MARTIN YATES, III

FRANK W. YATES 1936-1986

> S.P. YATES 1914-2008



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

JOHN A. YATES CHAIRMAN OF THE BOARD

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CHIEF ADMINISTRATIVE OFFICER

May 7, 2012

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

Re:

Compromise SWD #1

30-015-25665

Section 30, T18S-R27E 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 March 16, 2012 (2RP-1078).

The volume of the release was 10 B/PW. A vacuum truck recovered 8 B/PW. The release volume that was lost was a only 2 bbls.

Vertical delineation samples were taken and sent to an NMOCD approved laboratory on 3/28/2012. Vertical delineation samples showed a high Chloride level at 1', and these impacted soils were excavated from the area and taken to a NMOCD approved disposal facility. Chloride levels are still slightly elevated at 2'; however, Yates Petroleum Corporation took a background field sample off the location in the field to the south. This sample was run for Chlorides in our lab and came back with a result of 1,134.496, which shows that chlorides are already elevated in the area. Enclosed are the analytical reports, results show TPH and BTEX, to be below RRAL's.

The likelihood of significant impact to ground water, surface water, human health or environmental health is limited due to a clay stratum found below the surface and above ground water.

Yates Petroleum Corporation requests closure based on impacted soils excavated/hauled, minimal release lost, background sample taken, and clay stratum presence.

If you have any questions, please call me at 575-748-4111.

Thank you.

Amber Cannon

**Environmental Regulatory Agent** 

Enclosure(s)

#### **Amber Cannon**

From:

Bratcher, Mike, EMNRD < mike.bratcher@state.nm.us>

Sent:

Monday, May 07, 2012 8:25 AM

To:

**Amber Cannon** 

Subject:

RE: Compromsie SWD #1

Either would work for me, so whatever works best for you. I will approve the backfill now if you want to go ahead and get that going. - Mike

**From:** Amber Cannon [mailto:ACannon@yatespetroleum.com]

Sent: Monday, May 07, 2012 8:23 AM

To: Bratcher, Mike, EMNRD

Subject: RE: Compromsie SWD #1

Mike,

Thanks for the response. One last question, would you prefer me to backfill the excavation before I submit the Final C-141 to our office or submit the Final C-141 first?

Thanks, Amber

From: Bratcher, Mike, EMNRD [mailto:mike.bratcher@state.nm.us]

Sent: Monday, May 07, 2012 8:16 AM

To: Amber Cannon

Subject: RE: Compromsie SWD #1

Amber,

I think we can go ahead and close this one out. Just mention in the closure request some of the things that will likely prevent the release from impacting ground water, surface water, human health, etc., such as, the "net" release volume was minimal (2 bbls), the elevated salts in the background sample, the extremely low porosity clay that overlays ground water, etc.

If you have any questions, let me know.

#### Mike Bratcher

NMOCD District 2 811 S. First Street Artesia, NM 88210 575-748-1283 Ext. 108 575-626-0857 mike.bratcher@state.nm.us

From: Amber Cannon [mailto:ACannon@yatespetroleum.com]

Sent: Friday, May 04, 2012 10:53 AM

To: Bratcher, Mike, EMNRD

Subject: RE: Compromsie SWD #1

Mike,

Per our phone conversation this morning, I went and took a background sample off the location pad to the south of this site. I ran the sample at our laboratory for Chlorides and came back with a result of 1134.50.

Thanks, Amber

From: Bratcher, Mike, EMNRD [mailto:mike.bratcher@state.nm.us]

Sent: Thursday, May 03, 2012 2:16 PM

**To:** Amber Cannon

Subject: RE: Compromsie SWD #1

Amber,

Just based on depth to ground water, I would be obligated to ask for a delineation of the site. Having worked a large release at that site several years ago, I would suggest possibly pulling a background sample in an area where the salt cedars were eradicated. I think a field analyses may show relatively high salts exist in that whole area. If so, we could possibly justify closure. A couple of other things to consider out there is, (1) there is a really nice clay seam that exists just under the thin topsoil layer, and (2) the shallow water at that site is likely Pecos River "bank storage" water and is likely fairly high in salt content also.

If you have any questions, call me and we can discuss options.

#### Mike Bratcher

NMOCD District 2 811 S. First Street Artesia, NM 88210 575-748-1283 Ext. 108 575-626-0857 mike.bratcher@state.nm.us

From: Amber Cannon [mailto:ACannon@yatespetroleum.com]

**Sent:** Tuesday, May 01, 2012 1:38 PM

**To:** Bratcher, Mike, EMNRD **Subject:** Compromsie SWD #1

Mike,

Would you accept closure request for 2RP-1078 (Compromise SWD #1) based on the following results? I had the first foot excavated to get rid of the 6530 chlorides.

### Compromise SWD #1

Analytical Report- H200746	Sample Area	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL	CI
Comp - 1	Release Area	3/28/2012	Comp/Auger	1'	ND	ND	ND	ND	
Comp - 2	Release Area	3/28/2012	Comp/Auger	2'	ND	ND	ND	ND	

 $_{\odot}$  . Site Ranking is TWENTY (20). Depth to Ground Water <50' (approx. 35').

All results are ppm. Chlorides for documentation.

Released: 10 B/PW; Recovered: 8 B/PW. Release Date: 3/16/2012

Thanks,

Amber Cannon

Environmental Regulatory Agent Yates Petroleum Corporation Office: (575) 748-4111

Cell: (575)-513-8799



### **TANKS**

Release area. 5-point composite samples
taken at 1' and 2' to determine contamination
Excavated through 1' to remove 6530
chlorides.

Concrete slab with
salt water disposal
pump

×

**LEASE ACCESS ROAD** 



Compromise SWD #1

30-015-25665

**Section 30, T18S-R27E** 

**Eddy County, NM** 

**SAMPLE DIAGRAM(Not to Scale)** 

Cardinal Laboratories# H200746 Report Date: 4/4/2012

Prepared by Amber Cannon Environmental Regulatory Agent

## Compromise SWD #1

Analytical Report- H200746	Sample Area	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TOTAL	Chlorides
Comp - 1	Release Area	3/28/2012	Comp/Auger	1'	ND	ND	ND	ND	6530
Comp - 2	Release Area	3/28/2012	Comp/Auger	2'	ND	ND	ND	ND	2720

Site Ranking is TWENTY (20). Depth to Ground Water <50' (approx. 35').

All results are ppm.Chlorides for documentation.

Released: 10 B/PW; Recovered: 8 B/PW. Release Date: 3/16/2012



April 04, 2012

AMBER CANNON

Yates Energy Petroleum Corp

105 S 4th Street

Artesia, NM 88210

RE: COMPROMISE SWD #1

Enclosed are the results of analyses for samples received by the laboratory on 03/29/12 9:40.

Cardinal Laboratories is accredited through Texas NELAP under certificate number T104704398-11-3. Accreditation applies to drinking water, non-potable water and solid and chemical materials. All accredited analytes are denoted by an asterisk (\*). For a complete list of accredited analytes and matrices visit the TCEQ website at <a href="https://www.tceq.texas.gov/field/qa/lab-accred\_certif.html">www.tceq.texas.gov/field/qa/lab-accred\_certif.html</a>.

Cardinal Laboratories is accreditated 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 524.4

Regulated VOCs (V1, V2, V3)

Accreditation applies to public drinking water matrices.

Celicy D. Keine

This report meets NELAP requirements and is made up of a cover page, analytical results, and a copy of the original chain-of-custody. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Celey D. Keene

Lab Director/Quality Manager



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

#### Analytical Results For:

Yates Energy Petroleum Corp AMBER CANNON 105 S 4th Street Artesia NM, 88210

Fax To:

(505) 748-4635

Received:

03/29/2012

Sampling Date:

03/28/2012

Reported:

**BTEX 8021B** 

04/04/2012

Sampling Type:

Soil

Project Name:

COMPROMISE SWD #1

Sampling Condition:

Cool & Intact

Project Number:

30-015-25665

Sample Received By:

Jodi Henson

Project Location:

EDDY COUNTY, NM

mg/kg

Sample ID: COMP - 1 (H200746-01)

Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	04/03/2012	ND	1.86	93.1	2.00	14.3	
Toluene*	<0.050	0.050	04/03/2012	ND	2.02	101	2.00	14.3	
Ethylbenzene*	<0.050	0.050	04/03/2012	ND	2.05	102	2.00	14.4	
Total Xylenes*	<0.150	0.150	04/03/2012	ND	6.34	106	6.00	14.9	
Surrogate: 4-Bromofluorobenzene (PIL	105 9	% 64 4-13	4						<u> </u>
TPH 8015M	mg/	kg	Analyze	d By: MS					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10	<10.0	10.0	03/29/2012	ND	183	91.7	200	6.89	
DRO >C10-C28	<10.0	10.0	03/29/2012	ND	178	88.8	200	8.58	

Analyzed By: AP

55.5-154 Surrogate: 1-Chlorooctane 108 % 112% 57 6-158 Surrogate: 1-Chlorooctadecane

\*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager

Celey D. Keine

Page 2 of 5





#### Analytical Results For:

Yates Energy Petroleum Corp AMBER CANNON 105 S 4th Street Artesia NM, 88210

Fax To:

(505) 748-4635

Received:

03/29/2012

Sampling Date:

03/28/2012

Reported:

04/04/2012

Sampling Type:

Soil

Project Name:

COMPROMISE SWD #1

Sampling Condition:

Cool & Intact

Project Number:

30-015-25665

Sample Received By:

Jodi Henson

Project Location:

EDDY COUNTY, NM

Sample ID: COMP - 2 (H200746-02)

BTEX 8021B	mg/	/kg	Analyze	d By: AP					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Benzene*	<0.050	0.050	04/03/2012	ND	1.86	93.1	2.00	14.3	
Toluene*	<0.050	0.050	04/03/2012	ND	2.02	101	2.00	14.3	
Ethylbenzene*	<0.050	0.050	04/03/2012	ND	2.05	102	2.00	14.4	
Total Xylenes*	<0.150	0.150	04/03/2012	ND	6.34	106	6.00	14.9	
Surrogate 4-Bromofluorobenzene (PIL	103	% 64.4-13	4						
ТРН 8015М	mg,	/kg	Analyze	d By: MS					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
GRO C6-C10	<10.0	10.0	03/29/2012	ND	183	91.7	200	6.89	
DRO >C10-C28	<10.0	10.0	03/29/2012	ND	178	88.8	200	8.58	
Surrogate. 1-Chlorooctane	120	% 55 5-15	4						
Surrogate: 1-Chlorooctadecane	121	% 57 6-15	8						

Cardinal Laboratories

\*=Accredited Analyte

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Celey D. Keine



#### **Notes and Definitions**

	ND	Analyte NOT DETECTED at or above the reporting limit
	RPD	Relative Percent Difference
	**	Samples not received at proper temperature of 6°C or below.
	***	Insufficient time to reach temperature.
_	-	Chloride by SM4500CI-B does not require samples be received at or below 6°C
		Samples reported on an as received basis (wet) unless otherwise noted on report

Cardinal Laboratories \*=Accredited Analyte

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Celey D. Keine

Celey D. Keene, Lab Director/Quality Manager

#### CHAIN OF CUSTODY RECORD AND ANALYSIS REQUEST



## ARDINAL LABORATORIES 101 East Marland, Hobbs, NM 88240

(505) 393-2326 FAX (505) 393-2476

	Project Manager:													Project Name: Compromise SWD #1																		
	Company Name	Yates Petroleun	n Corpo	oration	<u> </u>														Pro	ojec	t #:_				3	0-0	15-2	566	5			
	Company Address:	105 South 4th S	Street															P	roje	ct Ļ	oc:				E	Edd	y Cc	ount	у			
	City/State/Zip:	Artesia, NM 88	8210								_									PC	)#:					10	320	20				
	Telephone No:	575-748-4111					Fax No:										Re	eport	For	rmaț	<u>ı:                                    </u>	X Standard TRRP						NP	DES	•		
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April 04, 2012

AMBER CANNON

Yates Energy Petroleum Corp

105 S 4th Street

Artesia, NM 88210

RE: COMPROMISE SWD #1

Enclosed are the results of analyses for samples received by the laboratory on 03/29/12 9:40.

Cardinal Laboratories is accredited through Texas NELAP under certificate number T104704398-11-3. Accreditation applies to drinking water, non-potable water and solid and chemical materials. All accredited analytes are denoted by an asterisk (\*). For a complete list of accredited analytes and matrices visit the TCEQ website at <a href="https://www.tceq.texas.gov/field/qa/lab">www.tceq.texas.gov/field/qa/lab</a> accred certif.html.

Cardinal Laboratories is accreditated 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 524.4

Regulated VOCs (V1, V2, V3)

Accreditation applies to public drinking water matrices.

Celey D. Keine

This report meets NELAP requirements and is made up of a cover page, analytical results, and a copy of the original chain-of-custody. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

Celey D. Keene

Lab Director/Quality Manager



#### Analytical Results For:

Yates Energy Petroleum Corp AMBER CANNON 105 S 4th Street Artesia NM, 88210

Fax To:

(505) 748-4635

Received:

03/29/2012

Sampling Date:

03/28/2012

Reported:

04/04/2012

Sampling Type:

Soil

Project Name:

COMPROMISE SWD #1

Sampling-Condition:

Cool-&-Intact

Project Number:

30-015-25665

Sample Received By:

Jodi Henson

Project Location:

Analyte

EDDY COUNTY, NM

Sample ID: COMP - 1 (H200746-01)

Chloride, SM4500Cl-B

mg/kg

Analyzed By: AP

% Recovery

True Value OC

Chloride

Result 6530

16.0

Reporting Limit

ND

Method Blank

432

108

400

Qualifier

Sample ID: COMP - 2 (H200746-02)

Chloride, SM4500Cl-B

mg/kg

Analyzed By: AP

Analyte

Result Reporting Limit

Analyzed

Analyzed

03/30/2012

Method Blank

BS 432 % Recovery 108

True Value QC

RPD Qualifier

Chloride

2720

16.0

03/30/2012

ND

400

3.64

RPD

3.64

Cardinal Laboratories

\*=Accredited Analyte

PLEASE NOTE. Uability and Damages. All claims, including those for negligence and 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 the services hereunder by Cardinal, regardless of whether such

Celey D. Keine

Page 2 of 4



#### **Notes and Definitions**

ND Analyte NOT DETECTED at or above the reporting limit

RPD Relative Percent Difference

\*\* Samples not received at proper temperature of 6°C or below.

\*\*\* Insufficient time to reach temperature.

-Chloride by-SM4500Cl-B-does-not-require samples-be-received-at-or-below-6ºC-

Samples reported on an as received basis (wet) unless otherwise noted on report

Cardinal Laboratories

\*=Accredited Analyte

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Celey D. Keine

### CHAIN OF CUSTODY RECORD AND ANALYSIS REQUEST

## ARDINAL LABORATORIES 101 East Marland, Hobbs, NM 88240

(505) 393-2326 FAX (505) 393-2476

	Project Manager:	Amber Canno	<u>n</u>						<del></del>									Pro	ject	Nan	16: _			Co	mpro	omis	e S'	WD	#1		
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	Company Address	: 105 South 4th	Street				***							·				P	roje	ct L	oc:_				Ed	dy C	our	ity		<del></del>	
	City/State/Zip:	Artesia, NM	88210					`												PO	#:					1032	:020	<u> </u>			
	Telephone No:	575-748-4111					Fax No:										Re	eport	t Fo	rmat	: C	× sı	anda	ard		TF	RRP			NPDE	:s
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