

Bratcher, Mike, EMNRD

30-015-10800

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 (575) 748-1471

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OCT 03 2008
OCD-ARTESIA

October 2, 2008

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

RE: Gerard AW Battery
30-015-10800
Section 25, T18S-R25E
Eddy County, New Mexico

Dear Mr. Bratcher,

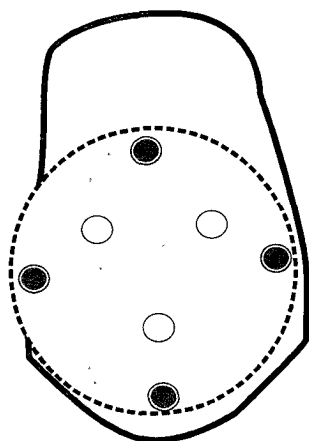
Additional delineation sampling has been performed, enclosed are analytical results that indicate decreasing levels on chlorides. Yates Petroleum Corporation requests closure of the below grade tank site.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

Enclosure(s)
/rca



Removed tank outline (dashed line)

- Yellow - Bottom sample points
- Green - Sidewall sample points

Location Pad (not to scale)

Sample ID	Sample Date	Sample Type	Depth	BTEX	GRO	DRO	TPH TOTAL	Chlorides
GS/Comp-001	3/19/2008	Grab/Composite	7'	0.067	10.2	78.4	88.6	7040
GS/Comp-002	3/19/2008	Grab/Composite	8'	0.021	7.4	<50.0	7.4	7470
OO1	5/8/2008	Grab/Composite	9'					1489
OO2	10/2/2008	Grab/Composite	10'					922
GS/Comp-003	3/19/2008	Grab/Composite	6'	0.0342	10.8	580	590.8	2470
GS/Comp-004	10/2/2008	Grab/Composite	7'					752
GS/Comp-005	10/2/2008	Grab/Composite	8'					511

Site Ranking is Zero (0). Depth to Ground Water >100' (approx. 158'). All results are ppm.



Gerard AW Battery
Section 25 T18S-R25E
Eddy County, NM

EXHIBIT
Sample Diagram (Not to Scale)
 Prepared by Robert Asher
 Environmental Regulatory Agent
 October 2, 2008

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October 2, 2008

I certify that on 10/2/2008, tests were conducted on soil samples from the following location:

Gerard AW Battery

Following are the results of testing.

EPA Method 9253 OO2 – 922 ppm

EPA Method 9253 GS/Comp-004 – 752 ppm

EPA Method 9253 GS/Comp-005 – 511 ppm

All testing was conducted at Yates Petroleum Corporation.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

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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MAY 12 2008
OCD-ARTESIA

May 8, 2008

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

Re: Gerard AW Battery
30-015-10800
Section 25, T18S-R25E
Eddy County, New Mexico

Dear Mr. Bratcher:

Upon your request on April 28, 2008 for further delineation, enclosed, is a sample diagram and analytical results for the above location. Yates Petroleum Corporation conducted sampling to determine extent of oilfield. Yates would like to request the results be accepted by the OCD and approval of D-144 submitted for closure on 3/28/2008.

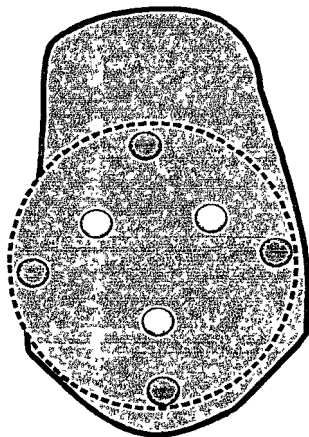
If you have any questions call me at (505) 748-4217

Thank you.

YATES PETROLEUM CORPROATION

Robert Asher
Environmental Regulatory Agent

DENIED



- Yellow - Bottom sample points
- Green - Sidewall sample points

Location Pad (not to scale)

Sample ID	Sample Date	Depth	BTEX	TPH (GRO)	TPH (DRO)	TPH (Total)	Chlorides
GS/Comp-001	3/19/2008	7'	0.067	10.2	78.4	88.6	7040
GS/Comp-002	3/19/2008	8'	0.021	7.4	<50.0	7.4	7470
GS/Comp-003	3/19/2008	6'	0.0342	10.8	580	590.8	2470

Site Ranking is Zero (0). Depth to Ground Water >100' (approx. 158'). All results are ppm.



Gerard AW Battery
Section 25 T18S-R25E
Eddy County, NM

EXHIBIT
Sample Diagram (Not to Scale)

Prepared by Robert Asher
Environmental Regulatory Agent
March 28, 2008

MARTIN YATES, III
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FRANK W. YATES
1936-1986



105 SOUTH FOURTH STREET
ARTESIA, NEW MEXICO 88210-2118
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May 8, 2008

I certify that on 5/8/2008, tests were conducted on soil samples
from the following location:

Gerard AW Battery

Following are the results of testing.

EPA Method 9074, TPH _____

EPA Method 9253 OO1 - 1489 ppm

PID Meter, VOC _____

All testing was conducted at Yates Petroleum Corporation.

Thank you.

YATES PETROLEUM CORPORATION

Robert Asher
Environmental Regulatory Agent

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S

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March 28, 2008

MAR 28 2008
OCD-ARTESIA

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

RE: Gerard AW Battery
30-015-10800
Section 25, T18S-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 on March 3, 2008 and samples were taken (3/19/2008) from the bottom and sidewalls. Enclosed are analytical results, with the Total Ranking Score of zero (0), RRAL's for BTEX is 50 ppm and TPH is 5000 ppm, Yates Petroleum Corporation request closure.

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

Form C-144
June 1, 2004

S 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 ☒

MAR 28 2008

OCD-ARTESIA

Operator <u>Yates Petroleum Corporation</u> Telephone <u>505-748-1471</u> e-mail address <u>boba@ypcnm.com</u>	
Address <u>104 S 4th Street, Artesia, NM 88210</u>	
Facility or well name <u>Gerard AW Battery</u> API # <u>30-015-10800</u> U/L or Qtr/Qtr <u>O</u> Sec <u>25</u> T <u>18S</u> R <u>25E</u>	
County <u>Eddy</u> Latitude <u>32 71431</u> Longitude <u>104 43452</u> NAD 1927 <input checked="" type="checkbox"/> 1983 <input type="checkbox"/>	
Surface Owner Federal <input type="checkbox"/> State <input type="checkbox"/> Private <input checked="" type="checkbox"/> Indian <input type="checkbox"/>	
Pit Type <input type="checkbox"/> 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 <input type="checkbox"/> Synthetic <input type="checkbox"/> Thickness <u> </u> mil Clay <input type="checkbox"/> Pit Volume <u> </u> bbl	Below-grade tank 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 <u> </u>
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.

Site Ranking revised based on enclosed information.

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 ☐.

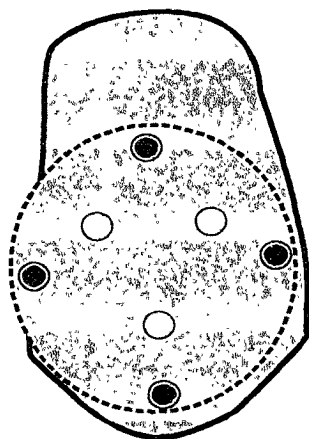
Date Friday, March 28, 2008

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



- Yellow - Bottom sample points
- Green - Sidewall sample points

Location Pad (not to scale)

Sample ID	Sample Date	Depth	BTEX	TPH (GRO)	TPH (DRO)	TPH (Total)	Chlorides
GS/Comp-001	3/19/2008	7'	0.067	10.2	78.4	88.6	7040
GS/Comp-002	3/19/2008	8'	0.021	7.4	<50.0	7.4	7470
GS/Comp-003	3/19/2008	6'	0.0342	10.8	580	590.8	2470

Site Ranking is Zero (0). Depth to Ground Water >100' (approx. 158'). All results are ppm.



Gerard AW Battery
Section 26, T18S-R25E
Eddy County, NM

EXHIBIT
Sample Diagram (Not to Scale)

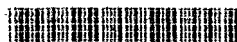
Prepared by Robert Asher
Environmental Regulatory Agent
March 28, 2008

Summary Report

Robert Asher
Yates Petroleum Corp.
105 South 4th South
Artesia, NM, 88210

Report Date: March 24, 2008

Work Order: 8032038



FO #: 105682
Project Location: Eddy Co, NM
Project Name: Gerard AW Battery
Project Number: 30-015-10800

Sample	Description	Matrix	Date Taken	Time Taken	Date Received
154241	GS/Comp-001	soil	2008-03-19	09:50	2008-03-20
154242	GS/Comp-002	soil	2008-03-19	10:09	2008-03-20
154243	GS/Comp-003	soil	2008-03-19	10:36	2008-03-20

Sample - Field Code	BTEX				TPH DRO	TPH GRO
	Benzene (mg/Kg)	Toluene (mg/Kg)	Ethylbenzene (mg/Kg)	Xylene (mg/Kg)	DRO (mg/Kg)	GRO (mg/Kg)
154241 - GS/Comp-001	<0.0100	<0.0100	0.0670	<0.0100	78.4	10.2
154242 - GS/Comp-002	<0.0100	<0.0100	0.0210	<0.0100	<50.0	7.40
154243 - GS/Comp-003	<0.0200	<0.0200	0.0342	<0.0200	580	10.8

Sample: 154241 - GS/Comp-001

Param	Flag	Result	Units	RL
Chloride		7040	mg/Kg	2.00

Sample: 154242 - GS/Comp-002

Param	Flag	Result	Units	RL
Chloride		7470	mg/Kg	2.00

Sample: 154243 - GS/Comp-003

Param	Flag	Result	Units	RL
Chloride		2470	mg/Kg	2.00

New Mexico Office of the State Engineer
POD Reports and Downloads

Township: Range: Sections:

NAD27 X: Y: Zone: Search Radius:

County: Basin: Number: Suffix:

Owner Name: (First) (Last) ☐ Non-Domestic ☐ Domestic ☒ All

AVERAGE DEPTH OF WATER REPORT 03/26/2008

(Depth Water in Feet)

Bsn	Tws	Rng	Sec	Zone	X	Y	Wells	Min	Max	Avg
RA	18S	25E	24				1	158'	158'	158'

Record Count: 1