

# CHALUPA #4 SWD – NORTH RELEASE AREA

## Remediation Summary & Closure Report

NMOCD Incident No. nOY1706631442  
UL "L", Sec. 13, T14S, R33E  
33.103422°, -103.576112°  
Lea County, New Mexico

June 5, 2023



PREPARED ON BEHALF OF

Foundation Energy  
Management  
1801 Broadway  
Suite 1500  
Denver, CO 80202



PREPARED BY

Tasman, Inc.  
2620 W. Marland Blvd.  
Hobbs, NM 88240



June 5, 2023

Foundation Energy Management, LLC  
1801 Broadway, Suite 1500  
Denver, Colorado 80202

Attn: Mr. James Smith  
Email: [jsmith@foundationenergy.com](mailto:jsmith@foundationenergy.com)

Re: Remediation Summary and Closure Report  
Chalupa SWD #4 – North Release Area  
UL "L", Section 13, Township 14 South, Range 33 East  
Lea County, New Mexico  
NMOCD Incident No. nOY1706631442  
Tasman Project No. 4951

Dear Mr. Smith,

Tasman, Inc. (Tasman) is pleased to submit this Remediation Summary and Closure Report for the above referenced site. Remediation activities were executed in accordance with the New Mexico Oil Conservation Division (NMOCD) regulations and the Remediation Action Plan approved on February 14, 2023.

Tasman appreciates the opportunity to provide environmental services to Foundation Energy Management. Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,  
Tasman, Inc.

Brett Dennis  
Senior Environmental Scientist  
[bdennis@tasman-geo.com](mailto:bdennis@tasman-geo.com)

Kyle Norman  
Regional Project Manager  
[knorman@tasman-geo.com](mailto:knorman@tasman-geo.com)

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## 1.0 INTRODUCTION

Tasman, Inc. (Tasman) is pleased to submit this Remediation Summary and Closure Report for the Chalupa SWD #4 – North Release Area (site) on behalf of Foundation Energy Management (FEM), documenting the results of field activities conducted in response to a release of produced water to environmental media.

### 1.1 Site Description

The site is located in Unit Letter “L” of Section 13, Township 14 South, Range 33 East in Lea County, New Mexico. The Site is located approximately 0.3 miles south of State Highway 108 (Anderson Road) in a rural area on New Mexico State Trust Lands administered by the New Mexico State Land Office (NMSLO) and leased to Norman and Elwanda Hahn Ranches, LTD for agriculture use. The nearest town of Lovington, New Mexico is located approximately 16 miles southeast of the Site. A Site Location Map is included as Figure 1.

### 1.2 Site History

On March 2, 2017, FEM discovered a release of produced water at the Site from a leak that developed in the pipeline connecting FEM’s tank battery to the Chalupa #4 injection well, which is approximately 600-feet south of the tank battery location. Approximately 25 barrels (bbls) of saltwater were released to the ground surface and approximately 15 bbls were recovered.

On March 6, 2017, FEM submitted a Release Notification Corrective Action Form C-141 to the NMOCD for the release and the NMOCD established a maximum permissible chloride concentration in soil of 600 milligrams per kilogram (mg/kg). A copy of the form C-141 is attached as Appendix A. On behalf of FEM, Enviro Clean Cardinal, LLC (ECC) performed initial Site investigation activities which included a walkover survey using an EM-38 electrical conductivity (EC) meter and soil boring activities to delineate the horizontal and vertical extents of chloride impacts. As presented in the Release Characterization Report that was submitted to the NMOCD on February 16, 2018, the lateral extent of chloride impacts at the Site covered approximately 1.76 acres and a depth of 9 to 14 feet below ground surface (bgs).

Subsequent to the initial response and investigation activities described above, FEM retained Tasman to conduct additional Site assessment, remediation, and reclamation activities at the Site within the root zone between the surface and 4 feet bgs as described in the Remediation Work Plan, which was approved by the NMOCD on June 6, 2018, and by the NMSLO on June 8, 2018.



Between May 8 and 19, 2019, chloride impacted soil excavation activities were initiated within the release area between the surface and approximately 4 feet bgs. Approximately 9,013 cubic yards (yd<sup>3</sup>) of chloride impacted soil were transported under waste manifest procedures to an NMOCD approved disposal facility (Gandy Marley Inc.) located near Caprock, New Mexico. On May 22, 2019, prior to backfilling activities, a 20-millimeter-thick liner low-density polyethylene (LLDPE) sealed liner manufactured by Raven Industries, Inc. was installed at the base of the excavation area. On May 23, 2019, approximately 7,538 yd<sup>3</sup> of sand were backfilled in the excavation to a depth of 18 inches bgs and approximately 2,897 yd<sup>3</sup> of clean topsoil were backfilled and compacted within the disturbed area to match the previous grade. Imported fill material, including sand and topsoil, was sourced from Gandy Marley, Inc., located in Lea County, New Mexico.

On June 6, 2019, the NMSLO approved an amended seed mixture to be used at the Site and on September 11, 2019, prior to heavy precipitation events that were forecasted for the area, re-seeding activities were performed at the Site using a tractor with a drop seed tiller. During a Site visit on October 8, 2019, to observe vegetation re-growth at the Site, Tasman personnel observed sprouted seedlings throughout the disturbed area indicating that the re-seeding effort has successfully propagated vegetation at the Site.

On December 23, 2019, FEM submitted a *Remediation and Reclamation Summary Report*, dated October 29, 2019, to the NMOCD summarizing remedial efforts at the Site.

On October 19, 2022, the NMOCD provided email notification to FEM indicating that the submitted Report was rejected and additional confirmation sampling was required for Site closure.

On November 11, 2022, Tasman mobilized to the Site to collect confirmation soil samples in accordance with NMOCD email correspondence, dated October 31, 2022. Thirty (30) soil borings were advanced using a hand auger along the perimeter of the former excavation area. Soil samples were collected continuously to a depth of approximately 4 feet bgs. Composite soil samples were collected from each boring across a total area of 200 square feet. Additionally, four discrete soil samples were collected from the backfill material of the former excavation at a depth of 3.5 feet bgs. Samples were collected above the liner to prevent damage to the existing liner.

On December 27 and 28, 2022, Tasman mobilized to the Site to further delineate remaining chlorides impacts in the area of exceedances observed during the November 2022 confirmation sampling event. A total of 16 soil borings (HA-1 through HA-15, BG-1) were advanced using a hand auger to a depth of 4 feet bgs or geologic refusal.

On February 13, 2023, Tasman submitted a Remediation Action Plan (RAP) for the site, on behalf of FEM, to the NMOCD.

On February 14, 2023, NMOCD approved the RAP with the condition that confirmation soil samples would represent 400 square feet (ft<sup>2</sup>).

## 2.0 REMEDIATION ACTION LEVELS

NMOCD assessment and cleanup levels for hydrocarbon and produced water releases are based on depth to groundwater and proximity to sensitive receptors as established in NMAC 19.15.29. Based on site characteristics described in previous reports, the NMOCD Action Levels for the site are as follows:

Constituent	Remediation Action Level
Chloride	600 mg/kg
TPH (GRO+DRO+MRO)	100 mg/kg
TPH (GRO+DRO)	N/A
BTEX	50 mg/kg
Benzene	10 mg/kg

TPH – total petroleum hydrocarbons

DRO – diesel range organics

BTEX – benzene, toluene, ethylbenzene, total xylenes

GRO – gasoline range organics

MRO – motor/lube oil range organics

mg/kg – milligrams per kilogram

## 2.1 Reclamation Levels

NMAC 19.15.29.13(D) codifies, and the *Procedures for Implementation of the Spill Rule*, dated September 6, 2019, clarifies that the top four feet of the remediated area should be non-waste containing. Therefore, the NMOCD Reclamation Standards are applied to the top four feet of any area impacted by a release that is not located within an active production facility. NMOCD Reclamation Standards are as follows:

Constituent	Reclamation Standard
Chloride	600 mg/kg
TPH (GRO+DRO+MRO)	100 mg/kg
BTEX	50 mg/kg
Benzene	10 mg/kg

TPH – total petroleum hydrocarbons

DRO – diesel range organics

BTEX – benzene, toluene, ethylbenzene, total xylenes

GRO – gasoline range organics

MRO – motor/lube oil range organics

mg/kg – milligrams per kilogram

## 3.0 SOIL SAMPLING PROCEDURES

### 3.1 Soil Sampling Procedures for Laboratory Analysis

The collection of soil samples for laboratory analysis was conducted in accordance with NMOCD criteria and generally approved industry standards. Collected soil samples were placed in laboratory provided containers, properly labeled, and preserved on ice pending delivery under a chain of custody form to Cardinal Laboratory in Hobbs, New Mexico.

### 3.2 Soil Analytical Methods

Each soil sample was analyzed using Environmental Protection Agency (EPA) methods or other NMOCD-approved methods. Laboratory analytical methods are as follows:

- Chloride – EPA Method SM4500.

## 4.0 SUMMARY OF REMEDIAL ACTIVITIES

### 4.1 Remedial Activities

From March 14 to 22, 2023, Tasman utilized heavy equipment to excavate impacted soil from within the delineated areas, identified as Areas 1 through 6. Excavated material was stockpiled on-site atop a polyethylene liner pending transportation to an NMOCD approved disposal facility.

A total of 2,320 yds<sup>3</sup> of excavated material from Areas 1 through 6 was exported to Gandy Marley Landfill. Copies of solid manifests are provided in Appendix B and a photographic log is provided in Appendix C.

### 4.2 Confirmation Data Evaluation

On March 20 and 21, 2023, Tasman mobilized to the site to collect five-point composite confirmation soil samples from the base and sidewalls of the remedial excavations representing approximately 400 ft<sup>2</sup>. Confirmation sidewall samples were collected at approximately half the depth of each excavation.

#### Area 1

Four confirmation soil samples were collected from the base and two confirmation soil samples were collected from the side walls of the Area 1 excavation. Chloride concentrations were detected above the laboratory reported detection limit (RDL) in each of the confirmation soil

samples, but below NMOCD Action Levels. Concentrations of chlorides ranged from 32.0 milligrams per kilogram (mg/kg) in multiple samples to 336 mg/kg in soil sample A1-W-2.

#### Area 2

Three confirmation soil samples were collected from the base and one confirmation soil sample was collected from the side walls of the Area 2 excavation. Chloride concentrations were detected above the laboratory RDL in each of the confirmation soil samples. The chloride concentration of soil sample A2-FL-1 (624 mg/kg) exceeded the NMOCD Action Level. The remaining chloride concentrations ranged from 144 mg/kg in soil sample A2-FL-2 to 576 mg/kg in soil sample A2-FL-3.

#### Area 3

Five confirmation soil samples were collected from the base and two confirmation soil samples were collected from the side walls of the Area 3 excavation. Chloride concentrations were detected above the laboratory RDL in each of the confirmation soil samples. The chloride concentration of soil samples A3-FL-1 (1,360 mg/kg), A3-FL-2 (960 mg/kg), A3-FL-3 (800 mg/kg) exceeded the NMOCD Action Level. The remaining chloride concentrations ranged from 128 mg/kg in soil sample A3-W-1 to 544 mg/kg in soil sample A3-FL-4.

#### Area 4

Two confirmation soil samples were collected from the base and one confirmation soil sample was collected from the side walls of the Area 4 excavation. Chloride concentrations were detected above the laboratory RDL in each of the confirmation soil samples, but below NMOCD Action Levels. Concentrations of chlorides ranged from 224 mg/kg in soil sample A4-W-1 to 336 mg/kg in soil sample A4-FL-1.

#### Area 5

Twelve confirmation soil samples were collected from the base and three confirmation soil samples were collected from the side walls of the Area 5 excavation. Chloride concentrations were detected above the laboratory RDL in each of the confirmation soil samples. The chloride concentration of soil samples A5-FL-1 (624 mg/kg), A5-FL-2 (720 mg/kg), A5-FL-3 (880 mg/kg), A5-FL-10 (1,120 mg/kg), A5-FL-11 (1,090 mg/kg), and A5-FL-12 (1,790 mg/kg) exceeded the NMOCD Action Level. The remaining chloride concentrations ranged from 48.0 mg/kg in soil sample A5-FL-5 to 544 mg/kg in soil sample A5-W-1.

#### Area 6

Five confirmation soil samples were collected from the base and one confirmation soil sample was collected from the side walls of the Area 6 excavation. Chloride concentrations were detected above the laboratory RDL in each of the confirmation soil samples, but below NMOCD Action Levels. Concentrations of chlorides ranged from 32.0 mg/kg in soil sample A6-FL-4 to 240 mg/kg in soil sample A6-FL-1.

A summary of laboratory analytical results is provided as Table 1 and laboratory analytical reports are attached as Appendix D.

### 4.3 LINER INSTALATION

On March 29, 2023, Tasman mobilized to the site to install liners in areas that exceeded the NMOCD Action Level for chlorides, per the RAP approved on February 14, 2023. Prior to installation, areas requiring a liner were padded with approximately six inches of backfill material to prevent damage to each liner. The liners were then installed over areas exceeding NMOCD Action Levels at Areas 2, 3 and 5

## 5.0 RESTORATION AND RECLAMATION

Areas affected by the release and associated remediation activities were restored to the condition which existed prior to the release to the maximum extent possible. Excavated areas were backfilled with non-impacted "like" material and contoured and/or compacted to achieve erosion control, stability, and preservation of surface water flow to the extent practicable. On May 17, 2023, Tasman seeded and tilled the Site with a State Land Office (surface owner) approved blend of native vegetation.

## 6.0 SITE CLOSURE REQUEST

Based on laboratory analytical results from soil samples collected during the confirmation sampling events, impacted soil within the release area has been remediated below the applicable NMOCD Action Levels in accordance with NMAC 19.15.29. Areas exceeding NMOCD action levels have been addressed with an impermeable barrier to prevent migration of chemicals of concern to groundwater. As such, Tasman, on behalf of FEM, respectfully requests that the site be granted closure (Appendix E).

## **FIGURES**





0 750 1,500 Feet

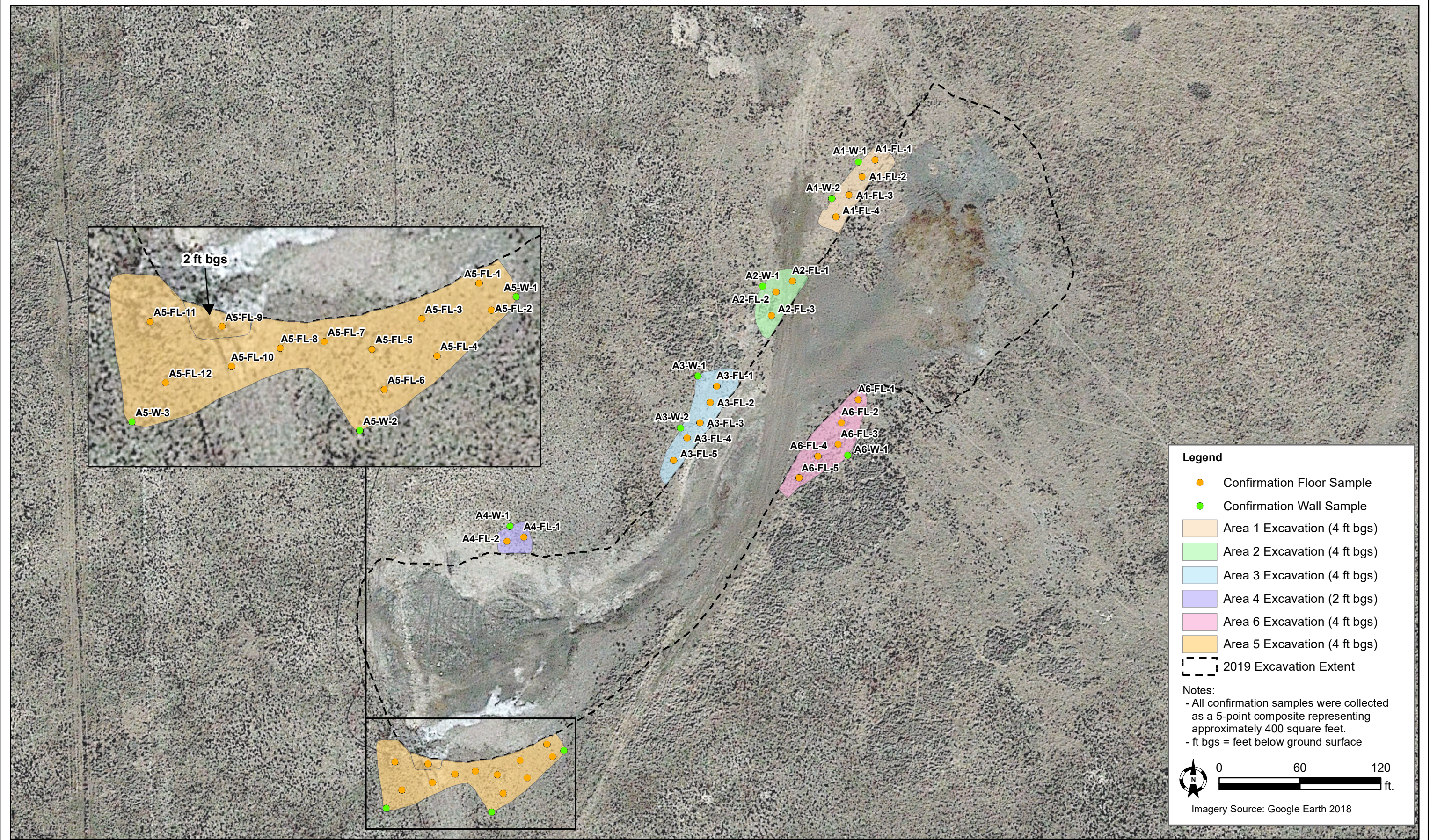
## Figure 1

Site Location Map  
Chalupa #4 SWD – North Release Area  
UL "L", S13, T14S, R33E  
Lea County, New Mexico



Drawn By: LR  
Date: 1/26/2023





DATE:	May 2023
DESIGNED BY:	B. Dennis
DRAWN BY:	B. Dennis



**Tasman, Inc.**  
6855 W. 119th Ave  
Broomfield, CO 80020

**Foundation Energy Management**  
**Chalupa #4 SWD - North Release Area**  
UL "L", Sec. 13, T14S, R33E  
Lea County, New Mexico

Excavation Overview Map

Figure  
2



**TABLE**

TABLE 1  
CONFIRMATION SOIL ANALYTICAL SUMMARY - CHLORIDES  
Foundation Energy Management, LLC  
Chalupa #4 SWD - North Release Area

Sample ID	Sample Depth (bgs)	Sample Date	Chloride <sup>1</sup> (mg/kg)
<b>Area 1</b>			
A1-FL-1	4	3/20/2023	32.0
A1-FL-2	4	3/20/2023	32.0
A1-FL-3	4	3/20/2023	128
A1-FL-4	4	3/20/2023	320
A1-W-1	---	3/20/2023	32.0
A1-W-2	---	3/20/2023	336
<b>Area 2</b>			
A2-FL-1	4	3/21/2023	624
A2-FL-2	4	3/21/2023	144
A2-FL-3	4	3/21/2023	576
A2-W-1	---	3/21/2023	512
<b>Area 3</b>			
A3-FL-1	4	3/21/2023	1,360
A3-FL-2	4	3/21/2023	960
A3-FL-3	4	3/21/2023	800
A3-FL-4	4	3/21/2023	544
A3-FL-5	4	3/21/2023	368
A3-W-1	---	3/21/2023	128
A3-W-2	---	3/21/2023	240
<b>Area 4</b>			
A4-FL-1	2	3/20/2023	336
A4-FL-2	2	3/20/2023	256
A4-W-1	2	3/20/2023	224
<b>Area 5</b>			
A5-FL-1	4	3/20/2023	624
A5-FL-2	4	3/20/2023	720
A5-FL-3	4	3/20/2023	880
A5-FL-4	4	3/20/2023	320
A5-FL-5	4	3/20/2023	48.0
A5-FL-6	4	3/20/2023	160
A5-FL-7	4	3/20/2023	256
A5-FL-8	4	3/20/2023	400
A5-FL-9	2	3/20/2023	64.0
A5-FL-10	2	3/20/2023	1,120
A5-FL-11	2	3/20/2023	1,090
A5-FL-12	2	3/20/2023	1,790
A5-W-1	---	3/20/2023	544
A5-W-2	---	3/20/2023	80.0
A5-W-3	---	3/20/2023	304
<b>Area 6</b>			
A6-FL-1	4	3/21/2023	240
A6-FL-2	4	3/21/2023	160
A6-FL-3	4	3/21/2023	48.0
A6-FL-4	4	3/21/2023	32.0
A6-FL-5	4	3/21/2023	80.0
A6-W-1	---	3/21/2023	192
<b>NMOCD Action Levels<sup>2</sup></b>			<b>600</b>

## Notes:

1. Chloride - Analyzed by EPA method SM4500

2. New Mexico Oil Conservation Division (NMOCD) Remediation and Delineation Standards (NMAC 19.15.29.12(N))

BGS = Below ground surface

--- = Sample was not analyzed for this analyte

&lt;SDL = The analyte was not detected above the laboratory sample detection limit (SDL)

N/A = Not applicable

**Bold** values denote concentrations above laboratory SDL**Red** values denote concentrations above NMOCD Action Levels

**APPENDIX A – INITIAL FORM C-141 AND NMOCD NOTIFICATIONS**

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  
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 Foundation Energy Management, LLC	Contact Rachel Grant
Address 16000 Dallas Parkway, Suite 875	Telephone No. 918-526-5592
Facility Name Chalupa SWD	Facility Type Salt water disposal well

Surface Owner	Mineral Owner	API No. 30-025-29184
---------------	---------------	----------------------

### LOCATION OF RELEASE

Unit Letter <b>M</b>	Section 13	Township 14S	Range 33E	Feet from the 330	North/South Line South	Feet from the 330	East/West Line West	County Lea
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Latitude 33.0982437 Longitude -103.5753937

### NATURE OF RELEASE

Type of Release Saltwater	Volume of Release 125 bbls	Volume Recovered 25 bbls
Source of Release Injection hose came loose because of corroded clamps	Date and Hour of Occurrence	Date and Hour of Discovery 2/23/2017, 12pm
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? Olivia Yu	
By Whom? Rachel Grant	Date and Hour 2/24/2017, 9am	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse. NA	

If a Watercourse was Impacted, Describe Fully.\* NA

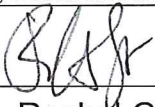

**RECEIVED**

By Olivia Yu at 8:15 am, Mar 07, 2017

Describe Cause of Problem and Remedial Action Taken.\* Vacuum truck was called out immediately to vacuum free-standing fluid on location. Roustabout service was called to replace the flexible hose with a new one and use hammer unions to connect the hose to the injection line to prevent future spills.

Describe Area Affected and Cleanup Action Taken.\* Working procedure for remediation.

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: 	<b>OIL CONSERVATION DIVISION</b>	
Printed Name: Rachel Grant	Approved by Environmental Specialist: 	
Title: HSE/Regulatory Manager	Approval Date: 3/7/2017	Expiration Date:
E-mail Address: regulatory@foundationenergy.com	Conditions of Approval: see attached directive	Attached <input checked="" type="checkbox"/>
Date: 3/6/17	Phone: 918-526-5592	

\* Attach Additional Sheets If Necessary

1RP-4632

pOY1706631065

nOY1706630747



Incident ID	nOY170663
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?	<u>73</u> (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 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

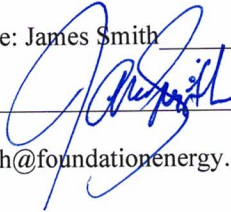
☒ Topographic/Aerial maps

☒ 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.

Incident ID	nOY170663 Page 18 of 48
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: James Smith Title: HSE/Regulatory Supervisor  
Signature:  Date: 2/13/23  
email: JSmith@foundationenergy.com Telephone: 972-707-2595

OCD Only

Received by: Date:

Incident ID	NOY 1706 Page 19 of 48
District RP	
Facility ID	
Application ID	

## Remediation Plan

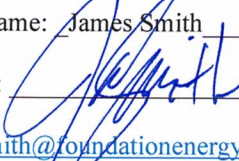
**Remediation Plan Checklist:** *Each of the following items must be included in the plan.*

- ☒ 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.

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: James Smith Title: HSE-Regulatory Supervisor  
Signature:  Date: 2/13/2023  
email: [jsmith@foundationenergy.com](mailto:jsmith@foundationenergy.com) Telephone: 972-707-2595

**OCD Only**

Received by: Jocelyn Harimon Date: 02/13/2023

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

Signature:  Date: 2/13/2023

**Conditions of approval:**

1. Confirmation samples must be representative of no more than 400 square feet.



**From:** [Hall, Brittany, EMNRD](#)  
**To:** [James Smith](#); [Bratcher, Michael, EMNRD](#)  
**Cc:** [Kyle Norman](#); [Brett Dennis](#); [Enviro, OCD, EMNRD](#)  
**Subject:** RE: [EXTERNAL] Chalupa North (nOY1706631442) confirmation sampling  
**Date:** Wednesday, March 15, 2023 1:56:24 PM

---

Thank you, James.

Please include a copy of this and all notifications in the remedial and/or closure reports to ensure the notifications are documented in the project file.

**Brittany Hall** • Environmental Specialist  
Environmental Bureau Projects Group  
EMNRD - Oil Conservation Division  
1000 Rio Brazos Road | Aztec, NM 87110  
505.517.5333 | [Brittany.Hall@emnrd.nm.gov](mailto:Brittany.Hall@emnrd.nm.gov)  
<http://www.emnrd.nm.gov/ocd/>

---

**From:** James Smith <JSmith@foundationenergy.com>  
**Sent:** Wednesday, March 15, 2023 1:53 PM  
**To:** Hall, Brittany, EMNRD <Brittany.Hall@emnrd.nm.gov>; Bratcher, Michael, EMNRD <mike.bratcher@emnrd.nm.gov>  
**Cc:** Kyle Norman <knorman@tasman-geo.com>; Brett Dennis <bdennis@tasman-geo.com>  
**Subject:** [EXTERNAL] Chalupa North (nOY1706631442) confirmation sampling

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Good afternoon Brittany.

I wanted to let you all know that Tasman plans on collecting confirmation samples at the Chalupa North (nOY1706631442) spill site this coming Monday, March 20<sup>th</sup> @ 0800.

Thank you.

**James Smith | HSE/Regulatory Supervisor**  
5057 Keller Springs Rd., Ste 650  
Addison, TX 75001  
P: 972.707.2595  
C: 918.346.7350



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**From:** [Hall, Brittany, EMNRD](#)  
**To:** [James Smith](#); [Bratcher, Michael, EMNRD](#)  
**Cc:** [Kyle Norman](#); [Brett Dennis](#)  
**Subject:** RE: [EXTERNAL] Chalupa South (nOY1706631442) confirmation sampling notice  
**Date:** Tuesday, April 11, 2023 7:00:59 AM

---

Thank you, James.

**Brittany Hall** • Environmental Specialist  
Environmental Bureau Projects Group  
EMNRD - Oil Conservation Division  
1000 Rio Brazos Road | Aztec, NM 87110  
505.517.5333 | [Brittany.Hall@emnrd.nm.gov](mailto:Brittany.Hall@emnrd.nm.gov)  
<http://www.emnrd.nm.gov/ocd/>

---

**From:** James Smith <[jsmith@foundationenergy.com](mailto:jsmith@foundationenergy.com)>  
**Sent:** Tuesday, April 11, 2023 6:09 AM  
**To:** Hall, Brittany, EMNRD <[Brittany.Hall@emnrd.nm.gov](mailto:Brittany.Hall@emnrd.nm.gov)>; Bratcher, Michael, EMNRD <[mike.bratcher@emnrd.nm.gov](mailto:mike.bratcher@emnrd.nm.gov)>  
**Cc:** Kyle Norman <[knorman@tasman-geo.com](mailto:knorman@tasman-geo.com)>; Brett Dennis <[bdennis@tasman-geo.com](mailto:bdennis@tasman-geo.com)>  
**Subject:** [EXTERNAL] Chalupa South (nOY1706631442) confirmation sampling notice

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Good morning Brittany.

I wanted to let you all know that Tasman plans on collecting confirmation samples at the Chalupa South (nOY1706631442) spill site this coming Thursday, April 13<sup>th</sup> at 0800.

Thank you.

**James Smith | HSE/Regulatory Supervisor**  
5057 Keller Springs Rd., Ste 650  
Addison, TX 75001  
P: 972.707.2595  
C: 918.346.7350





## **APPENDIX B – MANIFESTS**

## **APPENDIX C – PHOTOGRAPHIC LOG**

Foundation Energy Management

Chalupa #4 SWD – North Release Area





## Foundation Energy Management

### Chalupa #4 SWD – North Release Area





## Foundation Energy Management

### Chalupa #4 SWD – North Release Area





Foundation Energy Management

Chalupa #4 SWD – North Release Area





Foundation Energy Management

Chalupa #4 SWD – North Release Area



## **APPENDIX D – CERTIFIED LABORATORY ANALYTICAL REPORTS**



PHONE (575) 393-2326 ° 101 E. MARLAND ° HOBBS, NM 88240

---

March 22, 2023

KYLE NORMAN

TASMAN GEOSCIENCES

6899 PECOS ST. UNIT C

DENVER, CO 80221

RE: 4951\_CHALUPA NORTH

Enclosed are the results of analyses for samples received by the laboratory on 03/21/23 15:58.

Cardinal Laboratories is accredited through Texas NELAP under certificate number T104704398-22-15. Accreditation applies to drinking water, non-potable water and solid and chemical materials. All accredited analytes are denoted by an asterisk (\*). For a complete list of accredited analytes and matrices visit the TCEQ website at [www.tceq.texas.gov/field/qa/lab\\_accred\\_certif.html](http://www.tceq.texas.gov/field/qa/lab_accred_certif.html).

Cardinal Laboratories is accredited through the State of Colorado Department of Public Health and Environment for:

Method EPA 552.2	Haloacetic Acids (HAA-5)
Method EPA 524.2	Total Trihalomethanes (TTHM)
Method EPA 524.4	Regulated VOCs (V1, V2, V3)

Accreditation applies to public drinking water matrices.

This report meets NELAP requirements and is made up of a cover page, analytical results, and a copy of the original chain-of-custody. If you have any questions concerning this report, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Celey D. Keene". The signature is written in a cursive, flowing style.

Celey D. Keene

Lab Director/Quality Manager



PHONE (575) 393-2326 ° 101 E. MARLAND ° HOBBS, NM 88240

**Analytical Results For:**

TASMAN GEOSCIENCES  
 KYLE NORMAN  
 6899 PECOS ST. UNIT C  
 DENVER CO, 80221  
 Fax To:

Received: 03/21/2023  
 Reported: 03/22/2023  
 Project Name: 4951\_CHALUPA NORTH  
 Project Number: 4951  
 Project Location: FOUNDATION ENERGY

Sampling Date: 03/20/2023  
 Sampling Type: Soil  
 Sampling Condition: Cool & Intact  
 Sample Received By: Tamara Oldaker

**Sample ID: A1 - FL - 1 (H231285-01)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	32.0	16.0	03/22/2023	ND	432	108	400	7.14		

**Sample ID: A1 - FL - 2 (H231285-02)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	32.0	16.0	03/22/2023	ND	432	108	400	7.14		

**Sample ID: A1 - FL - 3 (H231285-03)**

Chloride, SM4500CI-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	128	16.0	03/22/2023	ND	432	108	400	7.14		

**Sample ID: A1 - FL - 4 (H231285-04)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	320	16.0	03/22/2023	ND	432	108	400	7.14		

Cardinal Laboratories

\*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager



PHONE (575) 393-2326 ° 101 E. MARLAND ° HOBBS, NM 88240

**Analytical Results For:**

TASMAN GEOSCIENCES  
 KYLE NORMAN  
 6899 PECOS ST. UNIT C  
 DENVER CO, 80221  
 Fax To:

Received: 03/21/2023  
 Reported: 03/22/2023  
 Project Name: 4951\_CHALUPA NORTH  
 Project Number: 4951  
 Project Location: FOUNDATION ENERGY

Sampling Date: 03/20/2023  
 Sampling Type: Soil  
 Sampling Condition: Cool & Intact  
 Sample Received By: Tamara Oldaker

**Sample ID: A1 - W - 1 (H231285-05)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	32.0	16.0	03/22/2023	ND	432	108	400	7.14		

**Sample ID: A1 - W - 2 (H231285-06)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	336	16.0	03/22/2023	ND	432	108	400	7.14		

**Sample ID: A5 - FL - 1 (H231285-07)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	624	16.0	03/22/2023	ND	432	108	400	7.14		

**Sample ID: A5 - FL - 2 (H231285-08)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	720	16.0	03/22/2023	ND	432	108	400	3.64	

**Sample ID: A5 - FL - 3 (H231285-09)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	880	16.0	03/22/2023	ND	432	108	400	3.64	

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\*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager



PHONE (575) 393-2326 ° 101 E. MARLAND ° HOBBS, NM 88240

**Analytical Results For:**

TASMAN GEOSCIENCES  
 KYLE NORMAN  
 6899 PECOS ST. UNIT C  
 DENVER CO, 80221  
 Fax To:

Received: 03/21/2023  
 Reported: 03/22/2023  
 Project Name: 4951\_CHALUPA NORTH  
 Project Number: 4951  
 Project Location: FOUNDATION ENERGY

Sampling Date: 03/20/2023  
 Sampling Type: Soil  
 Sampling Condition: Cool & Intact  
 Sample Received By: Tamara Oldaker

**Sample ID: A5 - FL - 4 (H231285-10)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	320	16.0	03/22/2023	ND	432	108	400	3.64	

**Sample ID: A5 - FL - 5 (H231285-11)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	48.0	16.0	03/22/2023	ND	432	108	400	3.64	

**Sample ID: A5 - FL - 6 (H231285-12)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	160	16.0	03/22/2023	ND	432	108	400	3.64	

**Sample ID: A5 - FL - 7 (H231285-13)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	256	16.0	03/22/2023	ND	432	108	400	3.64	

**Sample ID: A5 - FL - 8 (H231285-14)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	400	16.0	03/22/2023	ND	432	108	400	3.64	

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Celey D. Keene, Lab Director/Quality Manager



PHONE (575) 393-2326 ° 101 E. MARLAND ° HOBBS, NM 88240

**Analytical Results For:**

TASMAN GEOSCIENCES  
 KYLE NORMAN  
 6899 PECOS ST. UNIT C  
 DENVER CO, 80221  
 Fax To:

Received: 03/21/2023  
 Reported: 03/22/2023  
 Project Name: 4951\_CHALUPA NORTH  
 Project Number: 4951  
 Project Location: FOUNDATION ENERGY

Sampling Date: 03/20/2023  
 Sampling Type: Soil  
 Sampling Condition: Cool & Intact  
 Sample Received By: Tamara Oldaker

**Sample ID: A5 - FL - 9 (H231285-15)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	64.0	16.0	03/22/2023	ND	432	108	400	3.64		

**Sample ID: A5 - FL - 10 (H231285-16)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	1120	16.0	03/22/2023	ND	432	108	400	3.64	

**Sample ID: A5 - FL - 11 (H231285-17)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	1090	16.0	03/22/2023	ND	432	108	400	3.64		

**Sample ID: A5 - FL - 12 (H231285-18)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	1790	16.0	03/22/2023	ND	432	108	400	3.64	

**Sample ID: A5 - W - 1 (H231285-19)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	544	16.0	03/22/2023	ND	432	108	400	3.64	

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\*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager





PHONE (575) 393-2326 ° 101 E. MARLAND ° HOBBS, NM 88240

**Analytical Results For:**

TASMAN GEOSCIENCES  
 KYLE NORMAN  
 6899 PECOS ST. UNIT C  
 DENVER CO, 80221  
 Fax To:

Received: 03/21/2023  
 Reported: 03/22/2023  
 Project Name: 4951\_CHALUPA NORTH  
 Project Number: 4951  
 Project Location: FOUNDATION ENERGY

Sampling Date: 03/20/2023  
 Sampling Type: Soil  
 Sampling Condition: Cool & Intact  
 Sample Received By: Tamara Oldaker

**Sample ID: A5 - W - 2 (H231285-20)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	80.0	16.0	03/22/2023	ND	432	108	400	3.64		

**Sample ID: A5 - W - 3 (H231285-21)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	304	16.0	03/22/2023	ND	432	108	400	3.64	

**Sample ID: A4 - FL - 1 (H231285-22)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	336	16.0	03/22/2023	ND	432	108	400	3.64		

**Sample ID: A4 - FL - 2 (H231285-23)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	256	16.0	03/22/2023	ND	432	108	400	3.64	

**Sample ID: A4 - W - 1 (H231285-24)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	224	16.0	03/22/2023	ND	432	108	400	3.64	

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\*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager





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**Analytical Results For:**

TASMAN GEOSCIENCES  
 KYLE NORMAN  
 6899 PECOS ST. UNIT C  
 DENVER CO, 80221  
 Fax To:

Received: 03/21/2023  
 Reported: 03/22/2023  
 Project Name: 4951\_CHALUPA NORTH  
 Project Number: 4951  
 Project Location: FOUNDATION ENERGY

Sampling Date: 03/21/2023  
 Sampling Type: Soil  
 Sampling Condition: Cool & Intact  
 Sample Received By: Tamara Oldaker

**Sample ID: A2 - FL - 1 (H231285-25)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	624	16.0	03/22/2023	ND	432	108	400	3.64		

**Sample ID: A2 - FL - 2 (H231285-26)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	144	16.0	03/22/2023	ND	432	108	400	3.64		

**Sample ID: A2 - FL - 3 (H231285-27)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	576	16.0	03/22/2023	ND	432	108	400	3.64	

**Sample ID: A2 - W - 1 (H231285-28)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	512	16.0	03/22/2023	ND	448	112	400	0.00	QM-07

**Sample ID: A3 - FL - 1 (H231285-29)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	1360	16.0	03/22/2023	ND	448	112	400	0.00	

Cardinal Laboratories

\*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager



PHONE (575) 393-2326 ° 101 E. MARLAND ° HOBBS, NM 88240

**Analytical Results For:**

TASMAN GEOSCIENCES  
 KYLE NORMAN  
 6899 PECOS ST. UNIT C  
 DENVER CO, 80221  
 Fax To:

Received: 03/21/2023  
 Reported: 03/22/2023  
 Project Name: 4951\_CHALUPA NORTH  
 Project Number: 4951  
 Project Location: FOUNDATION ENERGY

Sampling Date: 03/21/2023  
 Sampling Type: Soil  
 Sampling Condition: Cool & Intact  
 Sample Received By: Tamara Oldaker

**Sample ID: A3 - FL - 2 (H231285-30)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	960	16.0	03/22/2023	ND	448	112	400	0.00		

**Sample ID: A3 - FL - 3 (H231285-31)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	800	16.0	03/22/2023	ND	448	112	400	0.00	

**Sample ID: A3 - FL - 4 (H231285-32)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	544	16.0	03/22/2023	ND	448	112	400	0.00		

**Sample ID: A3 - FL - 5 (H231285-33)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	368	16.0	03/22/2023	ND	448	112	400	0.00	

**Sample ID: A3 - W - 1 (H231285-34)**

Chloride, SM4500Cl-B			mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	128	16.0	03/22/2023	ND	448	112	400	0.00		

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\*=Accredited Analyte

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Celey D. Keene, Lab Director/Quality Manager



PHONE (575) 393-2326 ° 101 E. MARLAND ° HOBBS, NM 88240

**Analytical Results For:**

TASMAN GEOSCIENCES  
 KYLE NORMAN  
 6899 PECOS ST. UNIT C  
 DENVER CO, 80221  
 Fax To:

Received: 03/21/2023  
 Reported: 03/22/2023  
 Project Name: 4951\_CHALUPA NORTH  
 Project Number: 4951  
 Project Location: FOUNDATION ENERGY

Sampling Date: 03/21/2023  
 Sampling Type: Soil  
 Sampling Condition: Cool & Intact  
 Sample Received By: Tamara Oldaker

**Sample ID: A3 - W - 2 (H231285-35)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	240	16.0	03/22/2023	ND	448	112	400	0.00		

**Sample ID: A6 - FL - 1 (H231285-36)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	240	16.0	03/22/2023	ND	448	112	400	0.00	

**Sample ID: A6 - FL - 2 (H231285-37)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	160	16.0	03/22/2023	ND	448	112	400	0.00		

**Sample ID: A6 - FL - 3 (H231285-38)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	48.0	16.0	03/22/2023	ND	448	112	400	0.00	

**Sample ID: A6 - FL - 4 (H231285-39)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	32.0	16.0	03/22/2023	ND	448	112	400	0.00	

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Celey D. Keene, Lab Director/Quality Manager





PHONE (575) 393-2326 ° 101 E. MARLAND ° HOBBS, NM 88240

**Analytical Results For:**

TASMAN GEOSCIENCES  
 KYLE NORMAN  
 6899 PECOS ST. UNIT C  
 DENVER CO, 80221  
 Fax To:

Received: 03/21/2023  
 Reported: 03/22/2023  
 Project Name: 4951\_CHALUPA NORTH  
 Project Number: 4951  
 Project Location: FOUNDATION ENERGY

Sampling Date: 03/21/2023  
 Sampling Type: Soil  
 Sampling Condition: Cool & Intact  
 Sample Received By: Tamara Oldaker

**Sample ID: A6 - FL - 5 (H231285-40)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC						
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier	
Chloride	80.0	16.0	03/22/2023	ND	448	112	400	0.00		

**Sample ID: A6 - W - 1 (H231285-41)**

Chloride, SM4500Cl-B		mg/kg		Analyzed By: AC					
Analyte	Result	Reporting Limit	Analyzed	Method Blank	BS	% Recovery	True Value QC	RPD	Qualifier
Chloride	192	16.0	03/22/2023	ND	448	112	400	0.00	

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### Notes and Definitions

QM-07	The spike recovery was outside acceptance limits for the MS and/or MSD. The batch was accepted based on acceptable LCS recovery.
ND	Analyte NOT DETECTED at or above the reporting limit
RPD	Relative Percent Difference
**	Samples not received at proper temperature of 6°C or below.
***	Insufficient time to reach temperature.
-	Chloride by SM4500Cl-B does not require samples be received at or below 6°C Samples reported on an as received basis (wet) unless otherwise noted on report

---

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\*=Accredited Analyte

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A handwritten signature in black ink, appearing to read "Celey D. Keene", is written over a horizontal line.

---

Celey D. Keene, Lab Director/Quality Manager



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101 East Marland, Hobbs, NM 88240 2111 Beechwood, Abilene, TX 79603  
(505) 393-2326 FAX (505) 393-2476 (325) 673-7001 FAX (325) 673-7020

## CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

Page 12 of 15

Company Name: Tasman Geosciences				<b>BILL TO</b>				<b>ANALYSIS REQUEST</b>																				
Project Manager: Kyle Norman				P.O. #:				TPH 8015 Ext BTEX Chlorides 24-hr Rush																				
Address: 2620 W. Marland Blvd.				Company: Tasman Geo																								
City: Hobbs State: NM Zip: 88240				Attn: Kyle Norman																								
Phone #: 575-318-5017 Fax #:				Address: 2620 W. Marland																								
Project #: 4951 Project Owner: Foundation Energy				City: Hobbs																								
Project Name: 4951_Chalupa North				State: NM Zip: 88240																								
Project Location:				Phone #: 575-318-5017																								
Sampler Name: Brett Dennis				Fax #:																								
FOR LAB USE ONLY																												
Lab I.D.		Sample I.D.		(G)RAB OR (C)OMP.	# CONTAINERS	MATRIX						PRESERV.		SAMPLING														
						GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER :	ACID/BASE:	ICE / COOL	OTHER :	DATE													TIME
H231285				C				X					X		3/20/23	1150												
1		A1-FL-1		C				X					X		3/20/23	1155												
2		A1-FL-2		C				X					X		3/20/23	1200												
3		A1-FL-3		C				X					X		3/20/23	1205												
4		A1-FL-4		C				X					X		3/20/23	1210												
5		A1-W-1		C				X					X		3/20/23	1215												
6		A1-W-2		C				X					X		3/20/23	1230												
7		A5-FL-1		C				X					X		3/20/23	1232												
8		A5-FL-2		C				X					X		3/20/23	1234												
9		A5-FL-3		C				X					X		3/20/23	1236												
10		A5-FL-4		C				X					X		3/20/23													
<p>PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising whether based in contract or tort, shall be limited to the amount paid by the client for the analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 30 days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise.</p>																												
Relinquished By:				Date: 2/21/23		Received By:				Phone Result: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				Add'l Phone #:														
				Time: 1558						Fax Result: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				Add'l Fax #:														
Relinquished By:				Date:		Received By:				REMARKS: email results: knorman@tasman-geo.com; bdennis@tasman-geo.com; lflores@tasman-geo.com;																		
				Time:																								
Delivered By: (Circle One) Sampler - UPS - Bus - Other:						#113 Sample Condition Cool Intact <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No <input type="checkbox"/> No						CHECKED BY: (Initials) Jo.																

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**CHAIN-OF-CUSTODY AND ANALYSIS REQUEST**

Page 13 of 15

Company Name: Tasman Geosciences				<b>BILL TO</b>				<b>ANALYSIS REQUEST</b>											
Project Manager: Kyle Norman				P.O. #:				TPH 8015 Ext BTEX Chlorides 24-hr Rush											
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City: Hobbs State: NM Zip: 88240				Attn: Kyle Norman															
Phone #: 575-318-5017 Fax #:				Address: 2620 W. Marland															
Project #: 4951 Project Owner: Foundation Energy				City: Hobbs															
Project Name: 4951_Chalupa North				State: NM Zip: 88240															
Project Location:				Phone #: 575-318-5017															
Sampler Name: Brett Dennis				Fax #:															
FOR LAB USE ONLY																			
Lab I.D.	Sample I.D.	(G)RAB OR (C)OMP.	# CONTAINERS	MATRIX				PRESERV.	SAMPLING										
				GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER :	ACID/BASE:	ICE / COOL	OTHER :	DATE	TIME					
4231285																			
11	A5-FL-5	C				X					X		3/20/23	1238					
12	A5-FL-6	C				X					X		3/20/23	1240					
13	A5-FL-7	C				X					X		3/20/23	1300					
14	A5-FL-8	C				X					X		3/20/23	1305					
15	A5-FL-9	C				X					X		3/20/23	1310					
16	A5-FL-10	C				X					X		3/20/23	1312					
17	A5-FL-11	C				X					X		3/20/23	1314					
18	A5-FL-12	C				X					X		3/20/23	1316					
19	A5-W-1	C				X					X		3/20/23	1320					
20	A5-W-2	C				X					X		3/20/23	1322					

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Relinquished By:	Date: 3/21/23	Received By:	Phone Result: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Add'l Phone #:
	Time: 1:55 PM		Fax Result: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Add'l Fax #:
Relinquished By:	Date:	Received By:	REMARKS:	
	Time:		email results: knorman@tasman-geo.com; bdennis@tasman-geo.com; lflores@tasman-geo.com;	
Delivered By: (Circle One)	#113	Sample Condition Cool	CHECKED BY:	
Sampler - UPS - Bus - Other:	2.8°C / 2.2°C	Intact	(Initials)	
		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	J.O.	
		<input type="checkbox"/> No <input type="checkbox"/> No		

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## CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

Page 14 of 15

Company Name: Tasman Geosciences				<b>BILL TO</b>				<b>ANALYSIS REQUEST</b>																							
Project Manager: Kyle Norman				P.O. #:				TPH 8015 Ext BTEX Chlorides 24-hr Rush																							
Address: 2620 W. Marland Blvd.				Company: Tasman Geo																											
City: Hobbs State: NM Zip: 88240				Attn: Kyle Norman																											
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Sampler Name: Brett Dennis				Fax #:																											
FOR LAB USE ONLY																															
Lab I.D.		Sample I.D.		(G)RAB OR (C)OMP.	# CONTAINERS	MATRIX				PRESERV.		SAMPLING																			
						GROUNDWATER	WASTEWATER	SOIL	OIL	SLUDGE	OTHER :	ACID/BASE:	ICE / COOL	OTHER :	DATE	TIME															
H231285																															
21		A5-W-3		C				X					X		3/20/23	1324				X	X										
22		A4-FL-1		C				X					X		3/20/23	1400				X	X										
23		A4-FL-2		C				X					X		3/20/23	1405				X	X										
24		A4-W-1		C				X					X		3/20/23	1410				X	X										
25		A2-FL-1		C				X					X		3/21/23	0800				X	X										
26		A2-FL-2		C				X					X		3/21/23	0802				X	X										
27		A2-FL-3		C				X					X		3/21/23	0804				X	X										
28		A2-W-1		C				X					X		3/21/23	0805				X	X										
29		A3-FL-1		C				X					X		3/21/23	0815				X	X										
30		A3-FL-2		C				X					X		3/21/23	0817				X	X										
PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising whether based in contract or tort, shall be limited to the amount paid by the client for the analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within 30 days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above stated reasons or otherwise.																															
Relinquished By:				Date: 3/21/23		Received By:				Phone Result: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				Add'l Phone #:																	
Time: 1558										Fax Result: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				Add'l Fax #:																	
Relinquished By:				Date:		Received By:				REMARKS:																					
				Time:						email results: knorman@tasman-geo.com; bdennis@tasman-geo.com; lflores@tasman-geo.com;																					
Delivered By: (Circle One)						Sample Condition Cool						CHECKED BY:																			
Sampler - UPS - Bus - Other:						Intact						(Initials)																			
						<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes						J.C.																			
						<input type="checkbox"/> No <input type="checkbox"/> No																									

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## CHAIN-OF-CUSTODY AND ANALYSIS REQUEST

[illegible]

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Page 15 of 15

**APPENDIX E – CLOSURE FORM (FORM C-141)**



Incident ID	nOY1706631442
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: James Smith Title: HSE/Regulatory Supervisor

Signature:  Date: 06/06/2023

email: jsmith@foundationenergy.com Telephone: 972-707-2595

### OCD Only

Received by: Jocelyn Harimon Date: 06/20/2023

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: 7/7/2023

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 230055

CONDITIONS

Operator: FOUNDATION ENERGY MANAGEMENT, LLC 5057 KELLER SPRINGS RD ADDISON, TX 75001	OGRID: 370740
	Action Number: 230055
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
bhall	None	7/7/2023