

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

|                |  |
|----------------|--|
| Incident ID    |  |
| District RP    |  |
| Facility ID    |  |
| Application ID |  |

## Release Notification

### Responsible Party

|                                                                                                     |                                       |
|-----------------------------------------------------------------------------------------------------|---------------------------------------|
| Responsible Party: XTO Energy Inc.                                                                  | OGRID:                                |
| Contact Name: Shelby Pennington                                                                     | Contact Telephone: 281-723-9353       |
| Contact email: <a href="mailto:Shelby_pennington@xtoenergy.com">Shelby_pennington@xtoenergy.com</a> | Incident # (assigned by OCD) 1RP-3723 |
| Contact mailing address: 6401 Holiday Hill Rd., Midland TX 79707                                    |                                       |

### Location of Release Source

Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
(NAD 83 in decimal degrees to 5 decimal places)

|                                 |                        |
|---------------------------------|------------------------|
| Site Name: EMSU Sat #6          | Site Type: Sub-battery |
| Date Release Discovered: 7/7/15 | API# (if applicable)   |

| Unit Letter | Section | Township | Range | County |
|-------------|---------|----------|-------|--------|
| M           | 3       | 21S      | 36E   | Lea    |

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)                                                         | Volume Recovered (bbls)                                  |
| <input type="checkbox"/> Produced Water         | Volume Released (bbls)                                                         | Volume Recovered (bbls)                                  |
|                                                 | 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 checked="" type="checkbox"/> Natural Gas | Volume Released (Mcf) 66 mcf                                                   | Volume Recovered (Mcf)                                   |
| <input type="checkbox"/> Other (describe)       | Volume/Weight Released (provide units)                                         | Volume/Weight Recovered (provide units)                  |

Cause of Release: DCP gas plant shutdown

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|                                                                                                                                       |                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Was this a major release as defined by 19.15.29.7(A) NMAC?<br><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | If YES, for what reason(s) does the responsible party consider this a major release?<br><br><br><br><br> |
| If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)?<br><br><br><br><br>      |                                                                                                          |

### 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.<br><input checked="" type="checkbox"/> The impacted area has been secured to protect human health and the environment.<br><input type="checkbox"/> Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices.<br><input 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:<br>No fluids were released.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                        |
| 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>Shelby Pennington</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Title: <u>Environmental Supervisor</u> |
| Signature: <u>Shelby Pennington</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Date: <u>2/11/19</u>                   |
| email: <u>Shelby-Pennington@xtoevery.com</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Telephone: <u>281 723 9353</u>         |
| <b><u>OCD Only</u></b><br><br>Received by: _____ Date: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                        |

|                |             |
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## 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?                                                                                                           | N/A (ft<br>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 type="checkbox"/> Yes <input checked="" 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.

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Printed Name: Shelby Pennington Title: Environmental Supervisor  
Signature: [Signature] Date: 2/11/19  
email: shelby-pennington@xtenergy.com Telephone: 281 723 9353

**OCD Only**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

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## Remediation Plan

**Remediation Plan Checklist:** *Each of the following items must be included in the plan.*

- ☐ Detailed description of proposed remediation technique
- ☐ Scaled sitemap with GPS coordinates showing delineation points
- ☐ Estimated volume of material to be remediated
- ☐ Closure criteria is to Table 1 specifications subject to 19.15.29.12(C)(4) NMAC
- ☐ Proposed schedule for remediation (note if remediation plan timeline is more than 90 days OCD approval is required)

**Deferral Requests Only:** *Each of the following items must be confirmed as part of any request for deferral of remediation.*

- ☐ Contamination must be in areas immediately under or around production equipment where remediation could cause a major facility deconstruction.
- ☐ Extents of contamination must be fully delineated.
- ☐ Contamination does not cause an imminent risk to human health, the environment, or groundwater.

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Printed Name: Shelby Pennington Title: Environmental Supervisor  
Signature: [Signature] Date: 2/11/19  
email: shelby.pennington@xtenergy.com Telephone: 251-723-9353

**OCD Only**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

- ☐ Approved ☐ Approved with Attached Conditions of Approval ☐ Denied ☐ Deferral Approved

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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## 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

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Printed Name: Shelby Pennington Title: Environmental Supervisor  
Signature: [Signature] Date: 2/11/19  
email: shelby-pennington@txbeco.org Telephone: 281 723-9353

**OCD Only**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

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: Brittany Hall Date: 3/8/2023  
Printed Name: Brittany Hall Title: Environmental Specialist

**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 195123

CONDITIONS

|                                                                             |                                                                  |
|-----------------------------------------------------------------------------|------------------------------------------------------------------|
| Operator:<br>XTO ENERGY, INC<br>6401 Holiday Hill Road<br>Midland, TX 79707 | OGRID:<br>5380                                                   |
|                                                                             | Action Number:<br>195123                                         |
|                                                                             | Action Type:<br>[IM-SD] Incident File Support Doc (ENV) (IM-BNF) |

CONDITIONS

|            |           |                |
|------------|-----------|----------------|
| Created By | Condition | Condition Date |
| bhall      | None      | 3/8/2023       |