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Jal rancher, city seek plan to clean up groundwater

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Clay Osborn's pride in his ranch just north of Jal is evident from the decorative pond full of Japanese koi to the stylish interior of his home.

Osborn and his wife, Jeri, however, worry how much longer they can continue to enjoy living on their nearly 2,000-acre ranch.

Several wells on his property have salted out from oilfield contamination and — more alarming — he has found evidence of mercury contamination.

Fears of brine and mercury contamination have led the City of Jal and the Osborns to write a series of letters to the Oil Conservation Division about the South Langlie Jal Unit. The unit, which was purchased from Bristol Resources Corporation by Chaparral Energy of Oklahoma City last year, is the subject of an abatement plan recently filed by Chaparral.

Both the City of Jal and the Osborns feel the abatement plan is not adequate.

So far, no mercury has been found in Jal's water supply, and it's unclear if it is even threatened, but the city fears that may well happen.

The mercury was discovered in a monitor well installed by E.O.T.T.

Pipeline Company less than a mile from the Osborn house just north of Jal.

It is not, however, just Osborn's ranch that has become contaminated. The pollution, mostly brine and chlorides, has spread south into parts of Jal. Thus far, mercury has not been found off the Osborn ranch and the city's water supply appears safe.

The City of Jal is concerned enough about potential contamination of its wells that city officials have drafted a letter to the Oil Conservation Division expressing their concern.

The letter, dated Oct. 9 and addressed to William Olson of the Oil Conservation Division from Jal Mayor Mary C. Claiborne, expresses support for several property owners who have been affected by the contamination and criticizes the abatement plan.

"We do not feel that the proposed abatement plan is extensive enough to correct the existing damage and/or prevent future contamination," the letter reads. "If the current reported trend continues, we fear that there is definitely a possibility that our public water supply could be contaminated."

Although several wells in the area have "salted out" and tested with very high chloride levels, so far no mercury has been detected in any private wells — except the monitor well on the Osborn ranch — or in the city's water supply.



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An unknown gas escapes from a burning pit on the Clay Osborn's ranch Wednesday night. The source of the gas is unclear; however, Osborn keeps it burning to prevent a back-up and possible explosion on his property.

Osborn learned of the potential mercury contamination after a test performed by the E.O.T.T. Pipeline Company.

He added that if the company had not done the testing, he may never have known that mercury was present. He also added that he doesn't know exactly which company is responsible for the mercury.

Robert C. Lang, the environmental, health and safety manager with Chaparral Energy, said the possibility of mercury contamination



Contamination

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is news to him.

"I have yet to see anything regarding mercury contamination. That's a new one," he said.

Although the brine contamination is bad enough, Osborn said he is especially concerned about the possibility of mercury contamination.

"If we do have it in the water, we cannot even sell our cattle," Osborn said. "If we do have mercury in our wells, we're just hung."

Darold Stephenson, a Jal City councilor and Lea County commissioner, said he wants the City of Jal to test for metals in its water system. Stephenson's property is also just north of Jal and he said he worries that if there is mercury contamination on Osborn's property it may have found its way into the water.

Stephenson said he doesn't believe the city's water has been affected, but said it would be a good idea to test the city's water anyway to make sure.

"I don't think the people of Jal know if the water is contaminated," Stephenson said.

So far, only private wells along the north edge of town have been contaminated with brine and chlorides. It's not clear if the contamination includes mercury or if it threatens the city's municipal supply.

On Monday, representatives from the state Environment Department visited the Osborn ranch to collect water samples. Lisa D. Brown, a water resource engineering specialist with the Environment Department,

said normally the department oversees only public water supplies. However, since Osborn's concerns involve possible mercury contamination, Brown agreed to collect samples at his home and the Stephensons as a courtesy.

Most alarming for Stephenson, his wife, JoAnn, has tested positive for mercury. Tests conducted earlier this year by a Roswell physician showed very elevated levels of mercury.

Stephenson said he has not heard of anyone else in the area testing positive for mercury levels, and said they are not sure yet what the source of the positive results were. He said the mercury could have come from old dental fillings or some other source, but with mercury found closely in Osborn's land, they are also concerned the material may have found its way into the ground water.

"We've got to start eliminating all these sources and find out where it's coming from," Osborn said.

While the possibility of mercury contamination is still somewhat speculative, the brine and chloride levels are not.

After finding the wells contaminated with chlorides and brine, Osborn shut off most of his wells and allowed the stock ponds on his ranch to dry up. In spots where the spills were particularly large, entire swaths of vegetation have simply died, leaving only the open sandy soil and a few salt-tolerant weeds. The Osborns have been hauling water from town to use for drinking and cooking for more than a year.

"We're getting awful tired of hauling," Osborn said.

The area in question, the South Langlie Jal Unit, is currently owned by Chaparral Energy. That company is not, however, the one responsible for the contamination.

Chaparral bought the unit out of bankruptcy when it acquired Bristol Resources. The company

admits it didn't particularly want that area, and knew there was some pending litigation because of the contamination.

"We did buy it out of bankruptcy, (and) initially it was not part of the sales package. But when you go into a bankruptcy like that you don't always have it come out the way you want it to," Lang said.

He also said that it's not fair to single out one company. He especially points out that the SLJU area has been in use since the earliest days of the oilfield in Lea County — perhaps as far back as the 1920s — and that makes it hard to pin responsibility on just one person or company. He also notes that the soils in the area make ground water contamination especially easy.

"The problem is widespread; you can pin blame on just about anybody in that part of the country be they in the oil business, the cattle business or any other business," Lang said. "Your soils are such that anything you spill on the ground will eventually more than likely wind up in the aquifer. There's no totally impermeable barrier between the surface and the first aquifer."

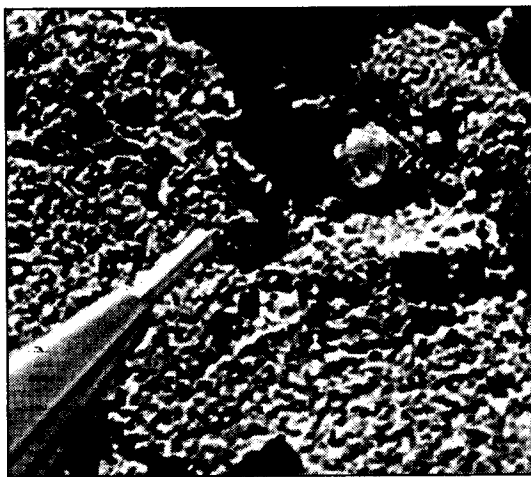
Lang also points out that not all the wells in the area are contaminated, and that it would be premature to place all the responsibility on Chaparral until further tests have been done.

"I have no reason to doubt Mr. Osborn," Lang said. "It appears that he does have a water problem. But there are also ... wells from this same zone where the water is very good and not too far from him."

Although Chaparral is not the company that caused the contamination, it is the owner and must file an abatement plan. The company filed a stage-1 abatement with the OCD in August to start the process of deciding what cleanup procedures should be taken. This is the same plan the City of Jal wrote a letter in response to, and Osborn also finds the abatement plan inadequate.

"The context of the abatement plan is too general," Osborn wrote in his rebuttal to Chaparral's plan, "and incorrectly assumes that the ground-water resources underlying the Osborn property was initially of poor quality."

Lang, who authored Chaparral's plan, has pointed out that elevated levels of chlorides have been detected as far back as the early 1950s, long



TAMMY MCKINLEY/HOBBS NEWS-SUN

Traces of mercury are found on the Jal ranch of Clay Osborn Monday. Osborn recently had his wells salinated and is testing for mercury in his water.

before Bristol or Chaparral became involved.

"They've been contaminated for quite some time," Lang said.

For their part, the Osborns said they aren't after a big settlement; they simply want Chaparral to put their land back in order.

"What we're after is our land restored and our water restored," Jeri Osborn said.

The Osborns say they wanted to retire on the ranch. The area has particular sentimental value for them since Jeri's great-grandmother homesteaded the property in 1908.

Jeri Osborn said they continue to stick it out on their ranch because they hope eventually something will change.

"We keep hoping somebody will help," she said.

Osborn said over time his attempts to document the leaks and spills Bristol was responsible for became something of a contest.

"When they found out I was a cowboy with a camera, they tried to get out here to cover it up before I could get here," Osborn said.

Osborn's documentation efforts often paid off. In a letter from Olson to officials at Bristol about their environmental assessment of conditions on Osborn's ranch, Olson notes that OCD staff visited the ranch and found things

weren't quite the way Bristol said they were.

"In addition, the OCD's inspection and Mr. Osborn's documents show that there are several other BRC (Bristol Resources Corporation) spill sites upgradient of Mr. Osborn's wells that were not addressed in BRC's environmental assessments," the letter reads.

"It's just sickening sometimes, the amount of damage that's been done," Osborn said. "You get mad is what you do."