labels.

Bob Asher

Bob Asher

Yates Petroleum Corporation

575-748-4217

Bob Asher <BobA@yatespetroleum.com>  
To: andrea Elam <andrea.lam@xenco.com>

Thu, Aug 18, 2011 at 2:11 PM

Andrea

Bob to Xenco, the check is for \$50,000.00. I have been paid for the

Thank you.

Robert Asher

Yates Petroleum Corporation

575-748-4217

-----Original Message-----

**From:** andrea Elam [mailto:[andrea.lam@xenco.com](mailto:andrea.lam@xenco.com)]  
**Sent:** Thursday, August 18, 2011 1:09 PM  
**To:** Bob Asher

Hi Bob,

Thank you.

andrea Elam <[andrea.lam@xenco.com](mailto:andrea.lam@xenco.com)>  
To: Bob Asher <BobA@yatespetroleum.com>

Thu, Aug 18, 2011 at 3:29 PM

Will do thanks.

Andrea

--

# Analytical Report 426061

## for Yates Petroleum Corporation

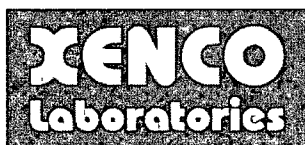
**Project Manager: Robert Asher**

**Foster AN Battery**

**30-015-26914**

**24-AUG-11**

Collected By: Client



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**12600 West I-20 East Odessa, Texas 79765**

Xenco-Houston (EPA Lab code: TX00122):

Texas (T104704215-10-6-TX), Arizona (AZ0765), Arkansas (08-039-0), Connecticut (PH-0102), Florida (E871002)  
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New Hampshire (297408), New Jersey (TX007), New York (11763), Oklahoma (9218), Pennsylvania (68-03610)  
Rhode Island (LAO00312), USDA (S-44102)

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Louisiana (04176), USDA (P330-07-00105)

Xenco-Miami (EPA Lab code: FL01152): Florida (E86678), Maryland (330)

Xenco-Tampa Mobile (EPA Lab code: FL01212): Florida (E84900)

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Xenco-Dallas (EPA Lab code: TX01468): Texas (T104704295-TX)

Xenco Phoenix (EPA Lab Code: AZ00901): Arizona (AZ0757)

Xenco-Phoenix Mobile (EPA Lab code: AZ00901): Arizona (AZM757)

Xenco Tucson (EPA Lab code: AZ000989): Arizona (AZ0758)



24-AUG-11

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

Reference: XENCO Report No: **426061**  
**Foster AN Battery**  
Project Address: Eddy County

**Robert Asher:**

We are reporting to you the results of the analyses performed on the samples received under the project name referenced above and identified with the XENCO Report Number 426061. All results being reported under this Report Number apply to the samples analyzed and properly identified with a Laboratory ID number. Subcontracted analyses are identified in this report with either the NELAC certification number of the subcontract lab in the analyst ID field, or the complete subcontracted report attached to this report.

Unless otherwise noted in a Case Narrative, all data reported in this Analytical Report are in compliance with NELAC standards. Estimation of data uncertainty for this report is found in the quality control section of this report unless otherwise noted. Should insufficient sample be provided to the laboratory to meet the method and NELAC Matrix Duplicate and Matrix Spike requirements, then the data will be analyzed, evaluated and reported using all other available quality control measures.

The validity and integrity of this report will remain intact as long as it is accompanied by this letter and reproduced in full, unless written approval is granted by XENCO Laboratories. This report will be filed for at least 5 years in our archives after which time it will be destroyed without further notice, unless otherwise arranged with you. The samples received, and described as recorded in Report No. 426061 will be filed for 60 days, and after that time they will be properly disposed without further notice, unless otherwise arranged with you. We reserve the right to return to you any unused samples, extracts or solutions related to them if we consider so necessary (e.g., samples identified as hazardous waste, sample sizes exceeding analytical standard practices, controlled substances under regulated protocols, etc).

We thank you for selecting XENCO Laboratories to serve your analytical needs. If you have any questions concerning this report, please feel free to contact us at any time.

Respectfully,

---

**Brent Barron II**

Odessa Laboratory Manager

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## Sample Cross Reference 426061



Yates Petroleum Corporation, Artesia, NM

Foster AN Battery

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
Comp-00.5	S	08-15-11 11:44		426061-001
Comp-01.0	S	08-15-11 11:55		426061-002



## **CASE NARRATIVE**

***Client Name: Yates Petroleum Corporation***

***Project Name: Foster AN Battery***



*Project ID: 30-015-26914*

*Work Order Number: 426061*

*Report Date: 24-AUG-11*

*Date Received: 08/18/2011*

---

***Sample receipt non conformances and comments:***

*None*

---

***Sample receipt non conformances and comments per sample:***

*None*



# Certificate of Analysis Summary 426061

Yates Petroleum Corporation, Artesia, NM



Project Id: 30-015-26914

Contact: Robert Asher

Project Location: Eddy County

Project Name: Foster AN Battery

Date Received in Lab: Thu Aug-18-11 09:20 am

Report Date: 24-AUG-11

Project Manager: Brent Barron II

<b>Analysis Requested</b>	<b>Lab Id:</b>	426061-001	426061-002				
	<b>Field Id:</b>	Comp-00 5	Comp-01.0				
	<b>Depth:</b>						
	<b>Matrix:</b>	SOIL	SOIL				
	<b>Sampled:</b>	Aug-15-11 11:44	Aug-15-11 11:55				
<b>Anions by E300</b>	<b>Extracted:</b>						
	<b>Analyzed:</b>	Aug-21-11 13:40	Aug-21-11 13:40				
	<b>Units/RL:</b>	mg/kg RL	mg/kg RL				
Chloride		452 22.6	398 23.9				
<b>Percent Moisture</b>	<b>Extracted:</b>						
	<b>Analyzed:</b>	Aug-18-11 12:55	Aug-18-11 12:55				
	<b>Units/RL:</b>	% RL	% RL				
Percent Moisture		7.03 1.00	12.0 1.00				

This analytical report, and the entire data package it represents, has been made for your exclusive and confidential use. The interpretations and results expressed throughout this analytical report represent the best judgment of XENCO Laboratories. XENCO Laboratories assumes no responsibility and makes no warranty to the end use of the data hereby presented. Our liability is limited to the amount invoiced for this work order unless otherwise agreed to in writing.

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Brent Barron II  
Odessa Laboratory Manager



## Flagging Criteria

- X** In our quality control review of the data a QC deficiency was observed and flagged as noted. MS/MSD recoveries were found to be outside of the laboratory control limits due to possible matrix /chemical interference, or a concentration of target analyte high enough to affect the recovery of the spike concentration. This condition could also affect the relative percent difference in the MS/MSD.
- B** A target analyte or common laboratory contaminant was identified in the method blank. Its presence indicates possible field or laboratory contamination.
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- JN** A combination of the "N" and the "J" qualifier. The analysis indicates that the analyte is "tentatively identified" and the associated numerical value may not be consistent with the amount actually present in the environmental sample.

**BRL** Below Reporting Limit.

**RL** Reporting Limit

**MDL** Method Detection Limit      **SDL** Sample Detection Limit      **LOD** Limit of Detection

**PQL** Practical Quantitation Limit      **MQL** Method Quantitation Limit      **LOQ** Limit of Quantitation

**DL** Method Detection Limit

**NC** Non-Calculable

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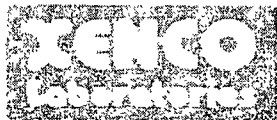
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5757 NW 158th St, Miami Lakes, FL 33014  
12600 West I-20 East, Odessa, TX 79765  
6017 Financial Drive, Norcross, GA 30071  
3725 E Atlanta Ave, Phoenix, AZ 85040

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(813) 620-2000	(813) 620-2033
(305) 823-8500	(305) 823-8555
(432) 563-1800	(432) 563-1713
(770) 449-8800	(770) 449-5477
(602) 437-0330	





andrea Elam <andrea.lam@xenco.com>

## Foster AN Battery

5 messages

andrea Elam <andrea.lam@xenco.com>

Thu, Aug 18, 2011 at 1:51 PM

To: boba@yatespetroleum.com

Bob,

I would like to confirm our conversation that we should go by what is on the sample container labels then what is on the COC

--

andrea Elam  
Xenco Laboratories

432-563-1800

432-563-1800

andrea Elam <andrea.lam@xenco.com>

Thu, Aug 18, 2011 at 2:09 PM

To: boba@yatespetroleum.com

One more question are you in need of chlorides on this work order as it is not on the COC but it is on the sample container labels

--

andrea Elam

Bob Asher <BobA@yatespetroleum.com>

Thu, Aug 18, 2011 at 2:10 PM

To: andrea Elam <andrea.lam@xenco.com>

Andrea

Yes, go with the sample container labels, sorry for the mix up

Thank you

Robert Asher

Yates Petroleum Corporation

575-748-4217

-----

**Bob Asher <BobA@yatespetroleum.com>**  
To: andrea Elam <andrea.lam@xenco.com>

**Thu, Aug 18, 2011 at 2:11 PM**

Andrea

Yes, please. Notes for this one is please. The first is a separate document.

Thank you.

Robert Asher

Yates Petroleum Corporation

575-748-4217

-----Original Message-----

**From:** andrea Elam [mailto:[andrea.lam@xenco.com](mailto:andrea.lam@xenco.com)]  
**Sent:** Thursday, August 18, 2011 1:09 PM  
**To:** Bob Asher

-----

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**andrea Elam <andrea.lam@xenco.com>**  
To: Bob Asher <BobA@yatespetroleum.com>

**Thu, Aug 18, 2011 at 3:29 PM**

Will do thanks

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