

From: Bratcher, Mike, EMNRD
Sent: Monday, February 09, 2009 10:06 AM
To: 'Bob Asher'
Cc: Jerry Fanning
Subject: Below Grade Tank Closure Request

Dear Mr. Asher,

The sites listed have had below grade tank/tanks removed. Based on documents and analytical data provided by Yates Petroleum, the request to close and backfill the sites is approved.

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

Documents pertaining to closure of these sites will be imaged to their respective well files under the API number provided.

Sincerely,

Mike Bratcher
 NMOCD District 2
 1301 W. Grand Ave.
 Artesia, NM 88210
 575-748-1283 Ext.108

WELL NAME	DATE OF RELEASE	C-141	Final C-141 Submitted to OCD	SITE RANKING	API NUMBER
Stark BG #1	12/21/2007	12/21/2007	3/3/2008	0	30-015-20056
Gushwa DR #1	12/21/2007	12/21/2007	3/3/2008	0	30-015-21002
Gerard AW Battery	12/21/2007	12/21/2007	3/28/2008	0	30-015-10800
Babcock IR Battery	12/21/2007	12/21/2007	3/28/2008	0	30-015-22311
Federal AY Battery	12/21/2007	12/21/2007	6/2/2008	0	30-015-10890
Santa Fe Land SWD #1	3/4/2008	3/24/2008	6/2/2008	10	30-015-20501
Roy SWD #3	3/4/2008	3/24/2008	6/2/2008	10	30-015-26562
Dee 36SW State #2	3/4/2008	3/24/2008	6/2/2008	0	30-015-26185
Routh NU Deep Com. #2	3/4/2008	3/24/2008	6/2/2008	0	30-015-23585
Yates AS #1 Fee	12/21/2007	12/21/2007	6/3/2008	0	30-015-10740
Compromise SWD #1 Battery	4/9/2008	4/9/2008	6/4/2008	10	30-015-25665
Dayton EX Battery	4/5/2008	4/9/2008	6/4/2008	10	30-015-21708
Eads GA Battery	4/5/2008	4/9/2008	6/4/2008	10	30-015-21788
Flint GU #1 Battery	4/5/2008	4/9/2008	6/10/2008	10	30-015-21933
Len Mayers #1	4/5/2008	4/9/2008	6/10/2008	10	30-015-05926
Cannon FW Battery	4/5/2008	4/9/2008	6/10/2008	10	30-015-21775
Gates AAC Battery	4/5/2008	4/9/2008	6/10/2008	10	30-015-24931

NIX PK (Fee) Battery	4/5/2008	4/9/2008	6/11/2008	10	30-015-23667
Peon GK #1 Battery	4/5/2008	4/9/2008	6/11/2008	10	30-015-21905
Monsanto Foster SWD #1	3/4/2008	3/10/2008	6/13/2008	0	30-015-10340
Waldrip JY #1 (Fee) Battery	3/25/2008	3/28/2008	6/13/2008	10	30-015-22755
White IU (Fee) Battery	4/5/2008	4/9/2008	6/13/2008	10	30-015-22322
NIX GP Fee Battery	4/5/2008	4/9/2008	6/13/2008	10	30-015-21910
Olsen MY Fee Battery	4/5/2008	4/9/2008	6/13/2008	10	30-015-23158

MARTIN YATES, III
1912-1985

FRANK W. YATES
1936-1986



105 SOUTH FOURTH STREET
ARTESIA, NEW MEXICO 88210-2118
TELEPHONE (505) 748-1471

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October 3, 2008

OCT 06 2008
OCD-ARTESIA

Mr. Mike Bratcher
NMOCD District II
1301 W. Grand Ave.
Artesia, NM 88210

RE: Yates AS #1 Fee
30-015-10740
Section 25, T19S-R25E
Eddy County, New Mexico

Dear Mr. Bratcher,

The following actions have been performed by Yates concerning your July 7, 2008 e-mail; materials above minimum 1000 mg/kg chloride levels have been removed and taken to an OCD approved facility. Yates Petroleum Corporation would like to request closure requirements to follow those addressed to the Mitchell IN 002 SWD (Removal of materials above minimum 2500 mg/kg chloride levels and install cap prior to backfilling excavation). The Total Ranking Score is zero (0).

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

Enclosure(s)
/rca

Bratcher, Mike, EMNRD

From: Bratcher, Mike, EMNRD
Sent: Monday, July 07, 2008 7:55 AM
To: 'jerryf@ypcnm.com'; 'boba@ypcnm.com'
Cc: Gum, Tim, EMNRD
Subject: Below Grade Tank Closure Requests

Jerry,

The following below grade tank closure requests are approved. The signed C-144 and related documents will be imaged to the respective well files.

Dagger Draw Com Btry	30-015-24284	L-19-19-25
Federal AK 001	30-015-00111	I - 3-19-25
Cotton MX Fed Com 001	30-015-23315	C-14-19-25
Dayton FI Btry	30-015-21727	A-28-18-26
King SWD 001	30-015-20257	C - 9-20-25
Mimosa Fed SWD 001	30-015-26449	I - 4-20-24
Mimosa Fed SWD 004	30-015-26950	I - 4-20-24
NDDUP 055	30-015-23960	C-19-19-25
Wilkinson AZ Fee 001	30-015-20007	K-25-18-25
Deeter ADV Com 001	30-015-25638	M-27-18-26
Allie Lee AHB Btry	30-015-25127	C-34-18-26
Kleeman PB Btry	30-015-00253	P-27-18-26
Cleveland Fee Btry	30-015-00259	B-33-18-26

Be advised that this closure approval does not relieve Yates Petroleum of liability should these operations have failed to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment. In addition, this approval does not relieve any operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

The following below grade tank closure requests, as submitted, are not approved at this time. Requirements for closure are listed for each site. Once these requirements have been met, please submit supporting documentation (ie, analytical data, etc.) for closure. Please notify this office 24 hours prior to obtaining samples where analyses of samples obtained are to be submitted to OCD.

Federal AY 001 Btry	30-015-10890	F-25-18-25	Chloride contamination level increase in bottom samples at 1' to 2' depth. Additional samples required to delineate contamination.
Roy SWD 003	30-015-26562	P- 7-19-25	Chloride contamination level increase in bottom samples at 1' to 2' depth. Additional samples required to delineate contamination.
Yates AS Fee 001	30-015-10740	K-25-18-25	Remove materials above minimum 1000 mg/kg chloride levels.
Dee 36SW State 002	30-015-26185	M-36-19-24	Slight increase in TPH levels at 2' depth. Additional samples required to delineate contamination.
Santa Fe Land SWD 001	30-015-20501	I -17-19-26	Remove materials above minimum 1000 mg/kg chloride levels.
Routh NU Deep Com 002	30-015-23585	B-14-19-24	Install cap minimum 3'- 4' bgs prior to backfilling excavation.
Dayton EX Btry	30-015-21708	K-21-18-26	Chloride and hydrocarbon contamination levels increase in bottom samples at 1' to 2' depths. Additional samples required to delineate contamination.
Compromise SWD 001 Btry	30-015-25665	H-30-18-27	Chloride contamination level increase in bottom samples at 1' to 2' depth. Delineation to 250 mg/kg or background required. Ground water @ 35' bgs.

7/7/2008

EADS GA Btry	30-015-21788	N-22-18-26	Chloride contamination level increase in bottom samples at 1' to 2' depth. Additional samples required to delineate contamination.
Flint GU 001 Btry	30-015-21933	J-22-18-26	Chloride contamination level increase in bottom samples at 1' to 2' depth. Additional samples required to delineate contamination.
			Removal of 1' of material as proposed is approved to address hydrocarbon contamination.
Len Mayers 001	30-015-05926	D-28-18-26	Chloride contamination level increase in bottom samples at 1' to 2' depth. Additional samples required to delineate contamination.
Gates AAC Btry	30-015-24931	C-22-18-26	Chloride contamination level increase in bottom samples at 1' to 2' depth. Additional samples required to delineate contamination.
Cannon FW Btry	30-015-21775	C-21-18-26	Chloride contamination level increase in bottom samples at 1' to 2' depth. Additional samples required to delineate contamination.
Nix PK Fee Btry	30-015-23667	G-27-18-26	Chloride contamination delineation to 250 mg/kg or background. Remove materials over minimum 1000 mg/kg.
Peon GK 001 Btry	30-015-21905	D-27-18-26	Chloride contamination delineation to 250 mg/kg or background. Remove materials over minimum 1000 mg/kg.
Mitchell IN 002 SWD	30-015-22242	I- 23-17-25	Remove materials above minimum 2500 mg/kg chloride levels and install cap prior to backfilling excavation.
White IU Fee Btry	30-015-22322	I- 28-18-26	Remove chloride contaminated materials over minimum 1000 mg/kg.
Olsen MY Fee Btry	30-015-23158	I- 33-18-26	Chloride contamination delineation to 250 mg/kg or background. Remove materials over minimum 1000 mg/kg.
Nix GP Fee Btry	30-015-21910	O-22-18-26	Chloride contamination delineation to 250 mg/kg or background. Remove materials over minimum 1000 mg/kg.
Monsanto Foster 001 SWD	30-015-10340	D - 5-20-25	TPH contamination level increase in bottom samples at 1' to 2' depth. Additional samples required to delineate contamination.
Waldrip JY Fee 001 Btry	30-015-22755	C-34-18-26	Chloride contamination delineation to 250 mg/kg or background. Remove materials over minimum 1000 mg/kg.
Gerard AW Btry	30-015-10800	O-25-18-25	Chloride contamination level increase in bottom samples at 7' to 8' depth. Additional samples required to delineate contamination.
Babcock IR 001	30-015-22311	O-26-18-25	Remove chloride contaminated materials over minimum 1000 mg/kg.
Stark BG 001	30-015-20056	C-25-18-25	Remove chloride contaminated materials over minimum 1000 mg/kg. Obtain a deeper bottom hole sample to confirm chloride decrease.
Gushwa DR 001	30-015-21002	E-35-18-25	Obtain a deeper bottom hole sample to determine if chloride levels increase or decrease. Remove materials over 1000 mg/kg chloride levels.

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

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DIRECTOR
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DIRECTOR

June 13, 2008

JUN 13 2008
OCD-ARTESIA

Mr. Mike Bratcher
NMOCD District II
1301 W. Grand Ave.
Artesia, NM 88210

RE: Yates AS #1 Fee
30-015-10740
Section 25, T19S-R25E
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 19, 2008 (10 B/PW with 10 B/PW recovered), the release occurred during a below grade tank removal. Soils were excavated and taken to an OCD approved facility and composite samples were taken (5/19/2008 and 5/29/2008), the depth of the tank bottom is approximately seven (7) feet below grade. Enclosed are analytical results, results are within the RRAL's for BTEX (50 ppm) and TPH (5000 ppm) with the Total Ranking Score of zero (0). chloride delineation indicates decreasing levels. All actions taken for this release has been addressed during the below-grade tank removal (Final C-144, submitted 6/2/2008), Yates Petroleum Corporation requests closure of the site. Upon OCD approval the excavation area will be backfilled with clean, like materials.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

Enclosure(s)
/rca

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

Form C-141
Revised October 10, 2003

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

JUN 13 2008
OCD-ARTESIA

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

Release Notification and Corrective Action

OPERATOR

☐ Initial Report ☒ Final Report

Name of Company Yates Petroleum Corporation	OGRID Number 25575	Contact Robert Asher
Address 104 S. 4 TH Street		Telephone No. 575-748-1471
Facility Name Yates AS #1 Fee	API Number 30-015-10740	Facility Type Battery

Surface Owner Fee	Mineral Owner Federal	Lease No.
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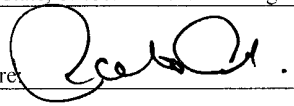
LOCATION OF RELEASE

Unit Letter K	Section 25	Township 19S	Range 25E	Feet from the	North/South Line	Feet from the	East/West Line	County Eddy
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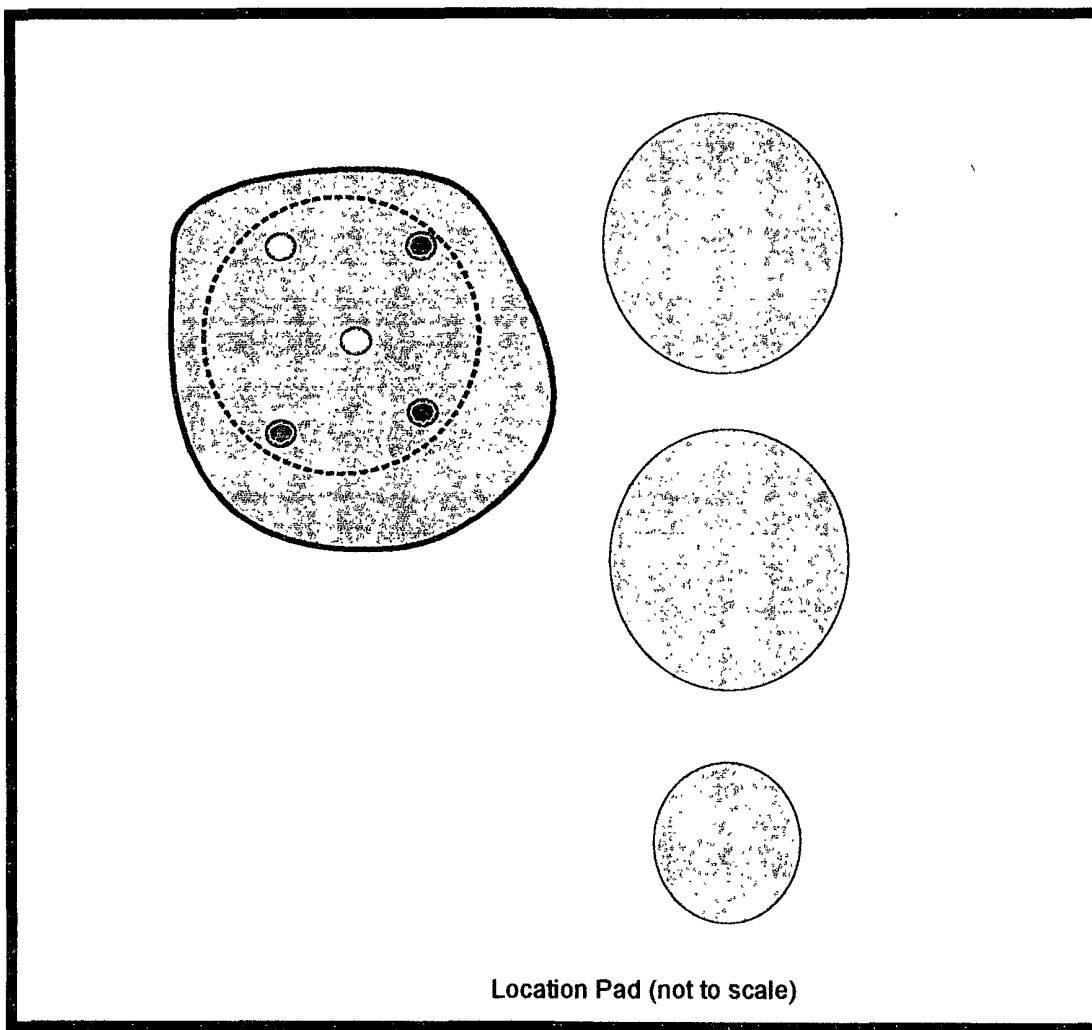
Latitude 32.72371 Longitude 104.08254

NATURE OF RELEASE

Type of Release Produced Water	Volume of Release 10 B/PW	Volume Recovered 10 B/PW
Source of Release Water Tank	Date and Hour of Occurrence 3/19/2008 PM	Date and Hour of Discovery 3/19/2008 PM
Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required	If YES, To Whom? N/A	
By Whom? N/A	Date and Hour N/A	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse. N/A	
If a Watercourse was Impacted, Describe Fully.* N/A		
Describe Cause of Problem and Remedial Action Taken.* Bottom of 210 bbl water tank broke when being removed (C-144 submitted 12/21/2007; approved 1/8/2008). Vacuum truck called		
Describe Area Affected and Cleanup Action Taken.* An approximate area of 16' X 16' Produced water picked and contaminates soils excavated and taken to an OCD approved facility Vertical and horizontal delineation was conducted with results for TPH and BTEX below RRAL's Sampling was conducted for chlorides (5/19/2008 & 5/28/2008) and shows decreasing levels Depth to Ground Water: >100' (approximately 100'), Wellhead Protection Area: No, Distance to Surface Water Body: >1000', SITE RANKING IS 0. Based on actions taken to recover all produced water released, soils removed and analytical results (enclosed), Yates Petroleum Corporation requests closure.		
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.		

Signature 	OIL CONSERVATION DIVISION	
Printed Name: Robert Asher	Approved by District Supervisor:	Accepted for record NMOCD
Title: Environmental Regulatory Agent	Approval Date	
E-mail Address: boba@ypcnm.com	Conditions of Approval	Attached <input type="checkbox"/>
Date: Friday, June 13, 2008 Phone: 575-748-4271		

* Attach Additional Sheets If Necessary



Sample ID	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TPH TOTAL	Chlorides
GS/Comp-001	5/19/2008	Grab/Composite	1'	ND	ND	55.6	55.6	5970
GS/Comp-002	5/19/2008	Grab/Composite	2'	ND	ND	ND	ND	6080
GS/Comp-003	5/28/2008	Grab/Composite	3'					2297
GS/Comp-004	5/28/2008	Grab/Composite	4'					993

Site Ranking is Zero (0). Depth to Ground Water: >100' (approx. 100'). All results are ppm.



Yates AS #1 Fee
Section 25, T19S-R25E
Eddy County, NM

EXHIBIT
Sample Diagram (Not to Scale)

Prepared by Robert Asher
Environmental Regulatory Agent
June 13, 2008

Analytical Report 304086

for

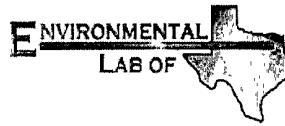
Yates Petroleum Corporation

Project Manager: Robert Asher

Yates AS #1 Fee

30-015-10740

22-MAY-08



12600 West I-20 East Odessa, Texas 79765

Texas certification numbers:
Houston, TX T104704215

Florida certification numbers:
Houston, TX E871002 - Miami, FL E86678 - Tampa, FL E86675
Norcross(Atlanta), GA E87429

South Carolina certification numbers:
Norcross(Atlanta), GA 98015

North Carolina certification numbers:
Norcross(Atlanta), GA 483

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Midland - Corpus Christi - Atlanta



22-MAY-08

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

Reference: XENCO Report No: **304086**
Yates AS #1 Fee
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 304086. 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. 304086 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 304086



Yates Petroleum Corporation, Artesia, NM

Yates AS #1 Fee

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
GS/Comp-001	S	May-14-08 09:04	1 - 1 ft	304086-001
GS/Comp-002	S	May-14-08 09:54	2 - 2 ft	304086-002



Certificate of Analysis Summary 304086

Yates Petroleum Corporation, Artesia, NM

Project Name: Yates AS #1 Fee

Project Id: 30-015-10740

Contact: Robert Asher

Project Location: Eddy County

Date Received in Lab: Sat May-17-08 09 25 am

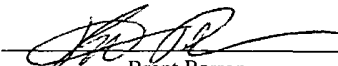
Report Date: 22-MAY-08

Project Manager: Brent Barron, II

Analysis Requested	Lab Id:	304086-001	304086-002				
	Field Id:	GS/Comp-001	GS/Comp-002				
	Depth:	1-1 ft	2-2 ft				
	Matrix:	SOIL	SOIL				
	Sampled:	May-14-08 09 04	May-14-08 09:54				
BTEX by EPA 8021B	Extracted:	May-19-08 15 00	May-19-08 15 00				
	Analyzed:	May-19-08 23 45	May-20-08 00:09				
	Units/RL:	mg/kg RL	mg/kg RL				
Benzene		ND 0 0012	ND 0 0012				
Toluene		ND 0 0024	ND 0 0024				
Ethylbenzene		ND 0 0012	ND 0 0012				
m,p-Xylenes		ND 0 0024	ND 0 0024				
o-Xylene		ND 0 0012	ND 0 0012				
Total Xylenes		ND	ND				
Total BTEX		ND	ND				
Inorganic Anions by EPA 300	Extracted:						
	Analyzed:	May-21-08 20 52	May-21-08 20 52				
	Units/RL:	mg/kg RL	mg/kg RL				
Chloride		5970 119	6080 119				
Percent Moisture	Extracted:						
	Analyzed:	May-19-08 11 52	May-19-08 11 52				
	Units/RL:	% RL	% RL				
Percent Moisture		16 1 1 00	16 0 1 00				
TPH by SW 8015B	Extracted:	May-20-08 11 45	May-20-08 11 45				
	Analyzed:	May-20-08 19 14	May-20-08 19:42				
	Units/RL:	mg/kg RL	mg/kg RL				
C6-C10 Gasoline Range Hydrocarbons		ND 17 9	ND 17.9				
C10-C28 Diesel Range Hydrocarbons		55 6 17.9	ND 17 9				
Total TPH		55 6	ND				

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
Odessa Laboratory Director



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 effect the recovery of the spike concentration. This condition could also effect 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 MQL(PQL) and above the SQL(MDL).
 - 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.
- * Outside XENCO'S scope of NELAC Accreditation

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2505 N Falkenburg Rd , Tampa, FL 33619
5757 NW 158th St, Miami Lakes, FL 33014
6017 Financial Dr , Norcross, GA 30071

Phone	Fax
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(214) 902 0300	(214) 351-9139
(210) 509-3334	(210) 509-3335
(813) 620-2000	(813) 620-2033
(305) 823-8500	(305) 823-8555
(770) 449-8800	(770) 449-5477

CHAIN OF CUSTODY RECORD AND ANALYSIS REQUEST

Phone: 432-563-1800
Fax: 432-563-1713

Project Name: Yates AS #1 Fee

Project #: 30-015-10740

Project Location: Eddy County

PO #: 105632

Report Format: ☒ Standard ☐ TRRP ☐ NPDES

Page 14 of 17

Environmental Lab of Texas
Variance/ Corrective Action Report- Sample Log-In

Client Yates
Date/ Time. 5/17/08 9:25
Lab ID # 304086
Initials CU

Sample Receipt Checklist

				Client Initials	
#1	Temperature of container/ cooler?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	4.5 °C	
#2	Shipping container in good condition?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#3	Custody Seals intact on shipping container/ cooler?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Present	
#4	Custody Seals intact on sample bottles/ container?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Present	
#5	Chain of Custody present?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#6	Sample instructions complete of Chain of Custody?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#7	Chain of Custody signed when relinquished/ received?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#8	Chain of Custody agrees with sample label(s)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	ID written on Cont / Lid	
#9	Container label(s) legible and intact?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Applicable	
#10	Sample matrix/ properties agree with Chain of Custody?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#11	Containers supplied by ELOT?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#12	Samples in proper container/ bottle?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	See Below	
#13	Samples properly preserved?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	See Below	
#14	Sample bottles intact?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#15	Preservations documented on Chain of Custody?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#16	Containers documented on Chain of Custody?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
#17	Sufficient sample amount for indicated test(s)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	See Below	
#18	All samples received within sufficient hold time?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	See Below	
#19	Subcontract of sample(s)?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Applicable	
#20	VOC samples have zero headspace?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not Applicable	

Variance Documentation

Contact _____ Contacted by. _____ Date/ Time: _____

Regarding _____

Corrective Action Taken

Check all that Apply

- ☐ See attached e-mail/ fax
☐ Client understands and would like to proceed with analysis
☐ Cooling process had begun shortly after sampling event

MARTIN YATES, III
1912-1985

FRANK W. YATES
1936-1986



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

S.P. YATES
CHAIRMAN EMERITUS

JOHN A. YATES
CHAIRMAN OF THE BOARD

FRANK YATES, JR.
PRESIDENT

PEYTON YATES
DIRECTOR

JOHN A. YATES, JR.
DIRECTOR

June 13, 2008

I certify that on 5/29/2008, tests were conducted on soil samples from the following location:

Yates AS #1 Fee

Following are the results of testing.

EPA Method 9253 GS/Comp-001 – 2297 ppm

EPA Method 9253 GS/Comp-002 – 993 ppm

All testing was conducted at Yates Petroleum Corporation.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

RANDY G. PATTERSON
SECRETARY

DAVID LANNING
CHIEF OPERATING OFFICER

DENNIS G. KINSEY
TREASURER

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DIRECTOR
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DIRECTOR

June 2, 2008

JUN 03 2008
OCD-ARTESIA

Mr. Mike Bratcher
NMOCD District II
1301 W. Grand Ave.
Artesia, NM 88210

RE: Yates AS #1 Fee
30-015-10740 ^{18s}
Section 25, T4S-R25E
Eddy County, New Mexico

Dear Mr. Bratcher,

The following actions have been performed by Yates concerning Form C-144 submitted December 21, 2007, below-grade tank was removed, excavated soils were taken to an approved OCD facility and composite samples were taken (5/19/2008 and 5/29/2008), the depth of the tank bottom is approximately seven (7) feet below grade. Enclosed are analytical results, with the Total Ranking Score of zero (0), RRAL's for BTEX is 50 ppm and TPH is 5000 ppm, chloride delineation indicates decreasing levels. Yates Petroleum Corporation requests closure of the below grade tank site.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

Enclosure(s)
/rca

DENIED

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



Form C-144
June 1, 2004

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

For drilling and production facilities, submit to
appropriate NMOCD District Office
For downstream facilities, submit to Santa Fe
office

Pit or Below-Grade Tank Registration or Closure

Is pit or below-grade tank covered by a "general plan"? Yes ☐ No ☐
Type of action Registration of a pit or below-grade tank ☐ Closure of a pit or below-grade tank ☒

JUN 03 2008

OCD-ARTESIA

Operator Yates Petroleum Corporation Telephone 505-748-1471 e-mail address boba@ypcnm.com
Address 104 S 4th Street, Artesia, NM 88210
Facility or well name Yates AS #1 Fee API # 30-015-10740 U/L or Qtr/Qtr K Sec 25 T 18S R 25E
County Eddy Latitude 32 71614 Longitude 104 44091 NAD 1927 ☒ 1983 ☐
Surface Owner Federal ☒ State ☐ Private ☐ Indian ☐

Pit	Below-grade tank
Type Drilling <input type="checkbox"/> Production <input type="checkbox"/> Disposal <input type="checkbox"/> Work over <input type="checkbox"/> Emergency <input type="checkbox"/> Lined <input type="checkbox"/> Unlined <input type="checkbox"/> Liner type Synthetic <input type="checkbox"/> Thickness _____ mil Clay <input type="checkbox"/> Pit Volume _____ bbl	Volume <u>210</u> bbl Type of fluid <u>Produced Water</u> Construction material <u>Fiberglass</u> Double-walled, with leak detection? Yes <input checked="" type="checkbox"/> If not, explain why not _____
Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water)	Less than 50 feet (20 points) 50 feet or more, but less than 100 feet (10 points) 100 feet or more (0 points)
Wellhead protection area (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources)	Yes (20 points) No (0 points)
Distance to surface water (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses)	Less than 200 feet (20 points) 200 feet or more, but less than 1000 feet (10 points) 1000 feet or more (0 points)
Ranking Score (Total Points) 0 points	

If this is a pit closure: (1) Attach a diagram of the facility showing the pit's relationship to other equipment and tanks (2) Indicate disposal location (check the onsite box if you are burying in place)
onsite ☐ offsite ☐ If offsite, name of facility _____ (3) Attach a general description of remedial action taken including remediation start date and end date (4) Groundwater
encountered No ☐ Yes ☐ If yes, show depth below ground surface _____ ft and attach sample results
(5) Attach soil sample results and a diagram of sample locations and excavations

FINAL REMOVAL ACTIVITIES COMPLETE (TANK REMOVED AND SAMPLE RESULTS ENCLOSED). FINAL REPORT C-144.

I hereby certify that the information above is true and complete to the best of my knowledge and belief I further certify that the above-described pit or below-grade tank has been/will be
constructed or closed according to NMOCD guidelines ☒, a general permit ☐, or an (attached) alternative OCD-approved plan ☐.

Date Monday, June 02, 2008

Printed Name/Title Robert Asher / Environmental Regulatory Agent

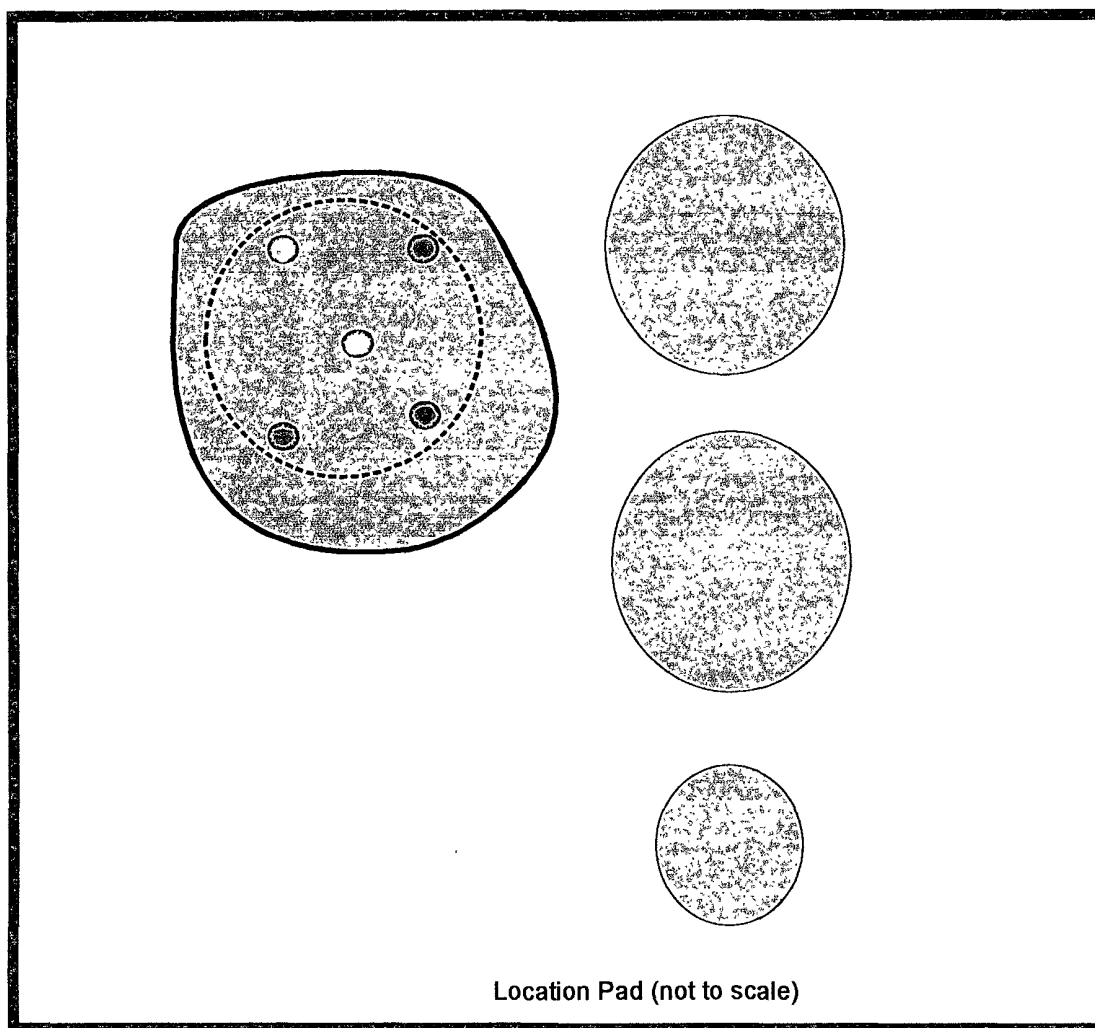
Signature

Your certification and NMOCD approval of this application/closure does not relieve the operator of liability should the contents of the pit or tank contaminate ground water or otherwise endanger public health or the environment Nor does it relieve the operator of its responsibility for compliance with any other federal, state, or local laws and/or regulations

Approval

DENIED

Printed Name/Title _____ Signature _____ Date _____



Sample ID	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TPH TOTAL	Chlorides
GS Comp #01	5/19/2008	Grab/Composite	1'	ND	ND	55.6	55.6	5970
GS Comp #02	5/19/2008	Grab/Composite	2'	ND	ND	ND	ND	6080
GS Comp #01	5/28/2008	Grab/Composite	3'					2297
GS Comp #02	5/28/2008	Grab/Composite	4'					993

Site Ranking is Zero (0). Depth to Ground Water: >100' (approx. 100'). All results are ppm.



Yates AS #1 Fee
Section 25, T19S-R25E
Eddy County, NM

EXHIBIT
Sample Diagram (Not to Scale)

Prepared by Robert Asher
Environmental Regulatory Agent
June 2, 2008

Analytical Report 304086

for

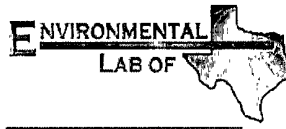
Yates Petroleum Corporation

Project Manager: Robert Asher

Yates AS #1 Fee

30-015-10740

22-MAY-08



12600 West I-20 East Odessa, Texas 79765

Texas certification numbers:
Houston, TX T104704215

Florida certification numbers:
Houston, TX E871002 - Miami, FL E86678 - Tampa, FL E86675
Norcross(Atlanta), GA E87429

South Carolina certification numbers:
Norcross(Atlanta), GA 98015

North Carolina certification numbers:
Norcross(Atlanta), GA 483

Houston - Dallas - San Antonio - Austin - Tampa - Miami - Latin America
Midland - Corpus Christi - Atlanta



22-MAY-08

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

Reference: XENCO Report No: **304086**
Yates AS #1 Fee
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 304086. 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. 304086 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

Recipient of the Prestigious Small Business Administration Award of Excellence in 1994.

Certified and approved by numerous States and Agencies.

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Sample Cross Reference 304086



Yates Petroleum Corporation, Artesia, NM

Yates AS #1 Fee

Sample Id	Matrix	Date Collected	Sample Depth	Lab Sample Id
GS/Comp-001	S	May-14-08 09:04	1 - 1 ft	304086-001
GS/Comp-002	S	May-14-08 09:54	2 - 2 ft	304086-002



Certificate of Analysis Summary 304086

Yates Petroleum Corporation, Artesia, NM

Project Name: Yates AS #1 Fee

Project Id: 30-015-10740

Contact: Robert Asher

Project Location: Eddy County

Date Received in Lab: Sat May-17-08 09.25 am


Report Date: 22-MAY-08

Project Manager: Brent Barron, II

Analysis Requested	Lab Id:	304086-001	304086-002				
	Field Id:	GS/Comp-001	GS/Comp-002				
	Depth:	1-1 ft	2-2 ft				
	Matrix:	SOIL	SOIL				
	Sampled:	May-14-08 09 04	May-14-08 09 54				
BTEX by EPA 8021B	Extracted:	May-19-08 15 00	May-19-08 15 00				
	Analyzed:	May-19-08 23 45	May-20-08 00 09				
	Units/RL:	mg/kg RL	mg/kg RL				
Benzene		ND 0 0012	ND 0 0012				
Toluene		ND 0 0024	ND 0 0024				
Ethylbenzene		ND 0 0012	ND 0 0012				
m,p-Xylenes		ND 0 0024	ND 0 0024				
o-Xylene		ND 0 0012	ND 0 0012				
Total Xylenes		ND	ND				
Total BTEX		ND	ND				
Inorganic Anions by EPA 300	Extracted:						
	Analyzed:	May-21-08 20 52	May-21-08 20 52				
	Units/RL:	mg/kg RL	mg/kg RL				
Chloride		5970 119	6080 119				
Percent Moisture	Extracted:						
	Analyzed:	May-19-08 11 52	May-19-08 11 52				
	Units/RL:	% RL	% RL				
Percent Moisture		16 1 1 00	16 0 1 00				
TPH by SW 8015B	Extracted:	May-20-08 11 45	May-20-08 11 45				
	Analyzed:	May-20-08 19 14	May-20-08 19 42				
	Units/RL:	mg/kg RL	mg/kg RL				
C6-C10 Gasoline Range Hydrocarbons		ND 17 9	ND 17 9				
C10-C28 Diesel Range Hydrocarbons		55.6 17 9	ND 17 9				
Total TPH		55.6	ND				

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.

Since 1990 Houston - Dallas - San Antonio - Austin - Tampa - Miami - Latin America - Atlanta - Corpus Christi


Brent Barron
Odessa Laboratory Director



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 effect the recovery of the spike concentration. This condition could also effect 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 MQL(PQL) and above the SQL(MDL).
 - 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.
- * Outside XENCO'S scope of NELAC Accreditation

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5332 Blackberry Drive, Suite 104, San Antonio, TX 78238
2505 N Falkenburg Rd , Tampa, FL 33619
5757 NW 158th St, Miami Lakes, FL 33014
6017 Financial Dr , Norcross, GA 30071

Phone	Fax
(281) 589-0692	(281) 589-0695
(214) 902 0300	(214) 351-9139
(210) 509-3334	(210) 509-3335
(813) 620-2000	(813) 620-2033
(305) 823-8500	(305) 823-8555
(770) 449-8800	(770) 449-5477

CHAIN OF CUSTODY RECORD AND ANALYSIS REQUEST

Phone: 482-563-1800
Fax: 482-663-1713

Project Name: Yates AS #1 Fee
Project # 30-015-10740
Project Loc: Eddy County
PO # 105632

Preservation & # of Containers	Matro
--------------------------------	-------

[illegible]

Environmental Lab of Texas

Variance/ Corrective Action Report- Sample Log-In

Client Yates
 Date/ Time 5/17/08 9:25
 Lab ID # 304086
 Initials CU

Sample Receipt Checklist

				Client Initials
#1	Temperature of container/ cooler?	<u>Yes</u>	No	<u>4.5</u> °C
#2	Shipping container in good condition?	<u>Yes</u>	No	
#3	Custody Seals intact on shipping container/ cooler?	<u>Yes</u>	No	Not Present
#4	Custody Seals intact on sample bottles/ container?	<u>Yes</u>	No	Not Present
#5	Chain of Custody present?	<u>Yes</u>	No	
#6	Sample instructions complete of Chain of Custody?	<u>Yes</u>	No	
#7	Chain of Custody signed when relinquished/ received?	<u>Yes</u>	No	
#8	Chain of Custody agrees with sample label(s)?	<u>Yes</u>	No	ID written on Cont / Lid
#9	Container label(s) legible and intact?	<u>Yes</u>	No	Not Applicable
#10	Sample matrix/ properties agree with Chain of Custody?	<u>Yes</u>	No	
#11	Containers supplied by ELOT?	<u>Yes</u>	No	
#12	Samples in proper container/ bottle?	<u>Yes</u>	No	See Below
#13	Samples properly preserved?	<u>Yes</u>	No	See Below
#14	Sample bottles intact?	<u>Yes</u>	No	
#15	Preservations documented on Chain of Custody?	<u>Yes</u>	No	
#16	Containers documented on Chain of Custody?	<u>Yes</u>	No	
#17	Sufficient sample amount for indicated test(s)?	<u>Yes</u>	No	See Below
#18	All samples received within sufficient hold time?	<u>Yes</u>	No	See Below
#19	Subcontract of sample(s)?	<u>Yes</u>	No	Not Applicable
#20	VOC samples have zero headspace?	<u>Yes</u>	No	Not Applicable

Variance Documentation

Contact _____ Contacted by _____ Date/ Time: _____

Regarding _____

Corrective Action Taken

- Check all that Apply:
- ☐ See attached e-mail/ fax
 - ☐ Client understands and would like to proceed with analysis
 - ☐ Cooling process had begun shortly after sampling event

MARTIN YATES, III
1912-1985

FRANK W. YATES
1936-1986



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June 2, 2008

I certify that on 5/29/2008, tests were conducted on soil samples from the following location:

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All testing was conducted at Yates Petroleum Corporation.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent