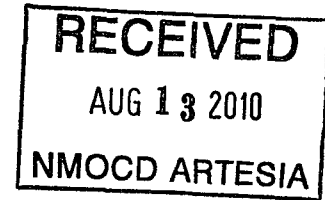


BURNETT OIL CO., INC.
GISSLER B BATTERY
NW/NE Sect. 11, Tws. 17 S., Rng. 30 E.
32 51' 14"
103 56' 22"

FINAL REPORT

Prepared By
Eddie Seay Consulting
August 2010

August 6, 2010



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

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

Mr. Bratcher:

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

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

Thanks,

A handwritten signature in black ink, appearing to read "Eddie W. Seay". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Eddie W. Seay, Agent
Eddie Seay Consulting
601 W. Illinois
Hobbs, NM 88242
575-392-2236
seay04@leaco.net

cc: Burnett Oil
BLM, Terry Gregston



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

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

RECEIVED
AUG 13 2010
NMOCD ARTESIA

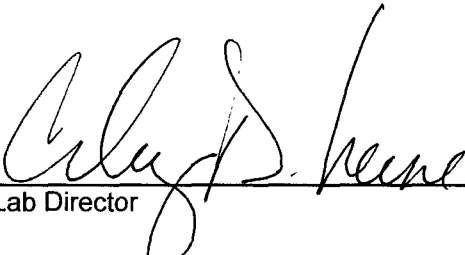
Receiving Date: 03/09/10
Reporting Date: 03/10/10
Project Owner: BURNETT OIL
Project Name: GISSLER B BATTERY
Project Location: NW/NE SECT. 11-17-30

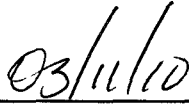
Sampling Date: 03/09/10
Sample Type: SOIL
Sample Condition: COOL & INTACT @ 4.5°C
Sample Received By: AB
Analyzed By: AB/ZL

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

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

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


Lab Director


Date

H19407 TPHBTEX SEAY

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

**CARDINAL LABORATORIES**

101 East Marland, Hobbs, NM 88240

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

Page ____ of ____

Company Name: Eddie Sean Consulting				BILL TO				ANALYSIS REQUEST																				
Project Manager: Eddie Sean				P.O. #:				<div style="writing-mode: vertical-rl; transform: rotate(180deg);">BTX TP # (805)</div>																				
Address: 601 W Illinois				Company:																								
City: Hobbs State: NM Zip: 88242				Attn: Same																								
Phone #: 2-2236 Fax #: 2-6949				Address:																								
Project #: Gissler B Project Owner: Burnett S.				City:																								
Project Name: Gissler B Battery				State: Zip:																								
Project Location: NW/NE Sect. 11-17-30				Phone #:																								
Sampler Name: Eddie Sean				Fax #:																								
FOR LAB USE ONLY						MATRIX		PRESERV.		SAMPLING																		
Lab I.D.	Sample I.D.	(G)RAB OR (C)ONTAINER	# CONTAINERS	GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER	ACID/BASE	ICE / COOL	OTHER	DATE	TIME														
H19407-1	GB-1	✓	1			✓				✓			3/9	9:47	✓	✓												
-2	GB-2	✓	1			✓				✓			3/9	10:00	✓	✓												
-3	GB-3	✓	1			✓				✓			3/9	10:10	✓	✓												

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

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

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

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

Rena Seay

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

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

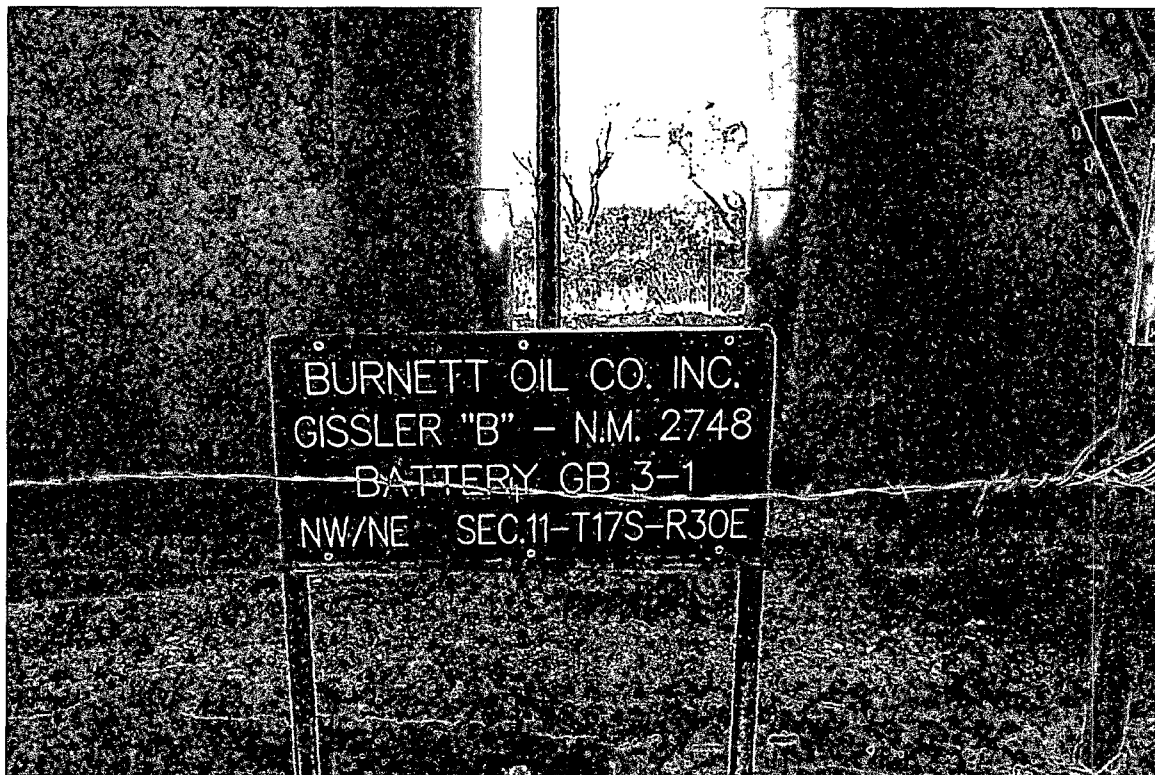
Should you have any questions or concerns regarding this matter, please contact me. And should I not hear from you, I will assume you are in agreement.

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

Respectfully,
Sherry Bonham
NMOCD District II

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4/28/2010



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

