

SEP 30 2009

Release Notification and Corrective Action✓ **OPERATOR**☐ Initial Report☒ Final Report

Name of Company: Jalapeno Corporation	Contact: Harvey E. Yates, Jr. or Jun Barrack
Address: P.O. Box 1608; Albuquerque, NM 87103	Telephone No.: 505-242-2050
Facility Name: Duncan Federal #5 Well	Facility Type: Oil Well

Surface Owner: BLM	Mineral Owner: BLM	Lease No.: NM 12557
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30-005-62901**LOCATION OF RELEASE**

Unit Letter C	Section 18	Township 9-S	Range 28-E	Feet from the 660	North/South Line North	Feet from the 1650	East/West Line West	County Chaves
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Latitude _____ Longitude _____

NATURE OF RELEASE

Type of Release: Oil	Volume of Release: 65 bbls- 30 bbls of oil in firewall & 35 bbls of oil in water tank	Volume Recovered 25 bbls of oil
Source of Release: Oil tank	Date and Hour of Occurrence: 8/21-22/09	Date & Hour of Discovery: 8/22/09
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? OCD Artesia Office & BLM by urgent fax a short time after notice from field was given to office on Monday morning.	
By Whom? Jun Barrack	Date and Hour: 8/24/09 11:30 a.m.	
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.*

N/A

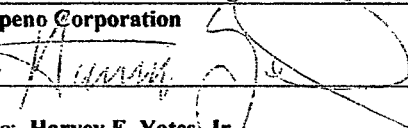

Describe Cause of Problem and Remedial Action Taken.*

SEE ATTACHED REPORT

Describe Area Affected and Cleanup Action Taken.*

SEE ATTACHED REPORT

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Jalapeno Corporation	OIL CONSERVATION DIVISION	
Signature: by 	Approved by District Supervisor: 	
Printed Name: Harvey E. Yates, Jr.	Approval Date: 10-16-09	Expiration Date: N/A
Title: President	Conditions of Approval: N/A	
E-mail Address:	Attached <input checked="" type="checkbox"/> N/A	
Date: 9/24/09 Phone: 505-242-2050		

* Attach Additional Sheets If Necessary

2 RP - 330



Executive Summary Jalapeno Oil Company Duncan Federal No. 5 Remediation Project

Location

The site is located approximately thirty-five miles northeast of the City of Roswell, New Mexico on BLM lands. The primary land use is grazing of cattle however extensive oil and gas operations are prevalent in the area. The area is semi-arid with a net precipitation / evaporation amount of -73" per year. The legal description is: **S18, T9S, R28E.**

Spill Event

A Jalapeno Oil Company subcontractor inadvertently left a valve open resulting in oil being transferred to a water tank and subsequently over-filling the containment. Immediately upon discovery, vacuum trucks were dispatched to the location and removed approximately twenty-five barrels of oil and water from within the containment berms.

Remediation Activities

Approximately three hundred fifty cubic yards of contaminated soils were removed and transported to the Gandy / Marley disposal facility near Crossroads, New Mexico. A similar volume of clean soils were backhauled to the location.

The lateral and vertical extent of the spill was delineated through field titration with confirmation samples sent to Cardinal Laboratories of Hobbs, New Mexico for verification. The impact was found to be quite superficial, penetrating only 2-3 feet below ground surface.

Restoration Activities

The excavated area was backfilled and compacted with blended soils meeting the NMOCD standards for areas in which groundwater is greater than 100 feet. The area within containment was lined with twenty mil high density polyethylene and covered with fresh caliche. The liner was extended to the top of the newly erected containment berms.



Exhibit Index

- A. C-141 Spill Report
- B. Satellite View of Location – Zoom in
- C. Driving Instructions
- D. Water Depths
- E. Plat Map of Location
- F. Excavation Detail
- G. Auger Detail
- H. Auger Detail
- I. Liner Installation
- J. Final Contour
- K. NMOCD Site Ranking
- L. Disposal manifests

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: Jalapeno Corporation	Contact: Harvey E. Yates, Jr. or Jun Barrack
Address: P.O. Box 1608; Albuquerque, NM 87103	Telephone No.: 505-242-2050
Facility Name: Duncan Federal #5 Well	Facility Type: Oil Well
Surface Owner: BLM	Mineral Owner: BLM
Lease No.: NM 12557	

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
C	18	9-S	28-E	660	North	1650	West	Chaves

Latitude _____ Longitude _____

NATURE OF RELEASE

Type of Release: Oil	Volume of Release: 65 bbls- 30 bbls of oil in firewall & 35 bbls of oil in water tank	Volume Recovered 25 bbls of oil
Source of Release: Oil tank	Date and Hour of Occurrence: 8/21-22/09	Date & Hour of Discovery: 8/22/09
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? OCD Artesia Office & BLM by urgent fax a short time after notice from field was given to office on Monday morning.	
By Whom? Jun Barrack	Date and Hour: 8/24/09 11:30 a.m.	
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.*


N/A

Describe Cause of Problem and Remedial Action Taken.* A company was employed to treat a load of oil in the Duncan Federal #5 well and failed to fully close the valve upon departure. This resulted in appr. 35 bbls of oil being transmitted into the water tank and appr. 30 bbls of oil going into the firewall. A vacuum truck was called to remove the oil and appr. 25 bbls of oil was reclaimed. The rest is being cleaned & hauled to a disposal site.

Describe Area Affected and Cleanup Action Taken.*

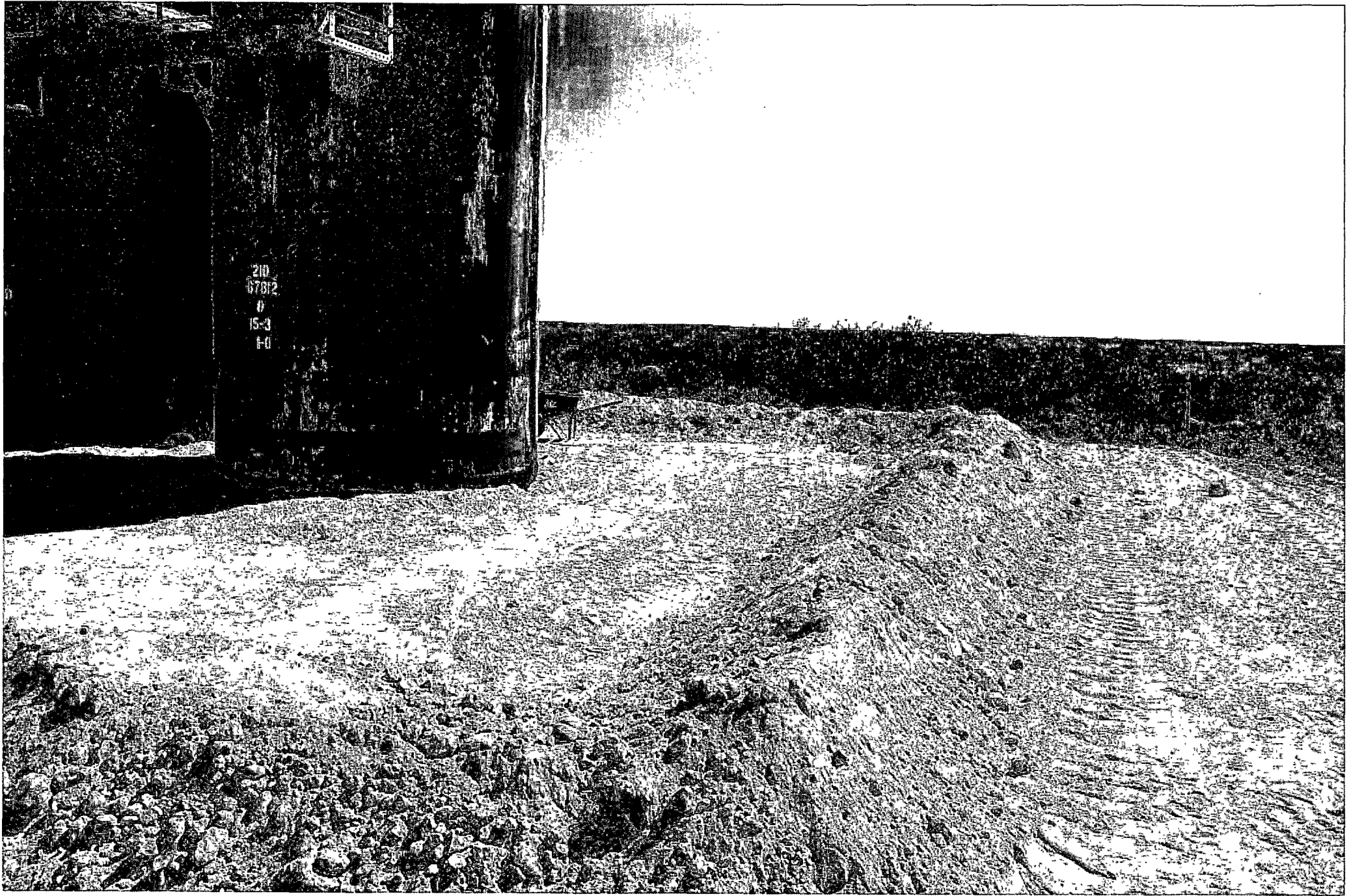
Area affected: Within the firewall. Clean up Action: The visual contaminates of the impacted area are being excavated and removed to a NMOCD approved commercial facility. Soil samples will be obtained and sent to a third party laboratory to be analyzed. A 48 hour advance notice of testing will be given to the OCD and the result of the testing will be sent to the OCD. If sample are within the Recommended Remedial Action Levels, we will rebuild and covered the firewall with plastic. We will reclaim the area in accordance to OCD guidelines.

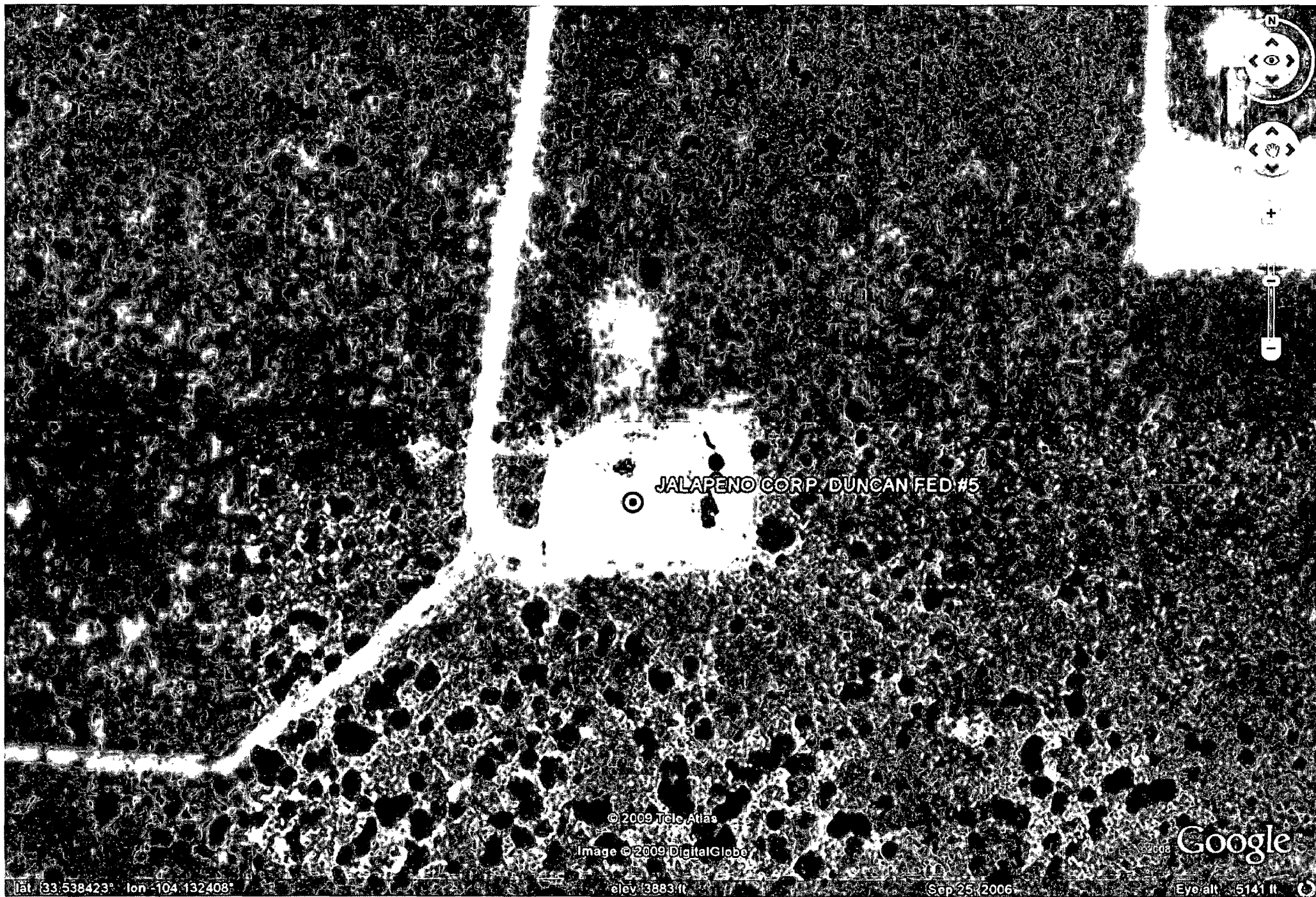
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Jalapeno Corporation		OIL CONSERVATION DIVISION	
Signature: by 	Approved by District Supervisor:		
Printed Name: Harvey E. Yates, Jr.	Approval Date: _____ Expiration Date: _____		
Title: President	Conditions of Approval:		
E-mail Address:			Attached <input type="checkbox"/>
Date: 8/31/09	Phone: 505-242-2050		

* Attach Additional Sheets If Necessary

210
07012
0
15-3
6-0





JALAPENO CORP DUNCAN FED #5

© 2009 Tele Atlas

Image © 2009 DigitalGlobe

Google

lat: 33.538423° lon: -104.132408°

elev: 3883 ft

Sep 25, 2006

Eye alt: 5141 ft

JALAPENO CORP. DUNCAN FED #5

JALAPENO CORP
DUNCAN FED #5

660'FNL & 1650'FWL NE/NW1/4

UL/C SEC 18 - T9S - R28E

CHAVES CO

GPS N33 53829 / W104 13210

DRIVING DIRECTIONS In Roswell @ intersection of Main st. & 2nd st go east
on 2nd st (HWY 380) 18.6mi or mile marker 174, turn R. onto Ponderosa rd., go
N 10.8mi to El Paso R-O-W turn R go 4.45mi, turn R to 1mi turn L go 46th, turn
R go .2th to site at end of rd

© 2009 TeleAtlas

Image NMRGIS

Image © 2009 DigitalGlobe

Google

lat: 33.503662 lon: -104.123363

380

elev: 3916 ft

Eye alt: 1644 mi

El Paso P/L anode bed water depth 151.8 bgs

El Paso P/L
anode bed
distance from anode bed to site 0 98mi

JALAPENO CORP. DUNCAN FED #5

water well depth to water 116 bgs

windmill water
well unknown if active
distance from water well to site 0 86th

© 2009 Tele Atlas
Image NMRGIS
Image © 2009 DigitalGlobe

Google

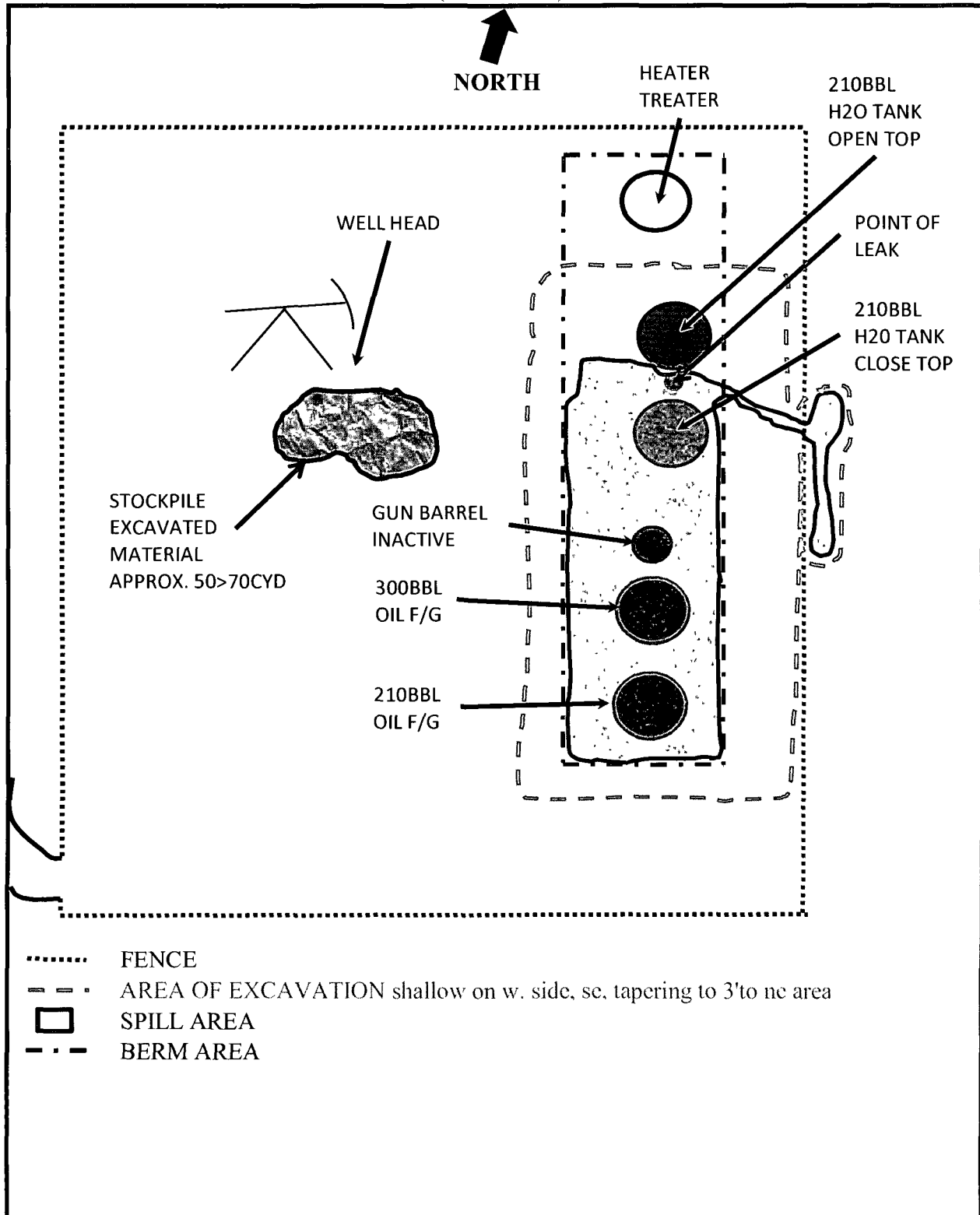
lat 33.540859° lon -104.135412°

elev 3884 ft

Sep 25, 2006

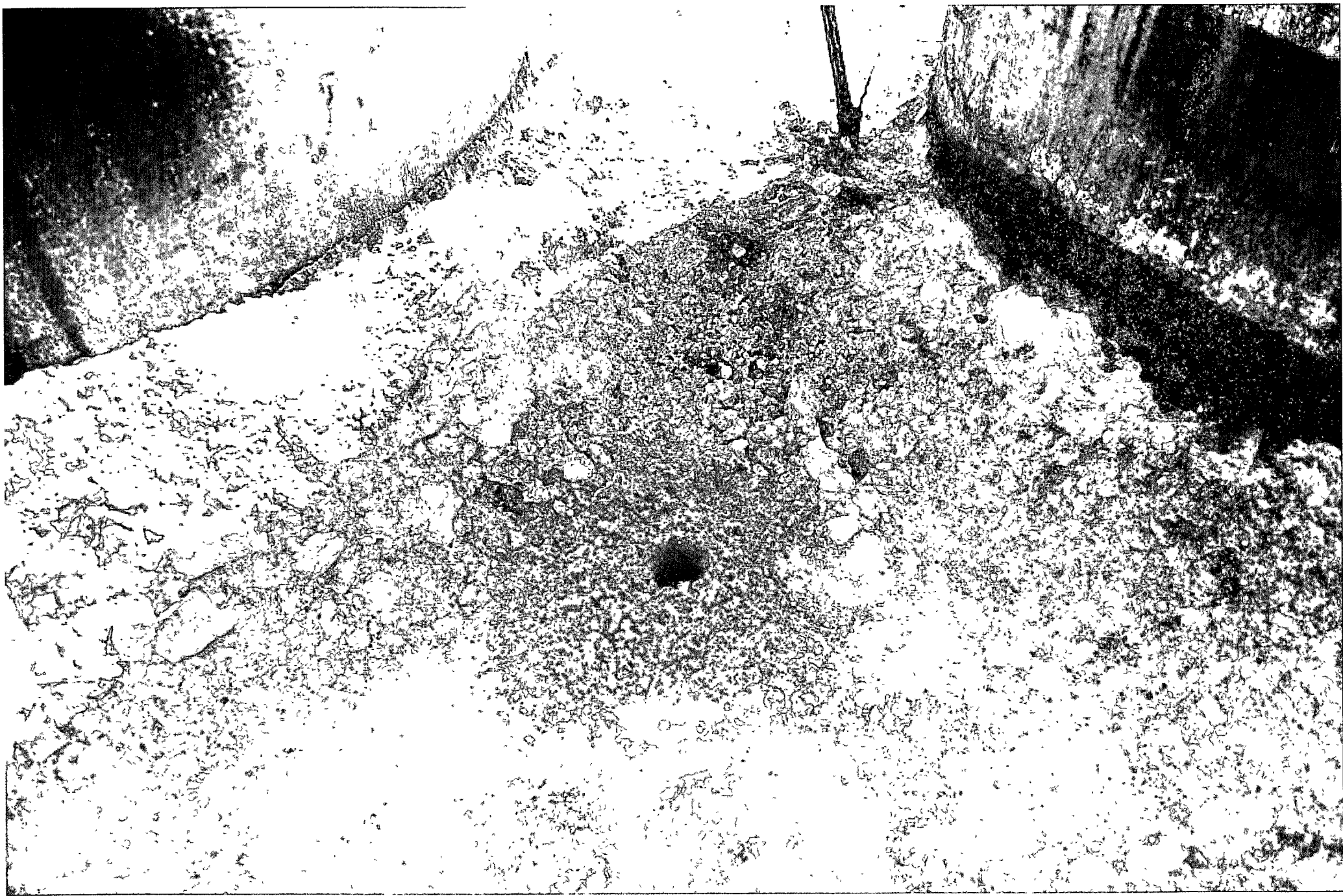
Eyo alt 15482 ft

JALAPENO CORP.
DUNCAN FED #5 SPILL SITE
660' FNL / 1650'FWL NE/NW 1/4 DEPTH TO GW APPROX. 137'
UL/C SEC. 18 - T9S - R28E CHAVES CO.
GPS LAT & LON NAD27 (DEMIMAL) N33.53829 / W104.13210











SITE ASSESSMENT CRITERIA (NMOCD)

JALAPENO CORP. DUNCAN FED #5
660'FNL & 1650'FWL NE/NW1/4 UL/C SEC. 18 - T9S - R28E
CHAVES COUNTY, NM
GPS LAT & LON NAD27 (DECIMAL) N33.53829 / W104.13210
DEPTH TO GROUND WATER: Approx. 130' to 140'bgs

DEPTH TO GROUND WATER

(Vertical distance from contaminants to seasonal high water elevation of ground water.)

Less than 50' BGS (20 points)

50' to 99' BGS (10 points)

Greater than 100' BGS (0 points)

0

WELLHEAD PROTECTION AREA

(Less than 200' from a private domestic water source, or; less than 1000' from all other water sources)

YES (20 points)

NO (0 points)

0

DISTANCE TO SURFACE WATER BODY

(Horizontal distance to perennial lakes, ponds, rivers, streams, creeks, irrigation canals, and ditches)

Less than 200' (20 points)

200' to 1000' (10 points)

Greater than 1000' (0 points)

0

RANKING SCORE TOTAL POINTS

0

CLEAN - UP TARGET CONCENTRATIONS FOR "SITE CLOSURE"

IF RANKING SCORE IS:	> 19	10 - 19	0 - 9
BENZENE (ppm)*	10	10	10
BTEX (ppm)*	50	50	50
TPH (ppm)**	100	1000	5000

*A field vapor headspace measurement of 100 ppm may be substituted for a laboratory analysis.

** The contaminant concentration for TPH is the concentration above background levels.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

3751

LEASE OPERATOR/SHIPPER/COMPANY JALAPENO CORP.LEASE NAME DONCAN FLD #5TRANSPORTER COMPANY L.D. MARLEY TIME 12:00 AM/PM AMDATE 8-24-09 VEHICLE NO. 117 DRIVER NO. _____

CHARGE TO _____

TYPE OF MATERIAL

OCD

☐ Other Material ☐ Contaminated soil ☐ C-117 No. _____☐ BS&W content _____Description oilVOLUME OF MATERIAL ☐ YARDS 12 CELL# 12 ☐ _____

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO. BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLO-
RATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

ALSO AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, TRANSPORTER REPRESENTS AND WARRANTS THAT ONLY THE MATERIAL DELIVERED BY OPERATOR/SHIPPER TO TRANSPORTER IS NOW DELIVERED BY TRANSPORTER TO GANDY-MARLEY, INC.'S FACILITY FOR DISPOSAL

THIS WILL CERTIFY that the above Transporter loaded the material represented by this Transporter Statement at the above described location and that it was tendered by the above described shipper. This will certify that no additional materials were added to this load, and that the material was delivered without incident.

DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White GM

Gandy - Shipper

Pink GM

Gnd - fa. shp.

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

LEASE OPERATOR/SHIPPER/COMPANY JALAPENO CORP.LEASE NAME DOUCANE FEDTRANSPORTER COMPANY Lib. Maint. TIME 9:17 AM/PMDATE 8-24-04 VEHICLE NO. 117 DRIVER NO. _____

CHARGE TO _____

TYPE OF MATERIAL**OCD**☐ Other Material ☒ Contaminated soil ☐ C-117 No. _____☐ BS&W content _____Description oilVOLUME OF MATERIAL ☐ YARDS 12 CELL# LP ☐

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GMI

Canary - Shipper

Pink - GMI

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

LEASE OPERATOR/SHIPPER/COMPANY JALAPENO CORPLEASE NAME DUNCAN FIELD #5TRANSPORTER COMPANY TGSTIME 11:01 (AM/PM)DATE 8-28-09VEHICLE NO. 40-01

DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material☒ Contaminated soil☐ C-117 No. _____☐ BS&W content _____Description oilVOLUME OF MATERIAL ☐ : YARDS 20CELL# 2F: ☐

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §6901 et seq., THE NM HEALTH AND SAF. CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLO- RATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GV#

Cans - Shipper

Pink - GV#

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

LEASE OPERATOR/SHIPPER/COMPANY

JALAPENA CORP.

LEASE NAME

DUNN T-0 25

TRANSPORTER COMPANY

TBS

TIME

1:15

AM/PM

DATE 8-18-07

VEHICLE NO.

PC-01

DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material☒ Contaminated soil☐ C-117 No. _____☐ BS&W content _____

Description

20/4

VOLUME OF MATERIAL [] YARDS

20

CELL#

25

[]

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DRIVER

FACILITY REPRESENTATIVE

White - GV

Canary - Shipper

Pink - GV

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

37705

LEASE OPERATOR/SHIPPER/COMPANY JOHN DEERE CORPLEASE NAME Bunch 340 5TRANSPORTER COMPANY TGS TIME 3:40 AM/PMDATE 8-28 VEHICLE NO. 7-01 DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material ☒ Contaminated soil ☐ C-117 No. _____☐ BS&W content _____Description oilVOLUME OF MATERIAL ☐ : YARDS 2 : CELL# 26 ☐

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 42 U.S.C. §6901, et seq., THE NM HEALTH AND SAFETY CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLORATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GV

Carry - Shipper

Pink - G&M

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

LEASE OPERATOR/SHIPPER/COMPANY WILSONLEASE NAME WILSONTRANSPORTER COMPANY BSTIME 11:07 AM/PMDATE 8-1-07VEHICLE NO. P.O.

DRIVER NO.

CHARGE TO WILSON

TYPE OF MATERIAL

OCD

☐ Other Material☐ Contaminated soil☐ C-117 No. _____☐ BS&W content _____Description WILSONVOLUME OF MATERIAL ☐ YARDS 20 : CELL# 1 : ☐

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE, CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLO- RATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY

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DRIVER WILSONFACILITY REPRESENTATIVE WILSON

White - GMI

Canary - Shipper

Pink - GMI

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

LEASE OPERATOR/SHIPPER/COMPANY JALPINO CORPLEASE NAME Dominican FeoTRANSPORTER COMPANY SMSTIME 11:30AM/PM (AM)DATE 9-1-97VEHICLE NO. 0-01

DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material☒ Contaminated soil☐ C-117 No. _____☐ BS&W content _____Description OilVOLUME OF MATERIAL ☐ YARDS 20CELL# 1E

:[]

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §8901, et seq., THE NM HEALTH AND SAF. CODES, §361,001, et seq., AND REGULATIONS RELATED THERETO. BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLO- RATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GMI

Canary - Shipper

Pink - GMI

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

NO 37947

LEASE OPERATOR/SHIPPER/COMPANY

LEASE NAME

TRANSPORTER COMPANY

TIME

AM/PM

DATE 7-01-98

VEHICLE NO.

DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material☒ Contaminated soil☐ C-117 No. _____☐ BS&W content _____

Description

VOLUME OF MATERIAL [] YARDS

: CELL#

: []

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES, §361,001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLORATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

ALSO AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, TRANSPORTER REPRESENTS AND WARRANTS THAT ONLY THE MATERIAL DELIVERED BY OPERATOR/SHIPPER TO TRANSPORTER IS NOW DELIVERED BY TRANSPORTER TO GANDY-MARLEY, INC.'S FACILITY FOR DISPOSAL.

THIS WILL CERTIFY that the above Transporter loaded the material represented by this Transporter Statement at the above described location, and that it was tendered by the above described shipper. This will certify that no additional materials were added to this load, and that the material was delivered without incident.

DRIVER

FACILITY REPRESENTATIVE

White - UMI

Canary - Shipper

Pink - GV

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

LEASE OPERATOR/SHIPPER/COMPANY JANAPEN, CORP.LEASE NAME CONCRETE PILESTRANSPORTER COMPANY STOTIME 4:05

AM/PM

DATE 01-09VEHICLE NO. 1001

DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material☒ Contaminated soil☐ C-117 No. _____☐ BS&W content _____Description oilVOLUME OF MATERIAL ☐ YARDS 14CELL# 14

:[]

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE, CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §8901 et seq., THE NM HEALTH AND SAF. CODES, §361,001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLORATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GMI

Car - Shipper

Pink - GMI

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

LEASE OPERATOR/SHIPPER/COMPANY UNION CO. CO.LEASE NAME DURFEN FEE 5TRANSPORTER COMPANY TES TIME 10:32 AM/PMDATE 9-02-01 VEHICLE NO. P-01 DRIVER NO. _____

CHARGE TO _____

TYPE OF MATERIAL**OCD**

☐ Other Material ☐ Contaminated soil ☐ C-117 No: _____
☐ BS&W content _____

Description oilVOLUME OF MATERIAL [] YARDS 20 : CELL# LF : [] _____

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLORATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GM

Orange - Shipper

Pink - GM

Gold - Transpor

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

N2 38178LEASE OPERATOR/SHIPPER/COMPANY J. L. L. Co. Inc.LEASE NAME Donner Feb 75TRANSPORTER COMPANY TCSTIME 1:28 AM/PMDATE 9-02-07VEHICLE NO. P-01DRIVER NO. 1

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material☒ Contaminated soil☐ C-117 No. _____☐ BS&W content _____Description oilVOLUME OF MATERIAL ☐ : YARDS 20 : CELL# LF : ☐ : ☐

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HEREWITH IS MATERIAL EXEMPT FROM THE RESOURCE, CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLORATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GMI

Canary - Shipper

Pink - GMI

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

LEASE OPERATOR/SHIPPER/COMPANY

LEASE NAME

TRANSPORTER COMPANY

TIME

AM/PM

DATE

VEHICLE NO.

DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material☐ Contaminated soil☐ C-117 No. _____☐ BS&W content _____

Description _____

VOLUME OF MATERIAL ☐ YARDS

CELL#

: ☐ _____

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HEREWITH IS MATERIAL EXEMPT FROM THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED, FROM TIME TO TIME, 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES §361.001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLO- RATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

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DRIVER

FACILITY REPRESENTATIVE

Write GV.

Carry - Shipper

Print - GV

Good Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

38-97

LEASE OPERATOR/SHIPPER/COMPANY

LEASE NAME

TRANSPORTER COMPANY

TIME 10:39 AM/PM

DATE 4-03-09

VEHICLE NO.

DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

HOC

☐ Other Material☒ Contaminated soil☐ C-117 No.☐ BS&W content

Description

VOLUME OF MATERIAL [] YARDS

CELL#

LF

[]

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 49 U.S.C. §6901, et seq. THE NM HEALTH AND SAF. CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLO-
RATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

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DRIVER

FACILITY REPRESENTATIVE

White - GM

Canary - Shipper

Fox - GM

Gold - extra sports

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

112 35193

LEASE OPERATOR/SHIPPER/COMPANY VALLEY CO. INC.LEASE NAME DEWICK, F.E.D. 5TRANSPORTER COMPANY THE TIME 10:45 AM/PMDATE 7-13-79 VEHICLE NO. FEW DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material ☒ Contaminated soil ☐ C-117 No. _____
☐ BS&W content _____

Description oilVOLUME OF MATERIAL ☐ YARDS 12 : CELL# _____ : ☐

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE, CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §6901, et seq. THE NM HEALTH AND SAF. CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO. BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLORATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GM

Canary - Shipper

Pink - GMI

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

39109

LEASE OPERATOR/SHIPPER/COMPANY Salient CorpLEASE NAME DUNN FCD 5TRANSPORTER COMPANY TBTIME 10:43 AM/PMDATE 9-03-07VEHICLE NO. 20-1

DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material☒ Contaminated soil☐ C-117 No. _____☐ BS&W content _____Description oilVOLUME OF MATERIAL ☐ : YARDS 12

CELL# _____

: ☐ _____

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE, CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES, §361,001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED, CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLO- RATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GMI

Gandy - Shipper

Pink - GMI

Blue - Transporter

Superior Printing Service, Inc

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

33278

LEASE OPERATOR/SHIPPER/COMPANY WILSON F-015LEASE NAME WILSON F-015TRANSPORTER COMPANY BSTIME 1:03

AM/PM

DATE 9-07-09VEHICLE NO. F-01

DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material☒ Contaminated soil☐ C-117 No.☐ BS&W contentDescription oilVOLUME OF MATERIAL [] YARDS 20

CELL#

:[]

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO. BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLO. RATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White GV

Gandy Shipper

Pink Shipper

Gold Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

LEASE OPERATOR/SHIPPER/COMPANY JALAPINO CORP.LEASE NAME INDIAN FLDTRANSPORTER COMPANY TDSTIME 1:05

AM/PM

DATE 7-03-07VEHICLE NO. F01DRIVER NO. CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material☒ Contaminated soil☐ C-117 No. ☐ BS&W content Description oilVOLUME OF MATERIAL ☐ : YARDS 1: CELL# 1: ☐

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLORATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GMI

Green - Shipper

Pink - GMI

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

LEASE OPERATOR/SHIPPER/COMPANY SALAPENA CORPLEASE NAME DUNCAN F.P. #5TRANSPORTER COMPANY TRTIME 1:07

AM/PM

DATE 9-23-89VEHICLE NO. KW

DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material☒ Contaminated soil☐ C-117 No. _____☐ BS&W content _____Description oilVOLUME OF MATERIAL [] : YARDS 14 : CELL# []

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET, OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLO- RATION DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GMI

Green - Sn oper

Pink - GV

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

LEASE OPERATOR/SHIPPER/COMPANY JULIA-POMI CORP.LEASE NAME UNCLASIFIEDTRANSPORTER COMPANY TRCTIME 3:10

AM/PM

DATE 9-2-89VEHICLE NO. 4-01

DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material☒ Contaminated soil☐ C-117 No. _____☐ BS&W content _____Description oilVOLUME OF MATERIAL ☐ YARDS20

CELL#

☐

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE, CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLORATION DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

Write GMI

Gandy Shipper

Pink - GMI

God Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P. O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

LEASE OPERATOR/SHIPPER/COMPANY CHAPMAN L&PLEASE NAME D. C. CHAPMANTRANSPORTER COMPANY 165TIME 3:45 AM/PMDATE 9-23-07 VEHICLE NO. 165DRIVER NO. 165CHARGE TO 165**TYPE OF MATERIAL****OCD**☐ Other Material☒ Contaminated soil☐ C-117 No. _____☐ BS&W content _____Description oilVOLUME OF MATERIAL ☐ : YARDS 12 : CELL# 1 : ☐

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE, CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES, §361.001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLO- RATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY.

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GMI

Cargary - Shipper

Pink - GMI

Gold - Transporter

Superior Printing Service, Inc.

GANDY-MARLEY, INC.

P.O. Box 1658
Roswell, NM 88202
Office (575) 347-0434
Fax (575) 347-0435

NE 38° 25'

LEASE OPERATOR/SHIPPER/COMPANY SILABENA CORPLEASE NAME DURCAN REFINTRANSPORTER COMPANY THE TIME 3:44 AM/PMDATE 7-03-07 VEHICLE NO. KW DRIVER NO.

CHARGE TO

TYPE OF MATERIAL

OCD

☐ Other Material ☒ Contaminated soil ☐ C-117 No. _____☐ BS&W content _____Description oilVOLUME OF MATERIAL [] YARDS 74 : CELL# 4F : []

AS A CONDITION TO GANDY-MARLEY, INC.'S ACCEPTANCE OF THE MATERIALS SHIPPED WITH THIS JOB TICKET OPERATOR/SHIPPER REPRESENTS AND WARRANTS THAT THE WASTE MATERIAL SHIPPED HERewith IS MATERIAL EXEMPT FROM THE RESOURCE CONSERVATION AND RECOVERY ACT OF 1976, AS AMENDED FROM TIME TO TIME, 40 U.S.C. §6901, et seq., THE NM HEALTH AND SAF. CODES, §361,001, et seq., AND REGULATIONS RELATED THERETO, BY VIRTUE OF THE EXEMPTION AFFORDED CONTAMINATED SOILS AND OTHER WASTE ASSOCIATED WITH THE EXPLO RATION, DEVELOPMENT OR PRODUCTION OF CRUDE OIL OR NATURAL GAS OR GEOTHERMAL ENERGY

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DRIVER [Signature]FACILITY REPRESENTATIVE [Signature]

White - GMI

Canary - Shipper

Pink - GMI

Gold - Transporter

Superior Printing Service, Inc.



**Remediation Protocol
Jalapeno Oil Corporation
Duncan Fed. No. 5**

1.0 Purpose

This protocol is to provide a detailed outline of the steps employed in the remediation of the Duncan Federal No. 5 location in Chaves County, New Mexico.

2.0 Scope

This protocol is site specific for the Duncan Federal No. 5 restoration project.

3.0 Preliminary

Prior to any field operations, Whole Earth Environmental conducted the following activities:

3.1 Client Review

3.1.1 Whole Earth met with cognizant personnel within Jalapeno, the NMOCD and the BLM to review and approve this protocol.

4.0 Remediation

4.1 The highly contaminated soils were excavated and transported to a licensed waste disposal company. Equal volumes of fresh topsoil were transported back to the location for replacement.

4.2 The affected area was vertically and laterally delineated to achieve chloride, TPH (418.1) <5,000 ppm, and benzene <10 ppm concentrations as required by NMOCD. Confirmation samples of the delineated soils and backfill material were collected in accordance with WEQP-77 and sent to a certified laboratory for analysis.

4.3 The area within containment was backfilled with soils tested as being within the concentrations specified within paragraph 4.2 of this protocol. The initial backfill brought the excavated area to ground level.

4.4 A 20 mil HDPE liner was installed around the tanks and up to the top of the containment berm. A light covering of caliche was placed atop the liner to anchor it in place.

5.0 Closure Report

5.1 At the conclusion of the project, Whole Earth prepared a closure report that containing the following information:

- Photographs of the location prior to remediation
- Photographs of the site at the point of maximum excavation
- Liner installation detail
- Final photographs of the restored site
- Satellite photographs of the location
- Driving directions to the location
- Copies of this protocol
- Laboratory analytical reports
- Laboratory and field analysis summary
- Disposal Manifests
- NMOCD site ranking criteria



Laboratory Analytical Results

This section contains copies of the formal laboratory analytical results for this project.



ARDINAL LABORATORIES

PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

September 4, 2009

Roy R. Rascon
Whole Earth Environmental, Inc
2103 Arbor Cove
Katy, TX 77494

Re: Jalapeno Corp. Duncan Fed #5 Spill

Enclosed are the results of analyses for sample number H18185, received by the laboratory on 09/04/09 at 7.53 am.

Cardinal Laboratories is accredited through Texas NELAP for:

Method SW-846 8021	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method SW-846 8260	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method TX 1005	Total Petroleum Hydrocarbons

Certificate number T104704398-08-TX. Accreditation applies to solid and chemical materials and non-potable water matrices


Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.2	Regulated VOCs (V2, V3)

Accreditation applies to public drinking water matrices.

Total Number of Pages of Report. 3 (includes Chain of Custody)

Sincerely,



Celey D. Keene
Laboratory Director

This report conforms with NELAP requirements.



PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
WHOLE EARTH ENVIRONMENTAL, INC.
ATTN: ROY R. RASCON
2103 ARBOR COVE
KATY, TX 77494
FAX TO: (281) 394-2051

Receiving Date: 09/04/09
Reporting Date: 09/04/09
Project Number: NOT GIVEN
Project Name: JALAPENO CORP. DUNCAN FED #5 SPILL
Project Location: ROSWELL, NM - CHAVES COUNTY

Sampling Date: 09/03/09
Sample Type: SOIL
Sample Condition: INTACT @ 16°C
Sample Received By: CK
Analyzed By: CK/ZL

LAB NO	SAMPLE ID	GRO (C ₆ -C ₁₀) (mg/kg)	DRO (C ₁₀ -C ₂₈) (mg/kg)	BENZENE (mg/kg)	TOLUENE (mg/kg)	ETHYL BENZENE (mg/kg)	TOTAL XYLENES (mg/kg)
--------	-----------	--	---	--------------------	--------------------	-----------------------------	-----------------------------

ANALYSIS DATE:	09/04/09	09/04/09	09/04/09	09/04/09	09/04/09	09/04/09
H18185-1 EXCAVATED SOIL PILE 12 PT. COMP.	19.2	578	<0.050	<0.050	0.333	0.676
Quality Control	445	464	0.053	0.043	0.045	0.151
True Value QC	500	500	0.050	0.050	0.050	0.150
% Recovery	89.0	92.8	106	86.0	90.0	101
Relative Percent Difference	0.5	1.2	0.2	0.6	1.3	0.2

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

Reported on wet weight.

TEXAS NELAP ACCREDITATION T104704398-08-TX FOR BENZENE, TOLUENE, ETHYL BENZENE,
AND TOTAL XYLENES Not accredited for GRO/DRO.

Lab Director

Date

H18185TB WEE

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CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

[illegible]

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Relinquished By: ROY R. RASCON		Date: 2-4-99	Received By:	Phone Result: Yes	No	Add'l Phone #:
Roy R. Rascon		Time: 0753		Fax Result: Yes	No	Add'l Fax #:
Relinquished By:		Date:	Received By:	REMARKS: PLEASE E-MAIL TO: royr , mikeg kwomac, elliotw, & mcgriffin@vadose.us		
		Time:				
Delivered By: (Circle One)		Sample Condition				
<input checked="" type="radio"/> UPS <input type="radio"/> Bus <input type="radio"/> Other:		Cool Intact Yes No Yes No		CHECKED BY: (Initials) 		

**REMARKS: PLEASE E-MAIL TO: royr , mikeg,
kwomac, elliotw, & mcgriffin@vadose.us**

Ken Call: 713-560-6076

† Cardinal cannot accept verbal changes. Please fax written changes to 505-393-2476



September 14, 2009

Roy R. Rascon
Whole Earth Environmental, Inc
2103 Arbor Cove
Katy, TX 77494

Re. Jalapeno Operating Duncan Fed #5

Enclosed are the results of analyses for sample number H18215, received by the laboratory on 09/10/09 at 8:40 am.

Cardinal Laboratories is accredited through Texas NELAP for:

Method SW-846 8021	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method SW-846 8260	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method TX 1005	Total Petroleum Hydrocarbons

Certificate number T104704398-08-TX. Accreditation applies to solid and chemical materials and non-potable water matrices

Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.2	Regulated VOCs (V2, V3)

Accreditation applies to public drinking water matrices

Total Number of Pages of Report: 4 (includes Chain of Custody)

Sincerely,

Celey D. Keene
Laboratory Director



PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
WHOLE EARTH ENVIRONMENTAL, INC.
ATTN: ROY R. RASCON
2103 ARBOR COVE
KATY, TX 77494
FAX TO: (281) 394-2051

Receiving Date: 09/10/09
Reporting Date: 09/11/09
Project Owner: NOT GIVEN
Project Name: JALAPENO OPERATING DUNCAN FED #5
Project Location: CHAVES COUNTY, NM

Sampling Date: 09/09/09
Sample Type: SOIL
Sample Condition: INTACT @ 9 5°C
Sample Received By: ML
Analyzed By: AB

LAB NUMBER SAMPLE ID
418.1
TOTAL
TPH
(mg/kg)

ANALYSIS DATE		09/11/09
H18215-1	SP A @ 5' BGS	<100
H18215-3	SP D @ 8' BGS	<100
Quality Control		345
True Value QC		300
% Recovery		115
Relative Percent Difference		0.4

METHODS: EPA 418.1
Reported on wet weight.


Chemist


Date

H18215 418 WEE

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



Analysis Date: 09/10/09
Sampling Date: 09/09/09
Sample Type: SOIL
Sample Condition: INTACT @ 9.5°C
Sample Received By: ML
Analyzed By: HM

Note: Analyses performed on 1:4 w:v aqueous extracts.

Date _____




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CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

[illegible]

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Relinquished By: ROY R. RASCON		Date: 9-10-09		Received By:		Phone Result: Yes No		Add'l Phone #:	
		Time: 0840				Fax Result: Yes No		Add'l Fax #:	
Relinquished By:		Date:		Received By:		<div style="border: 1px solid black; padding: 5px;"> REMARKS: PLEASE E-MAIL TO: royr , mikeg kwomac, elliotw, & mcgriffin@vadose.us </div>			
Time:									
Delivered By: (Circle One)		Sample Condition		CHECKED BY:					
Sampler - UPS - Bus - Other:		<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">Cool</div> <div style="text-align: center;">Intact</div> </div> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">Yes</div> <div style="text-align: center;">No</div> <div style="text-align: center;">Yes</div> <div style="text-align: center;">No</div> </div>		<div style="display: flex; align-items: center;">  <div style="margin-left: 10px;">(Initials)</div> </div>					

† Cardinal cannot accept verbal changes. Please fax written changes to 505-393-2476

45.24



PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

September 15, 2009

Roy R. Rascon
Whole Earth Environmental, Inc.
2103 Arbor Cove
Katy, TX 77494

Re: Jalapeno Operating Duncan Fed #5 Spill

Enclosed are the results of analyses for sample number H18229, received by the laboratory on 09/10/09 at 8:15 am.

Cardinal Laboratories is accredited through Texas NELAP for:

Method SW-846 8021	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method SW-846 8260	Benzene, Toluene, Ethyl Benzene, and Total Xylenes
Method TX 1005	Total Petroleum Hydrocarbons

Certificate number T104704398-08-TX. Accreditation applies to solid and chemical materials and non-potable water matrices.

Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.2	Regulated VOCs (V2, V3)

Accreditation applies to public drinking water matrices.

Total Number of Pages of Report: 3 (includes Chain of Custody)

Sincerely,

Celey D. Keene
Laboratory Director

This report conforms with NELAP requirements.



PHONE (575) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
WHOLE EARTH ENVIRONMENTAL, INC.
ATTN: ROY R. RASCON
2103 ARBOR COVE
KATY, TX 77494
FAX TO: (281) 394-2051

Receiving Date: 09/11/09
Reporting Date: 09/14/09
Project Owner: NOT GIVEN
Project Name: JALAPENO OPER. DUNCAN FED #5 SPILL
Project Location: CHAVES COUNTY, NM

Sampling Date: 09/09/09
Sample Type: SOIL
Sample Condition: INTACT @ 15.5°C
Sample Received By: ML
Analyzed By: AB/HM

LAB NUMBER	SAMPLE ID	418.1	
		TOTAL	CI*
		TPH	
		(mg/kg)	(mg/kg)
ANALYSIS DATE		09/11/09	09/14/09
H18229-1	EXCAVATED SOIL 24PT	2,870	352
	COMP. (BLENDED)		
Quality Control		345	500
True Value QC		300	500
% Recovery		115	100
Relative Percent Difference		0.4	< 0.1

METHODS: EPA 418.1, CI-: Std. Methods 4500-CI-B

*Analysis performed on a 1:4 w:v aqueous extract.

Reported on wet weight


Chemist


Date

H18229 418CL WEE

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CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

[illegible]

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Relinquished By: ROY R. RASCON Date: 9-10-09 Received By: [Signature]
Time: 8:15
Relinquished By: _____ Date: _____ Received By: _____
Time: _____
Delivered By: (Circle One) UPS - Bus - Other: 15.5°C
Sample Condition Cool Intact Yes No Yes No
CHECKED BY: (Initials) [Signature]

Phone Result: Yes No Add'l Phone #: _____
Fax Result: Yes No Add'l Fax #: _____

REMARKS: PLEASE E-MAIL TO: royr , mikeg
kwomac, elliotw, & mcgriffin@vadose.us

† Cardinal cannot accept verbal changes. Please fax written changes to 505-393-2476

Summary of Soil Sample Analytical Results
JALAPENO DUNCAN FEDERAL #5
API # 30-005-62901

Soil Sample ID	Depth (Feet)	Sample Date	Soil Status	PID Reading (ppm)	Field Chloride Analysis (ppm)	LAB ANALYSIS IN RED Benzene (mg/Kg)	Toluene (mg/Kg)	Ethylbenzene (mg/Kg)	Total Xylenes (mg/Kg)	Total BTEX (mg/Kg)	Carbon Ranges (C6-C10) (mg/Kg)	Carbon Ranges (C10-C28) (mg/Kg)	Carbon Ranges (C28-C35) (mg/Kg)	TPH (mg/Kg)	Chloride (mg/Kg)	Sulfate
excavated soil 12pt comp	50-70cyds	9/3/09	excavated	N/A	866	<0.050	<0.050	0.333	0.676	N/A	19.2	578	N/A	N/A	N/A	N/A
SP A	2.5' bgs	9/9/09	auger gas / hand, grab	N/A	80	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	5.0' bgs			N/A	114	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	≤100	128	N/A
SP B	2.5' bgs			N/A	476	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	5.0' bgs			N/A	550	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	7.0' bgs			N/A	611	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	8.0' bgs			N/A	609	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	656	N/A
SP C	2.5' bgs			N/A	65	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	5.0' bgs			N/A	84	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
SP D	7.0' bgs			N/A	439	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	8.0' bgs			N/A	255	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	≤100	272	N/A
excavated soil 24pt comp blended		9/10/09	excavated blended	N/A	342	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2870	352	N/A