



# RAILROAD COMMISSION OF TEXAS

## OIL AND GAS DIVISION

December 22, 2009

EXXON MOBIL CORPORATION (257128)  
P O BOX 4358  
HOUSTON TX 77210-4358

Re: STATUS REPORT  
Elizabeth Burns Complaint No. 04-1230  
Mc Gill Bros. Lease  
Brooks County, Texas

**Site 1: Kelsey North Meter Station Blow Down Tank**  
**Job No. 2008-04-14170, 2009-04-8714**

On January 20, 2009, Ms. Elizabeth Burns, landowner, contacted the Railroad Commission of Texas (RRC) with concerns about oilfield pollution on her property. According to Ms. Burns, historical spills and leaks had not been cleaned up. Exxon Mobil reported a spill of 8.7 barrels condensate and 79 barrels of produced water on the Mc Gill Bros. lease to the RRC District Office on December 13, 2008. A current inspection was performed on October 19, 2009, the following violation of RRC Statewide Rules remain:

**STATEWIDE RULE 8(d)(1):** (N 26<sup>0</sup> 49.17', W 98<sup>0</sup> 24.03') Clean-up not completed. On July 17, 2009, it was determined that groundwater was affected at 32 feet below surface. Benzene was detected above RRC guideline limit concentration levels from a centrally located monitoring well. Arcadis submitted a groundwater delineation report on November 19, 2009. Exxon Mobil did not present a clean-up plan to date. Arcadis recommended ongoing groundwater sampling and review for closure in one year. The report was inconclusive and removal of contaminants was not addressed. No active pollution was observed during the October 19, 2009 inspection.

*Oversight of the groundwater assessment and cleanup activities was referred to the Site Remediation Section in Austin, Operator Cleanup Program site OCP number 04-3541.*

**STATEWIDE RULE 8(d)(2):** (N 26<sup>0</sup> 49.293', W 98<sup>0</sup> 24.104') Un-permitted pit. At the North Meter Station Blow Down Tank, a dry earthen un-permitted pit measuring 45 feet x 105 feet with 4 foot high earthen wall and enclosed with 630' of perimeter fencing, was observed. The landowner described the area as being misrepresented as a "cattle pond" and alleged the pit was constructed for oil and gas exploration activities. Exxon Mobil did not present a clean-up plan to date. On November 23, 2009, Site Remediation Section in Austin requested information from Exxon Mobil regarding the use of this pit. No active pollution was observed at the site during the October 19, 2009 inspection.

*If the pit is a closed permitted pit provide documentation of closure. Bring the site into compliance; submit delineation sample results that reflect contaminated soil has been removed and groundwater has not been affected. Remove and properly dispose affected soil; backfill with clean soil and compact.*

**Site 2: Kelsey Meter Station 2**

Job No. 2008-04-14100


A spill of 29 barrels of condensate from a leaking pipeline on the landowner's property was discovered by Carlos Moreno, RRC District inspector, on December 11, 2008. On October 28, 2009, Ms. Elizabeth Burns, landowner, contacted the RRC with concerns of subsurface condensate pollution. An investigation of condensate spillage was conducted on October 29, 2009, at (latitude N 26<sup>0</sup> 48.783', longitude W 98<sup>0</sup> 24.811'), at a prior backfilled location. The area was excavated and Exxon Mobil took soil samples. Representatives of the RRC District Office, Exxon Mobil, General Land Office, and Texas Commission on Environmental Quality, and the landowner conducted an investigation of condensate spills at several locations on November 18, 2009. On December 2, 2009, Ms. Elizabeth Burns, landowner, contacted the RRC with concerns of subsurface condensate pollution. On December 3, 2009 Exxon Mobil took soil and water samples from the excavation site at the request of the RRC District Office. The following violation of RRC Statewide Rules remain:

- **STATEWIDE RULE 8(d)(1):** (N 26<sup>0</sup> 48.75', W 98<sup>0</sup> 24.80') Clean-up not completed. To date, the District Office has not received sample analysis results supporting an adequate delineation. Determination of hydrocarbon affect to groundwater was not determined. Depth to groundwater was not determined. A delineation report was submitted by Arcadis to the District Office on November 30, 2009. Exxon Mobil did not present a clean-up plan to date. December 3, 2009 liquid sample results reflected water with chlorides of 60 mg/L and Total Petroleum Hydrocarbons of 45 parts per million.

*Oversight of the groundwater assessment and cleanup activities was referred to Site Remediation Section in Austin, Operator Cleanup Program site OCP number 04-3589.*

A file review will be conducted on or after January 15, 2010. An update will be forwarded to the Field Operations in Austin by January 29, 2010. Failure to bring the aforementioned Statewide Rules violations into compliance may result in the District Office requesting legal enforcement action. Please direct all questions regarding this complaint to Glenn Monette at 361-242-3113.

District Director \_\_\_\_\_  
Assistant District Director A.D.

Yours very truly,  
  
Glenn Monette, P.E.  
Engineering Specialist

cc: Field Operations Section – Austin  
Heidi Bojes, Site Remediation - Austin  
Ms. Elizabeth Burns, P.O. Box 100, Santa Elena, TX 78591  
Complaint File