

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-141  
Revised August 24, 2018  
Submit to appropriate OCD District office

<u>Incident ID</u>	NCE2002857417
<u>District RP</u>	
<u>Facility ID</u>	
<u>Application ID</u>	

## Release Notification

### Responsible Party

Responsible Party	XTO Energy, Inc.	OGRID	5380
Contact Name	Kyle Littrell	Contact Telephone	432-221-7331
Contact email	Kyle_Littrell@xtoenergy.com	Incident #	(assigned by OCD)
Contact mailing address	522 W. Mermod, Carlsbad, NM 88220		

### Location of Release Source

Latitude 32.202855 Longitude -103.831863  
(NAD 83 in decimal degrees to 5 decimal places)

Site Name	PLU 15 TWR PLU C1 FRAC Pond	Site Type	Well Location
Date Release Discovered	11/19/2019	API# (if applicable)	30-015-29847 (Poker Lake 139)

Unit Letter	Section	Township	Range	County
J	24	24S	30E	EDDY

Surface Owner: ☐ State ☒ Federal ☐ Tribal ☐ Private (Name: \_\_\_\_\_)

### Nature and Volume of Release

Material(s) Released (Select all that apply and attach calculations or specific justification for the volumes provided below)

<input type="checkbox"/> Crude Oil	Volume Released (bbls) 0.0	Volume Recovered (bbls) 0.0
<input type="checkbox"/> Produced Water	Volume Released (bbls) 0.0	Volume Recovered (bbls) 0.0
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Condensate	Volume Released (bbls)	Volume Recovered (bbls)
<input type="checkbox"/> Natural Gas	Volume Released (Mcf)	Volume Recovered (Mcf)
<input checked="" type="checkbox"/> Other (describe) Recycled / fresh water	Volume/Weight Released (provide units) 171.50 bbls	Volume/Weight Recovered (provide units) 5 bbls

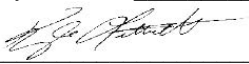
Cause of Release: A 12 inch poly transfer line had a pin hole caused by vibrations which allowed fluid to be released. Approximately 171.59 bbls was lost and a vacuum truck recovered 5 bbls. Additional third party resources have been retained to assist in the remediation.

Incident ID	NCE2002857417
District RP	
Facility ID	
Application ID	

Was this a major release as defined by 19.15.29.7(A) NMAC?  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If YES, for what reason(s) does the responsible party consider this a major release?  YES, - An unauthorized release of fluid over 25 barrels.
If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)? YES, by Amy Ruth : Mike Bratcher; Rob Hamlet; Victoria Venegas; "Griswold, Jim, EMNRD"; blm_nm_cfo_spill@blm.gov; Crisha Morgan : emailed November 20, 2019 at 9:29 AM.	

## Initial Response

*The responsible party must undertake the following actions immediately unless they could create a safety hazard that would result in injury*

<input checked="" type="checkbox"/> The source of the release has been stopped. <input checked="" type="checkbox"/> The impacted area has been secured to protect human health and the environment. <input checked="" type="checkbox"/> Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices. <input checked="" type="checkbox"/> All free liquids and recoverable materials have been removed and managed appropriately.	
If all the actions described above have <u>not</u> been undertaken, explain why:  N/A	
Per 19.15.29.8 B. (4) NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please attach a narrative of actions to date. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see 19.15.29.11(A)(5)(a) NMAC), please attach all information needed for closure evaluation.	
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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.	
Printed Name: <u>Kyle Littrell</u>	Title: <u>SH&amp;E Supervisor</u>
Signature: 	Date: <u>11/22/2019</u>
email: <u>Kyle_Littrell@xtoenergy.com</u>	Telephone: _____
<b><u>OCD Only</u></b> Received by: _____ Date: _____	

Incident ID	NCE2002857417
District RP	
Facility ID	
Application ID	

## Site Assessment/Characterization

*This information must be provided to the appropriate district office no later than 90 days after the release discovery date.*

What is the shallowest depth to groundwater beneath the area affected by the release?	>100 (ft bgs)
Did this release impact groundwater or surface water?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 300 feet of a continuously flowing watercourse or any other significant watercourse?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 300 feet of an occupied permanent residence, school, hospital, institution, or church?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 1000 feet of any other fresh water well or spring?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within incorporated municipal boundaries or within a defined municipal fresh water well field?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within 300 feet of a wetland?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release overlying a subsurface mine?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release overlying an unstable area such as karst geology?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within a 100-year floodplain?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Did the release impact areas <b>not</b> on an exploration, development, production, or storage site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Attach a comprehensive report (electronic submittals in .pdf format are preferred) demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined. Refer to 19.15.29.11 NMAC for specifics.

### **Characterization Report Checklist:** *Each of the following items must be included in the report.*

- ☒ Scaled site map showing impacted area, surface features, subsurface features, delineation points, and monitoring wells.
- ☒ Field data
- ☒ Data table of soil contaminant concentration data
- ☒ Depth to water determination
- ☒ Determination of water sources and significant watercourses within ½-mile of the lateral extents of the release
- ☒ Boring or excavation logs
- ☒ Photographs including date and GIS information
- ☒ Topographic/Aerial maps
- ☒ Laboratory data including chain of custody

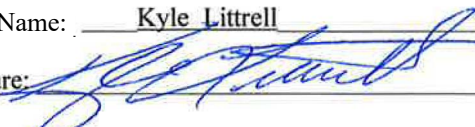
If the site characterization report does not include completed efforts at remediation of the release, the report must include a proposed remediation plan. That plan must include the estimated volume of material to be remediated, the proposed remediation technique, proposed sampling plan and methods, anticipated timelines for beginning and completing the remediation. The closure criteria for a release are contained in Table 1 of 19.15.29.12 NMAC, however, use of the table is modified by site- and release-specific parameters.

State of New Mexico  
Oil Conservation Division

Page 4

Incident ID	NCE2002857417
District RP	
Facility ID	
Application ID	

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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.

Printed Name: Kyle Littrell Title: SH&E Supervisor  
Signature:  Date: 12-22-2020  
email: Kyle\_Littrell@xtoenergy.com Telephone: \_\_\_\_\_

**OCD Only**

Received by: Cristina Eads Date: 12/23/2020

Incident ID	NCE2002857417
District RP	
Facility ID	
Application ID	

## Closure

The responsible party must attach information demonstrating they have complied with all applicable closure requirements and any conditions or directives of the OCD. This demonstration should be in the form of a comprehensive report (electronic submittals in .pdf format are preferred) including a scaled site map, sampling diagrams, relevant field notes, photographs of any excavation prior to backfilling, laboratory data including chain of custody documents of final sampling, and a narrative of the remedial activities. Refer to 19.15.29.12 NMAC.

**Closure Report Attachment Checklist:** *Each of the following items must be included in the closure report.*

- ☒ A scaled site and sampling diagram as described in 19.15.29.11 NMAC
- ☒ Photographs of the remediated site prior to backfill or photos of the liner integrity if applicable (Note: appropriate OCD District office must be notified 2 days prior to liner inspection)
- ☒ Laboratory analyses of final sampling (Note: appropriate ODC District office must be notified 2 days prior to final sampling)
- ☒ Description of remediation activities

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD 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 OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD 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. The responsible party acknowledges they must substantially restore, reclaim, and re-vegetate the impacted surface area to the conditions that existed prior to the release or their final land use in accordance with 19.15.29.13 NMAC including notification to the OCD when reclamation and re-vegetation are complete.

Printed Name: Kyle Littrell

Title: SH&E Supervisor

Signature: 

Date: 12-22-2020

email: Kyle\_Littrell@xtoenergy.com

Telephone: \_\_\_\_\_

### OCD Only

Received by: Cristina Eads

Date: 12/23/2020

Closure approval by the OCD does not relieve the responsible party of liability should their operations have failed to adequately investigate and remediate contamination that poses a threat to groundwater, surface water, human health, or the environment nor does not relieve the responsible party of compliance with any other federal, state, or local laws and/or regulations.

Closure Approved by: 

Date: 02/24/2021

Printed Name: Cristina Eads

Title: Environmental Specialist



**WSP USA**

3300 North "A" Street  
Building 1, Unit 222  
Midland, Texas 79705  
432.704.5178

December 22, 2020

District II  
New Mexico Oil Conservation Division  
811 South First Street  
Artesia, New Mexico 88210

**RE: Closure Request Addendum  
PLU 15 TWR PLU C1 Frac Pond  
Incident Number NCE2002857417  
Eddy County, New Mexico**

To Whom it May Concern:

WSP USA Inc. (WSP) (formerly LT Environmental, Inc.), on behalf of XTO Energy, Inc. (XTO), presents the following Addendum to the Closure Request submitted April 17, 2020. This addendum provides an update to the depth to groundwater determination activities at the Poker Lake Unit (PLU) 15 TWR PLU C1 Frac Pond (Site), located in Unit J, Section 24, Township 24 South, Range 30 East, in Eddy County, New Mexico (Figure 1), in response to the denial of the Closure Request by the New Mexico Oil Conservation Division (NMOCD). In the denial, NMOCD expressed concern that the depth to groundwater assessment may not be sufficient. Based on the additional depth to groundwater determination activities described below, XTO is requesting no further action (NFA) for Incident Number NCE2002857417.

## **BACKGROUND**

On April 17, 2020, WSP submitted a Closure Request to the NMOCD for the November 19, 2019 release of 171.59 barrels (bbls) of recycled and fresh water onto the frac pond liner at the Site and into the adjacent pasture. A vacuum truck was dispatched to the Site to recover the freestanding fluid; approximately 5 bbls of fluid were recovered. XTO submitted a Release Notification and Corrective Action Form C-141 (Form C-141) on November 22, 2019 and was assigned Incident Number NCE2002857417.

The Closure Request detailed site characterization according to Table 1, Closure Criteria for Soils Impacted by a Release, of Title 19, Chapter 15, Part 29, Section 12 (19.15.29.12) of the New Mexico Administrative Code (NMAC). Based on the site characterization, the following Closure Criteria were applied:

- Benzene: 10 milligrams per kilogram (mg/kg)
- Benzene, toluene, ethylbenzene, and total xylenes (BTEX): 50 mg/kg
- Total petroleum hydrocarbons (TPH)-gasoline range organics (GRO) and TPH-diesel range organics (DRO): 1,000 mg/kg



- TPH: 2,500 mg/kg
- Chloride: 20,000 mg/kg

Closure was requested based on laboratory analytical results for the excavation and delineation soil samples indicating benzene, BTEX, GRO/DRO, TPH, and chloride concentrations were compliant with the Closure Criteria.

On June 25, 2020, NMOCD denied the Closure Request for Incident Number NCE2002857417 for the following reason:

- *Depth to groundwater is not adequately determined and samples SS03 and SS04 exceed the most stringent levels in Table 1. When nearby wells are used to determine depth to groundwater, the wells should be no further than ½ mile away from the site, and data should be no more than 25 years old, and well construction information should be provided. The responsible party may choose to remediate to the most stringent levels listed in Table 1 in lieu of drilling to determine the depth to groundwater.*

#### **ADDITIONAL SITE ACTIVITIES**

In an effort to confirm the depth to groundwater determination, WSP oversaw installation a soil boring within 0.5 miles of the Site utilizing a truck-mounted hollow-stem auger rig. The soil boring (BH01) was advanced to a depth of 110 feet bgs. A WSP geologist logged and described soils continuously. No moisture or groundwater was encountered during drilling activities. The borehole lithologic/soil sampling log is included in Attachment 1. The location of the borehole is approximately 0.46 miles north-northwest of the Site and is depicted on Figure 1. The borehole was left open for over 72 hours to allow for potential slow infill of groundwater. After the 72-hour waiting period without observing groundwater, it was confirmed that groundwater beneath the Site is greater than 110 feet bgs. The borehole was properly abandoned with drill cuttings and hydrated bentonite chips. Based on the confirmed depth to water greater than 110 feet bgs, the Table 1 Closure Criteria identified in the original Closure Request are applicable and appropriate for protection of groundwater at this Site.

#### **CLOSURE REQUEST**

Site assessment and excavation activities were completed at the Site to address the impacted soil resulting from the November 19, 2019 release of recycled and fresh water. Laboratory analytical results for the excavation and delineation soil samples indicated that benzene, BTEX, GRO/DRO, TPH, and chloride concentrations were compliant with the Closure Criteria.

Based on the confirmed depth to water greater than 110 feet bgs as presented in this addendum and laboratory analytical results below the Closure Criteria in the confirmation soil samples, XTO respectfully requests no further action for Incident Number NCE2002857417.



District II  
Page 3

If you have any questions or comments, please do not hesitate to contact Ms. Ashley Ager at (970) 385-1096 or aager@ltenv.com.

Sincerely,  
WSP USA, INC.

A handwritten signature in blue ink that reads 'Ben J. Belill'.

Benjamin J. Belill  
Staff Geologist

A handwritten signature in black ink that reads 'Ashley L. Ager'.

Ashley L. Ager, M.S., P.G.  
Senior Geologist

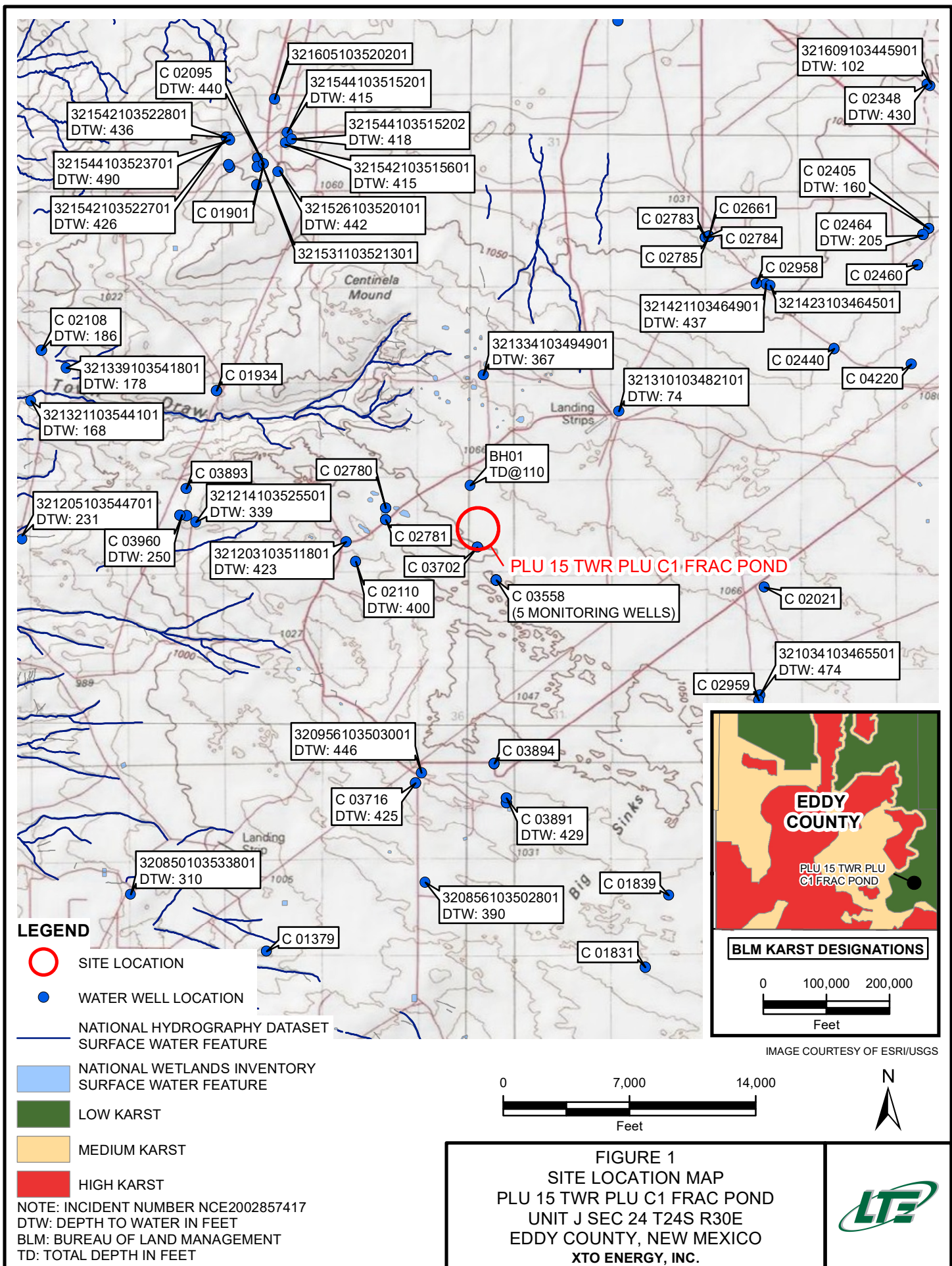
cc: Kyle Littrell, XTO  
United States Bureau of Land Management – New Mexico  
Robert Hamlet, NMOCD  
Victoria Venegas, NMOCD  
Cristina Eads, NMOCD

Attachments:


Figure 1 Site Location Map  
Attachment 1 Lithologic / Soil Sample Log



FIGURES



ATTACHMENT 1: LITHOLOGIC/SAMPLING LOG

 <b>WSP USA</b> 508 West Stevens Street Carlsbad, New Mexico 88220						BH or MW Name:		Date:	
						BH01		11/24/2020	
						Site Name: PLU 15 TWR PLU C1 FRAC POND			
						RP or Incident Number: NCE2002857417			
WSP Job Number: TE012919290						Logged By: F.S.		Method: HOLLOW STEM AUGER	
Lat/Long: 32.2094316,-103.8332083				Field Screening: N/A		Hole Diameter: 6.25"		Total Depth: 110'	
						Depth to Water: DRY			
Backfill or Well Construction Materials / Comments: No field screening, Lithology/Remarks only. Borehole backfilled with drill cutting soil previously removed from 110'-10', hydrated bentonite chips used from 10' to surface.									
Moisture Content	Chloride (ppm)	Vapor (ppm)	Staining	Sample #	Sample Depth (ft bgs)	Depth (ft bgs)	USCS/Rock Symbol	Lithology/Remarks	Backfill / Well Completion
						1	SP	0-10', SAND, dry, tan-off white, poorly graded, fine-very fine grained, some moderately consolidated caliche gravel, no stain, no odor.	Hydrated Bentonite Chips from 10' to surface
							SP	4', trace caliche gravel.	
							SP	9', some caliche gravel.	
						20	SP	19', trace caliche gravel.	
									Drill Cuttings backfilled from 110' to 10'
							SP	34', color change to light brown, some silt.	
						40	SP	44', trace silt, caliche gravel absent.	
							SP	59', moist.	
							SP	74', dry.	
						80	SP	79', moist.	
							SP	89', trace moderately consolidated caliche gravel.	
						100			
						110	SP	110', dry.	
TD @ 110 feet bgs.									

**District I**  
1625 N. French Dr., Hobbs, NM 88240  
Phone:(575) 393-6161 Fax:(575) 393-0720  
**District II**  
811 S. First St., Artesia, NM 88210  
Phone:(575) 748-1283 Fax:(575) 748-9720  
**District III**  
1000 Rio Brazos Rd., Aztec, NM 87410  
Phone:(505) 334-6178 Fax:(505) 334-6170  
**District IV**  
1220 S. St Francis Dr., Santa Fe, NM 87505  
Phone:(505) 476-3470 Fax:(505) 476-3462

**State of New Mexico**  
**Energy, Minerals and Natural Resources**  
**Oil Conservation Division**  
**1220 S. St Francis Dr.**  
**Santa Fe, NM 87505**

CONDITIONS  
  
Action 13000

CONDITIONS OF APPROVAL

Operator: XTO ENERGY, INC 6401 Holiday Hill Road Building #5 Midland, TX79707		OGRID: 5380	Action Number: 13000	Action Type: C-141
OCD Reviewer ceads	Condition No further action is required.			