

District I
1625 N. French Dr., Hobbs, NM 88240
District II
811 S. First St., 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
Department
Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-144
Revised June 6, 2013

For temporary pits, below-grade tanks, and multi-well fluid management pits, submit to the appropriate NMOCD District Office.
For permanent pits submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.

Pit, Below-Grade Tank, or

12265 Proposed Alternative Method Permit or Closure Plan Application

Type of action: ☐ Below grade tank registration
45-23855 ☐ Permit of a pit or proposed alternative method
☒ Closure of a pit, below-grade tank, or proposed alternative method
☐ Modification to an existing permit/or registration
☐ Closure plan only submitted for an existing permitted or non-permitted pit, below-grade tank, or proposed alternative method

RCVD OCT 9 '14
OIL CONS. DIV.
DIST. 3

Instructions: Please submit one application (Form C-144) per individual pit, below-grade tank or alternative request

Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.

1.
Operator: XTO Energy, Inc. OGRID #: 5380
Address: 382 Road 3100, Aztec, New Mexico 87410
Facility or well name: McDaniel Gas Com B # 1E
API Number: 30-045-23855 OCD Permit Number: _____
U/L or Qtr/Qtr F Section 26 Township 29N Range 10W County: San Juan
Center of Proposed Design: Latitude 36.70044 Longitude -107.85623 NAD: ☐ 1927 ☒ 1983
Surface Owner: ☒ Federal ☐ State ☐ Private ☐ Tribal Trust or Indian Allotment

2.
☐ Pit: Subsection F, G or J of 19.15.17.11 NMAC
Temporary: ☐ Drilling ☐ Workover
☐ Permanent ☐ Emergency ☐ Cavitation ☐ P&A ☐ Multi-Well Fluid Management Low Chloride Drilling Fluid ☐ yes ☐ no
☐ Lined ☐ Unlined Liner type: Thickness _____ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other _____
☐ String-Reinforced
Liner Seams: ☐ Welded ☐ Factory ☐ Other _____ Volume: _____ bbl Dimensions: L _____ x W _____ x D _____

3.
☒ Below-grade tank: Subsection I of 19.15.17.11 NMAC
Volume: 120 bbl Type of fluid: Produced Water
Tank Construction material: Steel
☐ Secondary containment with leak detection ☐ Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off
☐ Visible sidewalls and liner ☐ Visible sidewalls only ☒ Other Visible sidewalls, vaulted, automatic high-level shut off
Liner type: Thickness _____ mil ☐ HDPE ☐ PVC ☐ Other _____

4.
☐ Alternative Method:
Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

5.
Fencing: Subsection D of 19.15.17.11 NMAC (Applies to permanent pits, temporary pits, and below-grade tanks)
☐ Chain link, six feet in height, two strands of barbed wire at top (Required if located within 1000 feet of a permanent residence, school, hospital, institution or church)
☐ Four foot height, four strands of barbed wire evenly spaced between one and four feet
☐ Alternate. Please specify: _____

6.

Netting: Subsection E of 19.15.17.11 NMAC (*Applies to permanent pits and permanent open top tanks*)

- ☐ Screen ☐ Netting ☒ Other: Expanded metal or solid vaulted top
- ☐ Monthly inspections (If netting or screening is not physically feasible)

7.

Signs: Subsection C of 19.15.17.11 NMAC

- ☐ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers
- ☐ Signed in compliance with 19.15.16.8 NMAC

8.

Variations and Exceptions:

Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17 NMAC for guidance.

Please check a box if one or more of the following is requested, if not leave blank:

- ☐ Variance(s): Requests must be submitted to the appropriate division district for consideration of approval.
- ☐ Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

9.

Siting Criteria (regarding permitting): 19.15.17.10 NMAC

Instructions: The applicant must demonstrate compliance for each siting criteria below in the application. Recommendations of acceptable source material are provided below. Siting criteria does not apply to drying pads or above-grade tanks.

General siting

Ground water is less than 25 feet below the bottom of a low chloride temporary pit or below-grade tank.

- ☐ NM Office of the State Engineer - iWATERS database search; ☐ USGS; ☐ Data obtained from nearby wells

☐ Yes ☐ No
☐ NA

Ground water is less than 50 feet below the bottom of a Temporary pit, permanent pit, or Multi-Well Fluid Management pit.

NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

☐ Yes ☐ No
☐ NA

Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended. (**Does not apply to below grade tanks**)

- Written confirmation or verification from the municipality; Written approval obtained from the municipality

☐ Yes ☐ No

Within the area overlying a subsurface mine. (**Does not apply to below grade tanks**)

- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division

☐ Yes ☐ No

Within an unstable area. (**Does not apply to below grade tanks**)

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map

☐ Yes ☐ No

Within a 100-year floodplain. (**Does not apply to below grade tanks**)

- FEMA map

☐ Yes ☐ No

Below Grade Tanks

Within 100 feet of a continuously flowing watercourse, significant watercourse, lake bed, sinkhole, wetland or playa lake (measured from the ordinary high-water mark).

- Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 200 horizontal feet of a spring or a fresh water well used for public or livestock consumption;

- NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Temporary Pit using Low Chloride Drilling Fluid (maximum chloride content 15,000 mg/liter)

Within 100 feet of a continuously flowing watercourse, or any other significant watercourse or within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). (Applies to low chloride temporary pits.)

- Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 300 feet from a occupied permanent residence, school, hospital, institution, or church in existence at the time of initial application.

- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image

☐ Yes ☐ No

Within 200 horizontal feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, or 300feet of any other fresh water well or spring, in existence at the time of the initial application.

NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 100 feet of a wetland.

- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Temporary Pit Non-low chloride drilling fluid

Within 300 feet of a continuously flowing watercourse, or any other significant watercourse, or within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).

- Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.

- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image

☐ Yes ☐ No

Within 500 horizontal feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, or 1000 feet of any other fresh water well or spring, in the existence at the time of the initial application;

- NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 300 feet of a wetland.

- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Permanent Pit or Multi-Well Fluid Management Pit

Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).

- Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.

- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image

☐ Yes ☐ No

Within 500 horizontal feet of a spring or a fresh water well used for domestic or stock watering purposes, in existence at the time of initial application.

- NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 500 feet of a wetland.

- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

10.

Temporary Pits, Emergency Pits, and Below-grade Tanks Permit Application Attachment Checklist: Subsection B of 19.15.17.9 NMAC

Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Hydrogeologic Report (Below-grade Tanks) - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC
- ☐ Hydrogeologic Data (Temporary and Emergency Pits) - based upon the requirements of Paragraph (2) of Subsection B of 19.15.17.9 NMAC
- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC
- ☐ Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
- ☐ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC

and 19.15.17.13 NMAC

☐ Previously Approved Design (attach copy of design) API Number: _____ or Permit Number: _____

11.

Multi-Well Fluid Management Pit Checklist: Subsection B of 19.15.17.9 NMAC

Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
- ☐ A List of wells with approved application for permit to drill associated with the pit.
- ☐ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC

and 19.15.17.13 NMAC

- ☐ Hydrogeologic Data - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC
- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC

☐ Previously Approved Design (attach copy of design) API Number: _____ or Permit Number: _____

12.
Permanent Pits Permit Application Checklist: Subsection B of 19.15.17.9 NMAC

Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Hydrogeologic Report - based upon the requirements of Paragraph (1) of Subsection B of 19.15.17.9 NMAC
- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC
- ☐ Climatological Factors Assessment
- ☐ Certified Engineering Design Plans - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Dike Protection and Structural Integrity Design - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Leak Detection Design - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Liner Specifications and Compatibility Assessment - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Quality Control/Quality Assurance Construction and Installation Plan
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC
- ☐ Freeboard and Overtopping Prevention Plan - based upon the appropriate requirements of 19.15.17.11 NMAC
- ☐ Nuisance or Hazardous Odors, including H₂S, Prevention Plan
- ☐ Emergency Response Plan
- ☐ Oil Field Waste Stream Characterization
- ☐ Monitoring and Inspection Plan
- ☐ Erosion Control Plan
- ☐ Closure Plan - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC

13.
Proposed Closure: 19.15.17.13 NMAC

Instructions: Please complete the applicable boxes, Boxes 14 through 18, in regards to the proposed closure plan.

- Type: ☐ Drilling ☐ Workover ☐ Emergency ☐ Cavitation ☐ P&A ☐ Permanent Pit ☐ Below-grade Tank ☐ Multi-well Fluid Management Pit
☐ Alternative
- Proposed Closure Method: ☐ Waste Excavation and Removal
☐ Waste Removal (Closed-loop systems only)
☐ On-site Closure Method (Only for temporary pits and closed-loop systems)
☐ In-place Burial ☐ On-site Trench Burial
☐ Alternative Closure Method

14.
Waste Excavation and Removal Closure Plan Checklist: (19.15.17.13 NMAC) **Instructions:** Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC
- ☐ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.13 NMAC
- ☐ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings)
- ☐ Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC
- ☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC
- ☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC

15.
Siting Criteria (regarding on-site closure methods only): 19.15.17.10 NMAC

Instructions: Each siting criteria requires a demonstration of compliance in the closure plan. Recommendations of acceptable source material are provided below. Requests regarding changes to certain siting criteria require justifications and/or demonstrations of equivalency. Please refer to 19.15.17.10 NMAC for guidance.

| | |
|---|---|
| Ground water is less than 25 feet below the bottom of the buried waste. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| Ground water is between 25-50 feet below the bottom of the buried waste - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| Ground water is more than 100 feet below the bottom of the buried waste. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA |
| Within 100 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). - Topographic map; Visual inspection (certification) of the proposed site | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within 300 horizontal feet of a private, domestic fresh water well or spring used for domestic or stock watering purposes, in existence at the time of initial application. - NM Office of the State Engineer - iWATERS database; Visual inspection (certification) of the proposed site | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Written confirmation or verification from the municipality; Written approval obtained from the municipality | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within 300 feet of a wetland. US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance | |

adopted pursuant to NMSA 1978, Section 3-27-3, as amended.

- Written confirmation or verification from the municipality; Written approval obtained from the municipality

☐ Yes ☐ No

Within the area overlying a subsurface mine.

- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division

☐ Yes ☐ No

Within an unstable area.

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map

☐ Yes ☐ No

Within a 100-year floodplain.

- FEMA map

☐ Yes ☐ No

16.

On-Site Closure Plan Checklist: (19.15.17.13 NMAC) *Instructions: Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.*

- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC
☐ Proof of Surface Owner Notice - based upon the appropriate requirements of Subsection E of 19.15.17.13 NMAC
☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of Subsection K of 19.15.17.11 NMAC
☐ Construction/Design Plan of Temporary Pit (for in-place burial of a drying pad) - based upon the appropriate requirements of 19.15.17.11 NMAC
☐ Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC
☐ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of 19.15.17.13 NMAC
☐ Waste Material Sampling Plan - based upon the appropriate requirements of 19.15.17.13 NMAC
☐ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings or in case on-site closure standards cannot be achieved)
☐ Soil Cover Design - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC
☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC
☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC

17.

Operator Application Certification:

I hereby certify that the information submitted with this application is true, accurate and complete to the best of my knowledge and belief.

Name (Print): _____ Title: _____

Signature: _____ Date: _____

e-mail address: _____ Telephone: _____

18.

OCD Approval: ☐ Permit Application (including closure plan) ☒ Closure Plan (only) ☐ OCD Conditions (see attachment)

OCD Representative Signature: _____ Approval Date: 10/24/14

Title: Environmental Spec OCD Permit Number: _____

19.

Closure Report (required within 60 days of closure completion): 19.15.17.13 NMAC

Instructions: Operators are required to obtain an approved closure plan prior to implementing any closure activities and submitting the closure report. The closure report is required to be submitted to the division within 60 days of the completion of the closure activities. Please do not complete this section of the form until an approved closure plan has been obtained and the closure activities have been completed.

☒ Closure Completion Date: 1-20-2009

20.

Closure Method:

- ☒ Waste Excavation and Removal ☐ On-Site Closure Method ☐ Alternative Closure Method ☐ Waste Removal (Closed-loop systems only)
☐ If different from approved plan, please explain.

21.

Closure Report Attachment Checklist: *Instructions: Each of the following items must be attached to the closure report. Please indicate, by a check mark in the box, that the documents are attached.*


- ☐ Proof of Closure Notice (surface owner and division)
☐ Proof of Deed Notice (required for on-site closure for private land only)
☐ Plot Plan (for on-site closures and temporary pits)
☒ Confirmation Sampling Analytical Results (if applicable)
☐ Waste Material Sampling Analytical Results (required for on-site closure)
☒ Disposal Facility Name and Permit Number
☒ Soil Backfilling and Cover Installation
☒ Re-vegetation Application Rates and Seeding Technique
☒ Site Reclamation (Photo Documentation)

On-site Closure Location: Latitude _____ Longitude _____ NAD: ☐ 1927 ☐ 1983

Operator Closure Certification:

I hereby certify that the information and attachments submitted with this closure report is true, accurate and complete to the best of my knowledge and belief. I also certify that the closure complies with all applicable closure requirements and conditions specified in the approved closure plan.

Name (Print): Kurt Hoekstra Title: EHS Coordinator

Signature:  Date: 10-8-14

e-mail address: Kurt_Hoekstra@xtoenergy.com Telephone: 505-333-3100

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1625 N. French Dr., Hobbs, NM 88240
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State of New Mexico
Energy Minerals and Natural Resources

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

Form C-141
Revised August 8, 2011

Submit 1 Copy to appropriate District Office in
accordance with 19.15.29 NMAC.

Release Notification and Corrective Action

OPERATOR

☐ Initial Report ☒ Final Report

| | |
|---|---|
| Name of Company: XTO Energy, Inc. | Contact: Kurt Hoekstra |
| Address: 382 Road 3100, Aztec, New Mexico 87410 | Telephone No.: (505) 333-3100 |
| Facility Name: McDaniel Gas Com B # 1E | Facility Type: Gas Well (Basin Dakota) |

| | | |
|------------------------|---------------|----------------------|
| Surface Owner: Federal | Mineral Owner | API No. 30-045-23855 |
|------------------------|---------------|----------------------|

LOCATION OF RELEASE

| | | | | | | | | |
|-------------|---------|----------|-------|---------------|------------------|---------------|----------------|----------|
| Unit Letter | Section | Township | Range | Feet from the | North/South Line | Feet from the | East/West Line | County |
| F | 26 | 29N | 10W | 1520 | FNL | 1850 | FWL | San Juan |

Latitude: 36.70044 Longitude: -107.85623

NATURE OF RELEASE

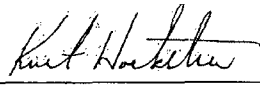
| | | |
|--|---|---------------------------------|
| Type of Release: N/A | Volume of Release: N/A | Volume Recovered: N/A |
| Source of Release: N/A | Date and Hour of Occurrence N/A | Date and Hour of Discovery: N/A |
| Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required | If YES, To Whom? | |
| By Whom? | Date and Hour | |
| Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | If YES, Volume Impacting the Watercourse. | |

If a Watercourse was Impacted, Describe Fully.*

Describe Cause of Problem and Remedial Action Taken.*The below grade tank was removed at the McDaniel Gas Com B # 1E well site due to facility upgrades of the well site. The BGT cellar beneath the BGT was sampled for TPH via USEPA Method 418.1, for BTEX via USEPA Method 8021, and for total chlorides. The sample returned results below the 'pit rule' standards of 100 ppm TPH, 0.2 ppm benzene, 50ppm total BTEX, and 250 ppm chlorides, confirming that a release has not occurred at this location.

Describe Area Affected and Cleanup Action Taken.*No release has been confirmed at this location and no further action is required.

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: Kurt Hoekstra | | Approved by Environmental Specialist: | |
| Title: EHS Coordinator | Approval Date: | Expiration Date: | |
| E-mail Address: Kurt_Hoekstra@xtoenergy.com | Conditions of Approval: | | Attached <input type="checkbox"/> |
| Date: 10-8-14 Phone: 505-333-3100 | | | |

* Attach Additional Sheets If Necessary

XTO Energy Inc. San Juan Basin Below Grade Tank Closure Report

Lease Name: McDaniel Gas Com B # 1E

API No.: 30-045-23855

Description: Unit F, Section 26, Township 29N, Range 10W, San Juan County

In accordance with Rule 19.15.17.13 NMAC the following information describes the closure requirements of below-grade tanks on XTO Energy Inc. (XTO) locations. This is XTO's standard procedure for all below-grade tanks. A separate plan will be submitted for any below-grade tank which does not conform to this plan.

General Plan

1. XTO will close below-grade tanks within the time periods provided in 19.15.17.13 NMAC, or by an earlier date that the division requires because of imminent danger to fresh water, public health or the environment.
Closure Date is January 20th, 2009
2. XTO will close a below-grade tank that does not meet the requirements of Paragraphs (1) through (4) of Subsection I of 19.15.17.11 NMAC or is not included in Paragraph (5) of Subsection I of 19.15.17.11 NMAC within five years after June 16, 2008, if not retrofitted to comply with Paragraphs (1) through (4) of Subsection I of 19.15.17.11 NMAC.
Closure Date is January 20th, 2009
3. XTO will close a permitted below-grade tank within 60 days of cessation of the below-grade tank's operation or as required by the transitional provisions of Subsection B of 19.15.17.17 NMAC in accordance with a closure plan that the appropriate division district office approves. The closure report will be filed on form C-144.
Required C-144 Form is attached to this document.
4. XTO will remove liquids and sludge from below-grade tanks prior to implementing a closure method and will dispose of the liquids and sludge in a division-approved facility. Approved facilities and waste streams include:
 - Envirotech Permit No. NM01-0011 and IEI Permit No. NM 01-0010B
 - Soil contaminated by exempt petroleum hydrocarbons
 - Produced sand, pit sludge and contaminated bottoms from storage of exempt wastes
 - Basin Disposal Permit No. NM01-005
 - Produced water**All liquids and sludge were removed from the tank prior to closure activities.**
5. XTO will remove the below-grade tank and dispose of it in a division approved facility or recycle, reuse, or reclaim it in a manner that the appropriate division district office approves.
XTO has removed the below grade tank, and will dispose of it at a division approved facility, or recycle, reclaim or reuse it in a manner that is approved by the division.

6. XTO will remove any on-site equipment associated with a below-grade tank unless the equipment is required for some other purpose.

All equipment will remain on-site due to the continued production of oil and gas at this location.

7. XTO will test the soils beneath the below-grade tank to determine whether a release has occurred. At a minimum 5 point composite sample will be collected along with individual grab samples from any area that is wet, discolored or showing other evidence of a release. Samples will be analyzed for BTEX, TPH and chlorides to demonstrate that the benzene concentration, as determined by EPA SW-846 methods 8021B or 8260B or EPA method that the division approves, does not exceed 0.2 mg/kg; total BTEX concentration, as determined by EPA SW-846 methods 8021B or 8260B or other EPA method that the division approves, does not exceed 50 mg/kg; the TPH concentration, as determined by EPA method 418.1 or other EPA method that the division approves, does not exceed 100mg/kg; and the chloride concentration, as determined by EPA method 300.1 or other EPA method that the division approves, does not exceed 250 mg/kg, or the background concentration, whichever is greater. XTO will notify the division of its results on form C-141.

A five point composite sample was taken of the pit using sampling tools and all samples tested per Subsection B of 19.15.17.1 3(B)(1)(b). (Sample results attached).

| Components | Test Method | Limit (mg/Kg) | Results |
|------------|---------------------------|-------------------|-------------|
| Benzene | EPA SW-846 8021B or 8260B | 0.2 | <0.9 ug/kg |
| BTEX | EPA SW-846 8021B or 8260B | 50 | < 5.0 ug/kg |
| TPH | EPA SW-846 418.1 | 100 | 94.4 mg/kg |
| Chlorides | EPA 300.1 | 250 or background | 20 mg/kg |

8. If XTO or the division determines that a release has occurred, XTO will comply with 19.15.3.116 NMAC and 19.15.1.19NMAC as appropriate.

No release has been confirmed at this site.

9. If the sampling program demonstrates that a release has not occurred or that any release does not exceed the concentrations specified in Paragraph (4) of Subsection E of 19.15.17.13 NMAC, XTO will backfill the excavation with compacted, non-waste containing, earthen material; construct a division prescribed soil cover; recontour and re-vegetate the site.

The pit cellar was backfilled using compacted, non-waste containing earthen material, with a division prescribed soil cover.

10. Notice of Closure operations will be given to the Aztec Division District III office between 72 hours and one week prior to the start of closure activities via email or verbally.

The notification will include the following:

- i. Operator's name
- ii. Well Name and API Number
- iii. Location by Unit Letter, Section, Township, and Range

Due to misunderstanding regarding the 'pit rule' in 2008-2009, the proper notifications were not made prior to the beginning of closure activities. These misunderstandings have been corrected, and proper notifications are made currently.

The surface owner shall be notified of XTO's proposal to close the BGT as per the approved closure plan using certified mail, return receipt requested.

Due to misunderstanding regarding the 'pit rule' in 2008-2009, the proper notifications were not made prior to the beginning of closure activities. These misunderstandings have been corrected, and proper notifications are made currently.

11. Re-contouring of location will match fit, shape, line, form and texture of the surrounding area. Re-shaping will include drainage control, prevent ponding, and prevent erosion. Natural drainages will be unimpeded and water bars and/or silt traps will be placed in areas where needed to prevent erosion on a large scale. Final re-contour shall have a uniform appearance with smooth surface, fitting the natural landscape.
The location will be recontoured to match the above specifications.
12. A minimum of 4 feet of cover shall be achieved and the cover shall include 1 foot of suitable material to establish vegetation at the site, or the background thickness of topsoil, whichever is greater.
The site will be backfilled to match these specifications upon P&A.
13. XTO will seed the disturbed areas the first growing season after the operator closes the pit. Seeding will be accomplished via drilling on the contour whenever practical or by other division-approved methods. BLM or Forest Service stipulated seed mixes will be used on federal lands. Vegetative cover will equal 70% of the native perennial vegetative cover (un-impacted) consisting of at least three native plant species, including at least one grass, but not including noxious weeds, and maintain that cover through two successive growing seasons. Repeat seeding or planting will be continued until successful vegetative growth occurs.
The site will be reclaimed pursuant to the surface use agreement upon P&A.
14. All closure activities will include proper documentation and be available for review upon request and will be submitted in closure report form to OCD within 60 days of closure of the below-grade tank. Closure report will be filed on form C-144 and incorporate the following:
 - i. Proof of closure notice to division and surface owner; **Not made**
 - ii. Details on capping and covering, where applicable; **per OCD Specifications**
 - iii. Inspection reports; **attached**
 - iv. Confirmation sampling analytical results; **attached**
 - v. Disposal facility name(s) and permit number(s); **see above**
 - vi. Soil backfilling and cover installation; **per OCD Specifications**
 - vii. Re-vegetation application rates and seeding techniques, (or approved alternative to re-vegetation requirements if applicable); **NA**
 - viii. Photo documentation of the site reclamation. **attached**
15. **This closure report is being submitted after the 60 day deadline required by the 'Pit Rule' due to a misunderstanding of the 'Pit Rule' in 2008-2009.**



EPA METHOD 8021
AROMATIC VOLATILE ORGANICS

| | | | |
|--------------------|------------|---------------------|------------|
| Client: | XTO Energy | Project #: | 98031-0121 |
| Sample ID: | BGT Sample | Date Reported: | 01-16-09 |
| Laboratory Number: | 48708 | Date Sampled: | 01-13-09 |
| Chain of Custody: | 5621 | Date Received: | 01-14-09 |
| Sample Matrix: | Soil | Date Analyzed: | 01-15-09 |
| Preservative: | Cool | Date Extracted: | 01-14-09 |
| Condition: | Intact | Analysis Requested: | BTEX |

| Parameter | Concentration (ug/Kg) | Det. Limit (ug/Kg) |
|--------------|--------------------------|--------------------------|
| Benzene | ND | 0.9 |
| Toluene | ND | 1.0 |
| Ethylbenzene | ND | 1.0 |
| p,m-Xylene | ND | 1.2 |
| o-Xylene | ND | 0.9 |
| Total BTEX | ND | |

ND - Parameter not detected at the stated detection limit.

| Surrogate Recoveries: | Parameter | Percent Recovery |
|-----------------------|---------------------|------------------|
| | Fluorobenzene | 99.0 % |
| | 1,4-difluorobenzene | 99.0 % |
| | Bromochlorobenzene | 99.0 % |

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Method 8021B, Aromatic Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Comments: McDaniel GC B #1E BGT Sample

Analyst

Review



EPA METHOD 8021
AROMATIC VOLATILE ORGANICS

| | | | |
|--------------------|----------------|----------------|----------|
| Client: | N/A | Project #: | N/A |
| Sample ID: | 01-15-BT QA/QC | Date Reported: | 01-16-09 |
| Laboratory Number: | 48698 | Date Sampled: | N/A |
| Sample Matrix: | Soil | Date Received: | N/A |
| Preservative: | N/A | Date Analyzed: | 01-15-09 |
| Condition: | N/A | Analysis: | BTEX |

| Calibration and Detection Limits (ug/L) | Cal RF | C-Cal RF | %Diff | Blank Conc | Detect Limit |
|--|-------------|-----------------------|-------|---------------|-----------------|
| | | Accept. Range 0 - 15% | | | |
| Benzene | 1.3838E+006 | 1.3866E+006 | 0.2% | ND | 0.1 |
| Toluene | 9.1114E+005 | 9.1296E+005 | 0.2% | ND | 0.1 |
| Ethylbenzene | 8.3512E+005 | 8.3680E+005 | 0.2% | ND | 0.1 |
| p,m-Xylene | 1.9882E+006 | 1.9922E+006 | 0.2% | ND | 0.1 |
| o-Xylene | 8.5791E+005 | 8.5963E+005 | 0.2% | ND | 0.1 |

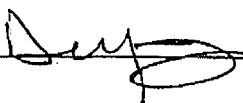
| Duplicate Conc. (ug/Kg) | Sample | Duplicate | %Diff | Accept Range | Detect Limit |
|-------------------------|--------|-----------|-------|--------------|--------------|
| Benzene | 110 | 114 | 3.5% | 0 - 30% | 0.9 |
| Toluene | 297 | 285 | 4.2% | 0 - 30% | 1.0 |
| Ethylbenzene | 27.6 | 29.9 | 8.3% | 0 - 30% | 1.0 |
| p,m-Xylene | 168 | 161 | 4.3% | 0 - 30% | 1.2 |
| o-Xylene | 41.9 | 39.9 | 4.8% | 0 - 30% | 0.9 |

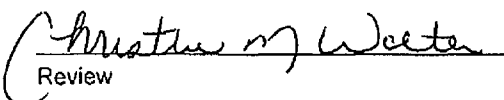
| Spike Conc. (ug/Kg) | Sample | Amount Spiked | Spiked Sample | % Recovery | Accept Range |
|---------------------|--------|---------------|---------------|------------|--------------|
| Benzene | 110 | 50.0 | 158 | 98.6% | 39 - 150 |
| Toluene | 297 | 50.0 | 345 | 99.3% | 46 - 148 |
| Ethylbenzene | 27.6 | 50.0 | 71.5 | 92.1% | 32 - 160 |
| p,m-Xylene | 168 | 100 | 264 | 98.4% | 46 - 148 |
| o-Xylene | 41.9 | 50.0 | 98.2 | 107% | 46 - 148 |

ND - Parameter not detected at the stated detection limit.

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.
Method 8021B, Aromatic and Halogenated Volatiles by Gas Chromatography Using Photoionization and/or Electrolytic Conductivity Detectors, SW-846, USEPA December 1996.

Comments: QA/QC for Sample 48698 and 48707 - 48710.

Analyst 

Review 

| | | | |
|----------------------|-------------------|------------------|------------|
| Client: | XTO Energy | Project #: | 98031-0121 |
| Sample ID: | McDanial GC B #1E | Date Reported: | 01-19-09 |
| Laboratory Number: | 48708 | Date Sampled: | 01-13-09 |
| Chain of Custody No: | 5621 | Date Received: | 01-14-09 |
| Sample Matrix: | Soil | Date Extracted: | 01-15-09 |
| Preservative: | Cool | Date Analyzed: | 01-15-09 |
| Condition: | Intact | Analysis Needed: | TPH-418.1 |

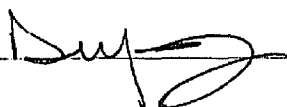
| Parameter | Concentration (mg/kg) | Det. Limit (mg/kg) |
|------------------------------|--------------------------|--------------------------|
| Total Petroleum Hydrocarbons | 94.4 | 5.0 |

ND = Parameter not detected at the stated detection limit.

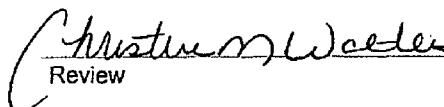
References: Method 418.1, Petroleum Hydrocarbons, Total Recoverable, Chemical Analysis of Water and Waste, USEPA Storet No. 4551, 1978.

Comments: **BGT Sample.**

Analyst



Review





EPA METHOD 418.1
TOTAL PETROLEUM
HYDROCARBONS
QUALITY ASSURANCE REPORT

| | | | |
|--------------------|-----------------------|------------------|----------|
| Client: | QA/QC | Project #: | N/A |
| Sample ID: | QA/QC | Date Reported: | 01-19-09 |
| Laboratory Number: | 01-15-TPH.QA/QC 48707 | Date Sampled: | N/A |
| Sample Matrix: | Freon-113 | Date Analyzed: | 01-15-09 |
| Preservative: | N/A | Date Extracted: | 01-15-09 |
| Condition: | N/A | Analysis Needed: | TPH |

| Calibration | I-Cal Date | C-Cal Date | I-Cal RF: | C-Cal RF: | % Difference | Accept. Range |
|-------------|------------|------------|-----------|-----------|--------------|---------------|
| | 01-08-09 | 01-15-09 | 1,690 | 1,720 | 1.8% | +/- 10% |

| Blank Conc. (mg/Kg) | Concentration | Detection Limit |
|---------------------|---------------|-----------------|
| TPH | ND | 16.2 |

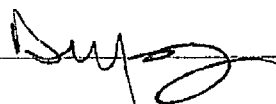
| Duplicate Conc. (mg/Kg) | Sample | Duplicate | % Difference | Accept. Range |
|-------------------------|--------|-----------|--------------|---------------|
| TPH | 49.9 | 41.8 | 16.2% | +/- 30% |

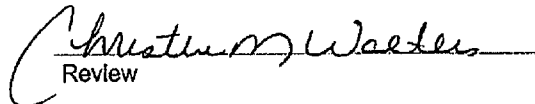
| Spike Conc. (mg/Kg) | Sample | Spike Added | Spike Result | % Recovery | Accept. Range |
|---------------------|--------|-------------|--------------|------------|---------------|
| TPH | 49.9 | 2,000 | 1,750 | 85.4% | 80 - 120% |

ND = Parameter not detected at the stated detection limit.

References: Method 418.1, Petroleum Hydrocarbons, Total Recoverable, Chemical Analysis of Water and Waste, USEPA Storet No. 4551, 1978.

Comments: QA/QC for Samples 48707 - 48709 and 48751 - 48753.

Analyst 

Review 

| | | | |
|----------------|-------------------|-------------------|------------|
| Client: | XTO Energy | Project #: | 98031-0121 |
| Sample ID: | McDanial GC B #1E | Date Reported: | 01-19-09 |
| Lab ID#: | 48708 | Date Sampled: | 01-13-09 |
| Sample Matrix: | Soil | Date Received: | 01-14-09 |
| Preservative: | Cool | Date Analyzed: | 01-15-09 |
| Condition: | Intact | Chain of Custody: | 5621 |

Parameter**Concentration (mg/Kg)**

Total Chloride

20

Reference: U.S.E.P.A., 4500B, "Methods for Chemical Analysis of Water and Wastes", 1983.
Standard Methods For The Examination of Water And Waste Water", 18th ed., 1992.

Comments: **BGT Sample.**

Analyst

Review

CHAIN OF CUSTODY RECORD

5621

| Client: XTO ENERGY | | | Project Name / Location: McDANIEL GCB#1E BGT Sample | | | ANALYSIS / PARAMETERS | | | | | | | | | | | | | |
|---|-------------|-------------|---|------------------------|------------------------------------|--|--------------------|-------------------|---------------|------------------------|----------------------|--|-----|-------------|----------|--|--|-------------|---------------|
| Client Address: 382 ROAD 3100 | | | Sampler Name: KURT | | | TPH (Method 8015) | BTEX (Method 8021) | VOC (Method 8260) | RCRA 8 Metals | Cation / Anion | RCI | TCLP with H/P | PAH | TPH (418.1) | CHLORIDE | | | Sample Cool | Sample Intact |
| Client Phone No.: 505-333-3207 | | | Client No.: 98031-0121 | | | | | | | | | | | | | | | | |
| Sample No./ Identification | Sample Date | Sample Time | Lab No. | Sample Matrix | No./Volume of Containers | Preservative HgCl ₂ HCl | | | | | | | | | | | | | |
| McDANIEL GCB#1E BGT SAMPLE | 1-13 | 1:45 | 48708 | Soil Solid | Sludge Aqueous (2) 4oz JARS | | | | | | | | | | | | | X | X |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| | | | | Soil Solid | Sludge Aqueous | | | | | | | | | | | | | | |
| Relinquished by: (Signature) <i>Kurt Hoekstra</i> | | | | Date 1-14-09 | Time 11:10 | Received by: (Signature) <i>Monneri</i> | | | | Date 1/14/09 | Time 11:10 | | | | | | | | |
| Relinquished by: (Signature) | | | | | | Received by: (Signature) | | | | | | | | | | | | | |
| Relinquished by: (Signature) | | | | | | Received by: (Signature) | | | | | | | | | | | | | |
| E-MAIL RESULTS TO: KURT HOEKSTRA KIM CHAMPLIN | | | | | | | | | | | | ENVIROTECH INC. 5796 U.S. Highway 64 • Farmington, NM 87401 • Tel 505-632-0615 | | | | | | | |

Rust is developing around bottom of pit. Needs to be repaired.

