



## RAILROAD COMMISSION OF TEXAS OIL AND GAS DIVISION

February 3, 2009

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

Re: INITIAL REPORT  
Elizabeth Burns Complaint No. 04-1230  
Mc Gill Bros. Lease  
Brooks County, Texas  
Job # 2008-04-14100  
Job # 2008-04-14170

### Site 1: Kelsey North Meter Station Blow Down Tank

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 above referenced lease to RRC District 04 on December 13, 2008 at the Kelsey North Meter Station Blow Down Tank. A spill inspection was conducted by Carlos Moreno, RRC District inspector, on December 15, 2008. Carlos Moreno, and Roy Staiger, RRC District Cleanup Coordinator conducted a follow-up inspection, on January 6, 2009. The inspection noted ongoing clean-up activities by Exxon Mobil personnel. Carlos Moreno, Roy Staiger, and Glenn Monette conducted a joint inspection with representatives from Exxon Mobil and the landowner on January 23, 2009. The following violation of RRC Statewide Rules was noted:

STATEWIDE RULE 8(d)(1): Cleanup was not completed at the Kelsey North Meter Station Blow Down Tank spill site. Three locations of moist discolored soil were observed in the sidewalls of the excavation. RRC personnel requested Exxon Mobil to sample these areas for oilfield pollution.

*Additional tests are needed to determine if groundwater has been impacted. Monitoring wells may be needed to delineate impacted area. Replace and properly dispose the affected soil.*

Water percolating into the cleanup excavation was sampled on January 5, 2009. Hydrocarbon impact of sampled groundwater was not indicated. Water chlorides/TDS quality was within Class 2 groundwater resource protection guidelines.

A copy of the Field Guide for the Assessment and Cleanup of Soil and Groundwater Contaminated with Condensate From a Spill Incident can be obtained at the Railroad Commission website at:

<http://www.rrc.state.tx.us/environmental/spills/spillcleanup>

Delineation soil sampling was conducted on December 15, 2008 and December 16, 2008. At the direction of Exxon Mobil, additional soil was excavated and delineation sampling was continued until the site was excavated to an area measuring 91 feet long by 82 feet wide by 8-10 feet deep.

See below tabulation of results from the Kelsey North Meter Station Blow Down Tank delineation sampling on January 7, 2009. All of these results are within RRC guidelines with the exception of benzene, which needs to be tested to a lower detectable limit.

Class 2 Soil to Groundwater Delineation Limits and maximum sampled values.

Compound	RRC Guideline Concentration Limit	Maximum Value (Nine Samples)
Total Petroleum Hydrocarbons C6-35	10,000 (mg/kg)	2100 (mg/kg)
Benzene	0.026 (mg/kg)	<0.087 (mg/kg)
Toluene	8.2 (mg/kg)	<0.087 (mg/kg)
Ethyl benzene	7.6 (mg/kg)	0.87 (mg/kg)
Xylenes	120 (mg/kg)	7.3 (mg/kg)

#### Site 2: Kelsey Meter Station 2

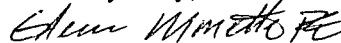
A previous spill of 29 barrels of condensate from a leaking pipeline on the landowner's property was discovered by Carlos Moreno on December 11, 2008 at the Kelsey Meter Station 2. Carlos Moreno and Roy Staiger conducted a follow-up inspection on January 6, 2009 and it was noted that clean-up activities were ongoing. On January 23, 2009 a follow-up inspection by Carlos Moreno, Roy Staiger, and Glenn Monette was conducted at an excavation measuring 81 feet long by 70 wide to a depth of 9 feet. The following violation of RRC Statewide Rules was noted:



STATEWIDE RULE 8(d)(1): Condensate spill cleanup was not completed at Kelsey Meter Station 2.

*Tests are required to determine if groundwater has been impacted and monitoring wells may be needed to delineate groundwater impact. Replace and properly dispose the affected soil.*

This lease will be re-inspected on or after March 3, 2009, and an update will be forwarded to the Field Operations in Austin by March 17, 2009. 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.

Yours very truly,

  
Glenn Monette, P.E.  
Engineering Specialist

District Director   
Assistant District Director 

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

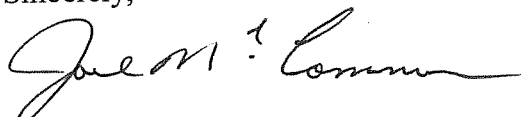
January 23, 2009

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After the plugging process is complete, EMC will begin the soil remediation process which includes hauling and disposing of any and all effected soils to an approved disposal site located near Port Author Texas, and reclaiming the surface site around the well.

Should you have any further questions in this regard, please do not hesitate to contact me at 281-561-3967.

Sincerely,

A handwritten signature in cursive script that reads "Joel McCommon". The signature is written in black ink and is positioned above the printed name.

Joel McCommon