



209 W McKay St
Carlsbad, New Mexico 88220
Tel. 432.701.2159
www.ntgenvironmental.com

September 1, 2023

Mike Bratcher
District Supervisor
Oil Conservation Division, District 2
811 S. First Street
Artesia, New Mexico 88210

**Re: Closure Report
Burton Flat Deep Unit 44
Devon Energy Production Company
Site Location: Unit F, S03, T21S, R27E
(Lat 32.5117073 °, Long -104.1806793 °)
Eddy County, New Mexico
Incident ID: nAB1821343703**

Mr. Bratcher:

On behalf of Devon Energy Production Company (Devon), New Tech Global Environmental, LLC (NTGE) has prepared this letter to document site assessment and remedial action activities at the Burton Flat Deep Unit 44 (Site). The Site is located approximately 17.25 miles northeast of Carlsbad, New Mexico in Eddy County (Figures 1 and 2).

Background

Based on the initial C-141 obtained from the New Mexico Oil Conservation Division (NMOCD), the release, discovered on July 17, 2018, was caused by a flange on the inlet side of the H-pump had developed a leak, and released approximately 40.63 barrels (bbls) of produced water, of which 30 bbls were recovered. The release was contained within the liner surrounding the tank battery. Upon discovery, the H-pump was shut-in, and the area was secured. The release is shown on Figure 3. The initial C-141 form is attached.

Site Characterization

The site is located within a high karst area. Based on a review of the New Mexico Office of State Engineers and USGS databases, there is one known water source within a ½-mile radius of the location. The nearest identified well is located 0.14 miles north of the Site in Sec 30 T21S R27E. The well was drilled in 2003 to 52 feet below ground surface (bgs) with depth to water at 14 feet bgs. A site characterization information and the associated USGS and NMSEO summary report is attached.

Regulatory Criteria

In accordance with the NMOCD regulatory criteria established in 19.15.29.12 NMAC, the following criteria are applicable to the Site.

- Benzene: 10 milligrams per kilogram (mg/kg).
- Benzene, toluene, ethylbenzene, and total xylenes (BTEX): 50 mg/kg.
- TPH: 100 mg/kg (GRO + DRO + MRO).
- Chloride: 600 mg/kg

**Creating a Better Environment
For Oil & Gas Operations**

Mr. Mike Bratcher
September 1, 2023
Page 2 of 2

Liner Inspection

On August 16th, 2023, NTGE conducted site assessment activities to assess the integrity and state of the tank battery's secondary containment liner. Upon inspection it was noted that the liner was intact with no visible holes or breaches, and free of any standing fluids.

Closing

Based on the initial response and subsequent site assessment activities, the Site is compliant, and no further actions are required. A copy of the final C- 141 is attached, and Devon formally requests a no further action designation for the Site. If you have any questions regarding this report or need additional information, please contact us at 432-701-2159.

Sincerely,
NTG Environmental



Ethan Sessums
Project Manager

Attachments:

Initial And Final C-141
Site Characterization Information
Figures
Photographic Log

INITIAL AND FINAL C-141

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 April 3, 2017

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

Release Notification and Corrective Action

nAB1821343703

OPERATOR

☒ Initial Report ☐ Final Report

Name of Company Devon Energy Production Company #6137	Contact Aaron Kidd; Foreman Technical Services
Address 6488 Seven Rivers Hwy Artesia, NM 88210	Telephone No. 575-748-3371
Facility Name Burton Flat Deep Unit 44	Facility Type Salt Water Disposal

Surface Owner Federal	Mineral Owner Federal	API No.30-015-32274
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LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
F	3	21S	27E					Eddy

Latitude _32.635483 N_ Longitude -104.071270 W_ NAD83

NATURE OF RELEASE

Type of Release Produced Water	Volume of Release 40.63 BBLS	Volume Recovered 30 BBLS
Source of Release Inlet Line	Date and Hour of Occurrence 7/17/2018 @ 9:15 AM MST	Date and Hour of Discovery 7/17/2018 @ 9:15 AM MST
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? ENMRD Mike Bratcher and Maria Pruett BLM Shelly Tucker	
By Whom? Brett Fulks; EHS Professional	Date and Hour OCD and BLM 7/18/2018 @ 3:51 PM MST	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse. N/A	

If a Watercourse was Impacted, Describe Fully.*
N/A

Describe Cause of Problem and Remedial Action Taken.*

Lease operator discovered a flange on the inlet side of the H-pump had developed a leak. Pumps were shut off and the leak was isolated immediately.

Describe Area Affected and Cleanup Action Taken.*

Water released in containment; scheduled recovery of fluids with Vac truck. (PW: Spilled - 40.63 bbls., Rec. - 30 bbls., Lost - 10 bbls.)

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOC 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 NMOC 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, NMOC 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.

Federal, State, or local laws and/or regulations.		<u>OIL CONSERVATION DIVISION</u>	
Signature: <i>Tamala J. Robison</i>		Approved by Environmental Specialist: <i>Maria Pruett</i>	
Printed Name: Tamala J. Robison			
Title: Field Admin Support		Approval Date: 8/01/2018	Expiration Date: n/a
E-mail Address: Tamala.Robison@dv.com		Conditions of Approval: See Attached	Attached <input type="checkbox"/> 2RP-4885
Date: 7/25/2018 Phone: 575-748-3371			

* Attach Additional Sheets If Necessary

Incident ID	nAB1821343703
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?	___55' (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 not 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.

State of New Mexico
Oil Conservation Division

Page 4

Incident ID	nAB1821343703
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: Dale Woodall Title: Env. ProfessionalSignature: Dale Woodall Date: 10/2/2023email: dale.woodall@dvn.com Telephone: 575-748-1838**OCD Only**

Received by: _____ Date: _____

Incident ID	nAB1821343703
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: Dale Woodall Title: Env. Professional

Signature: Dale Woodall Date: 10/2/2023

email: dale.woodall@dvn.com Telephone: 575-748-1838

OCD Only

Received by: _____ Date: _____

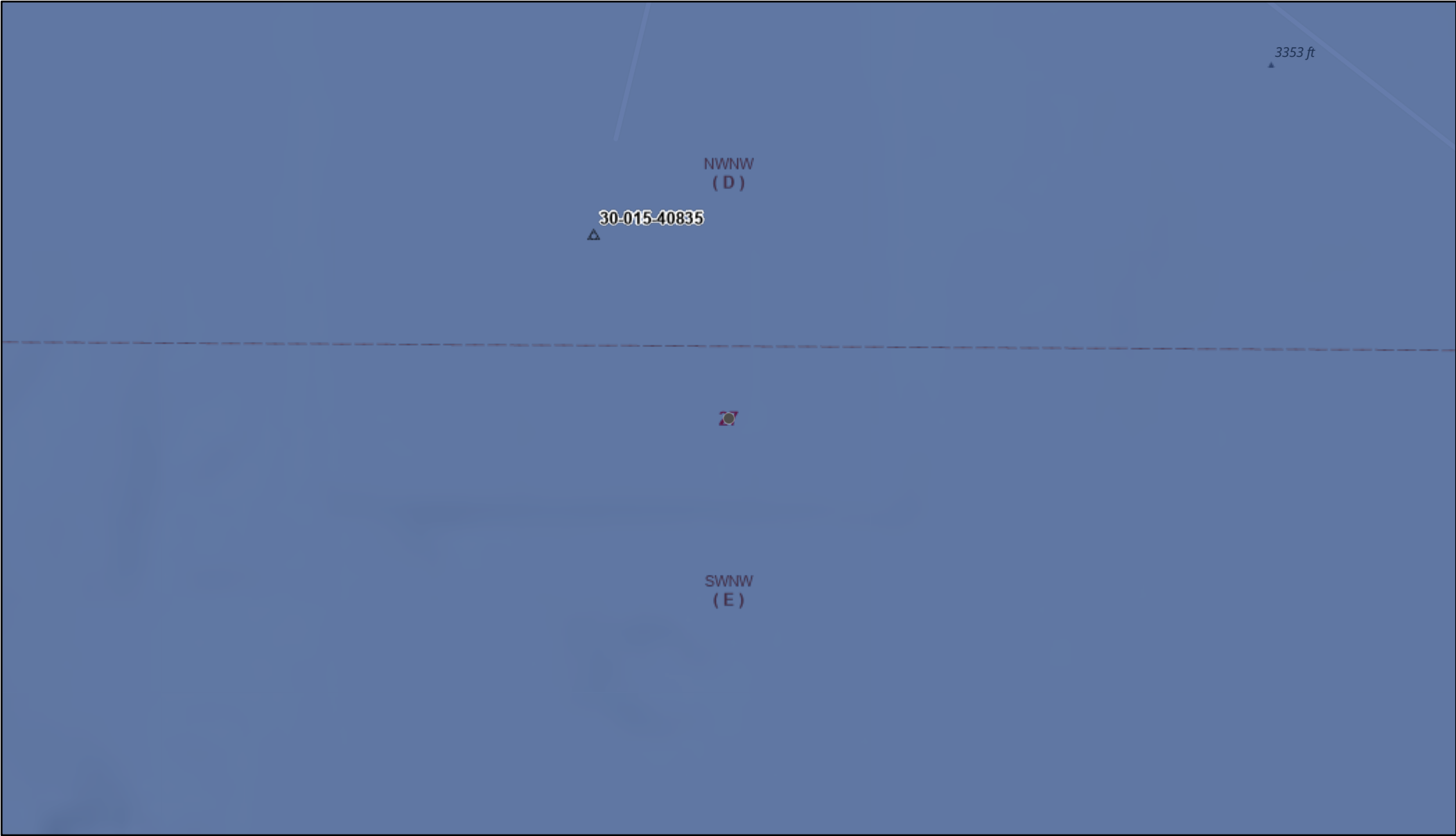
Closure approval by the OCD does not relieve the responsible party of liability should their operations have failed to adequately investigate and remediate contamination that poses a threat to groundwater, surface water, human health, or the environment nor does not relieve the responsible party of compliance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

Closure Approved by: Ashley Maxwell Date: 10/31/2023

Printed Name: Ashley Maxwell Title: Environmental Specialist

SITE CHARACTERIZATION INFORMATION

OCD Well Locations



4/26/2023, 8:02:02 AM

Wells - Large Scale

△ Salt Water Injection, Active

Karst Occurrence Potential

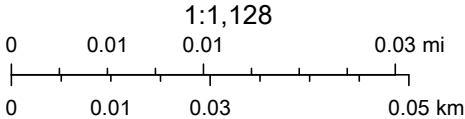
High



PLSS Second Division

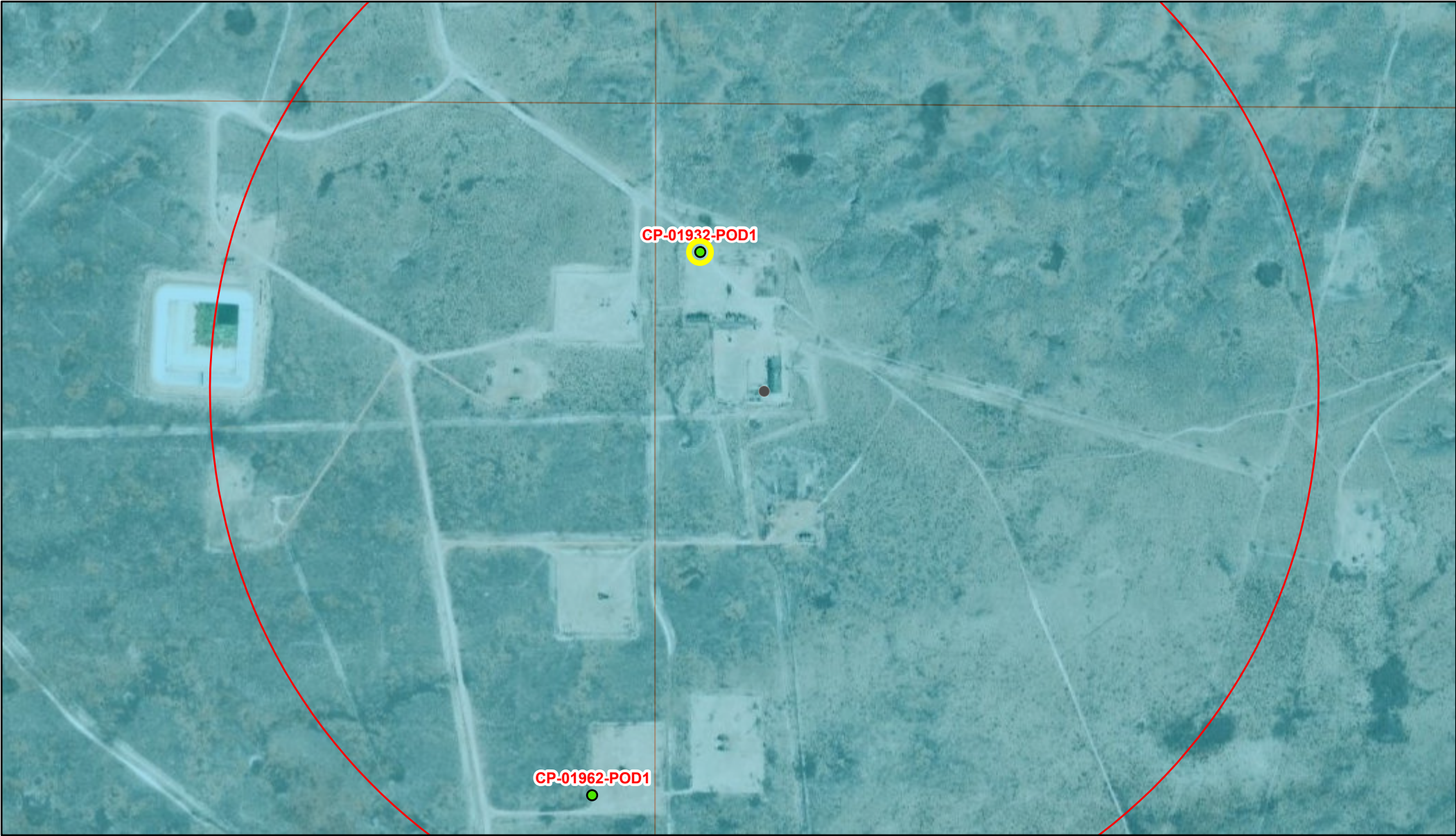


PLSS First Division



BLM, OCD, New Mexico Tech, Oil Conservation Division of the New Mexico Energy, Minerals and Natural Resources Department., Esri Community Maps Contributors, New Mexico State University, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGraph,

OSE POD Locations Map




4/26/2023, 8:52:53 AM

GIS WATERS PODs

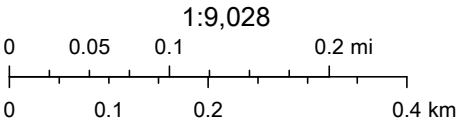
New Mexico State Trust Lands

 Pending

 Both Estates

 OSE District Boundary

 Site Boundaries



Esri, HERE, iPC, U.S. Department of Energy Office of Legacy Management, Esri, HERE, Garmin, iPC, Maxar



New Mexico Office of the State Engineer

Water Right Summary

WR File Number: CP 01962 **Subbasin:** CP **Cross Reference:** -
Primary Purpose: MON MONITORING WELL
Primary Status: PMT PERMIT
Total Acres: **Subfile:** - **Header:** -
Total Diversion: 0 **Cause/Case:** -
Owner: DEVON ENERGY
Contact: DALE WOODALL

Documents on File

Trn #	Doc	File/Act	Status		Transaction Desc.	From/ To	Acres	Diversion	Consumptive
			1	2					
745149	EXPL	2023-03-29	PMT	APR	CP 01962 POD1	T	0	0	

Current Points of Diversion

POD Number	Well Tag	Source	Q (NAD83 UTM in meters)							Other Location Desc		
			64	Q	16	Q	4	Sec	Tws		Rng	X
CP 01962 POD1	NA		2	2	4	28	19S	29E	587025	3610641		

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.

4/26/23 7:50 AM

WATER RIGHT SUMMARY



New Mexico Office of the State Engineer

Water Right Summary


[get image list](#)

WR File Number: CP 01932 **Subbasin:** CP **Cross Reference:** -
Primary Purpose: MON MONITORING WELL
Primary Status: PMT PERMIT
Total Acres: **Subfile:** - **Header:** -
Total Diversion: 0 **Cause/Case:** -
Owner: DEVON ENERGY
Contact: DALE WOODALL

Documents on File

Trn #	Doc	File/Act	Status		Transaction Desc.	From/ To	Acres	Diversion	Consumptive
			1	2					
get images	738670	EXPL 2022-12-08	PMT	APR	CP 01932 POD1	T	0	0	

Current Points of Diversion

(NAD83 UTM in meters)									
POD Number	Well Tag	Source	Q	64Q16Q4Sec	Tws	Rng	X	Y	Other Location Desc
CP 01932 POD1	NA		3	1	1	27 19S 29E	587174	3611427	

The data is furnished by the NMOSE/ISC and is accepted by the recipient with the expressed understanding that the OSE/ISC make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, usability, or suitability for any particular purpose of the data.







4/26/23 7:50 AM

WATER RIGHT SUMMARY

Burton Flat Deep Unit 44

Karst map

Legend

-  0.5 Mile radius
-  300 feet
-  Burton Flat Deep unit 44
-  High
-  Low
-  Medium

 Burton Flat Deep unit 44

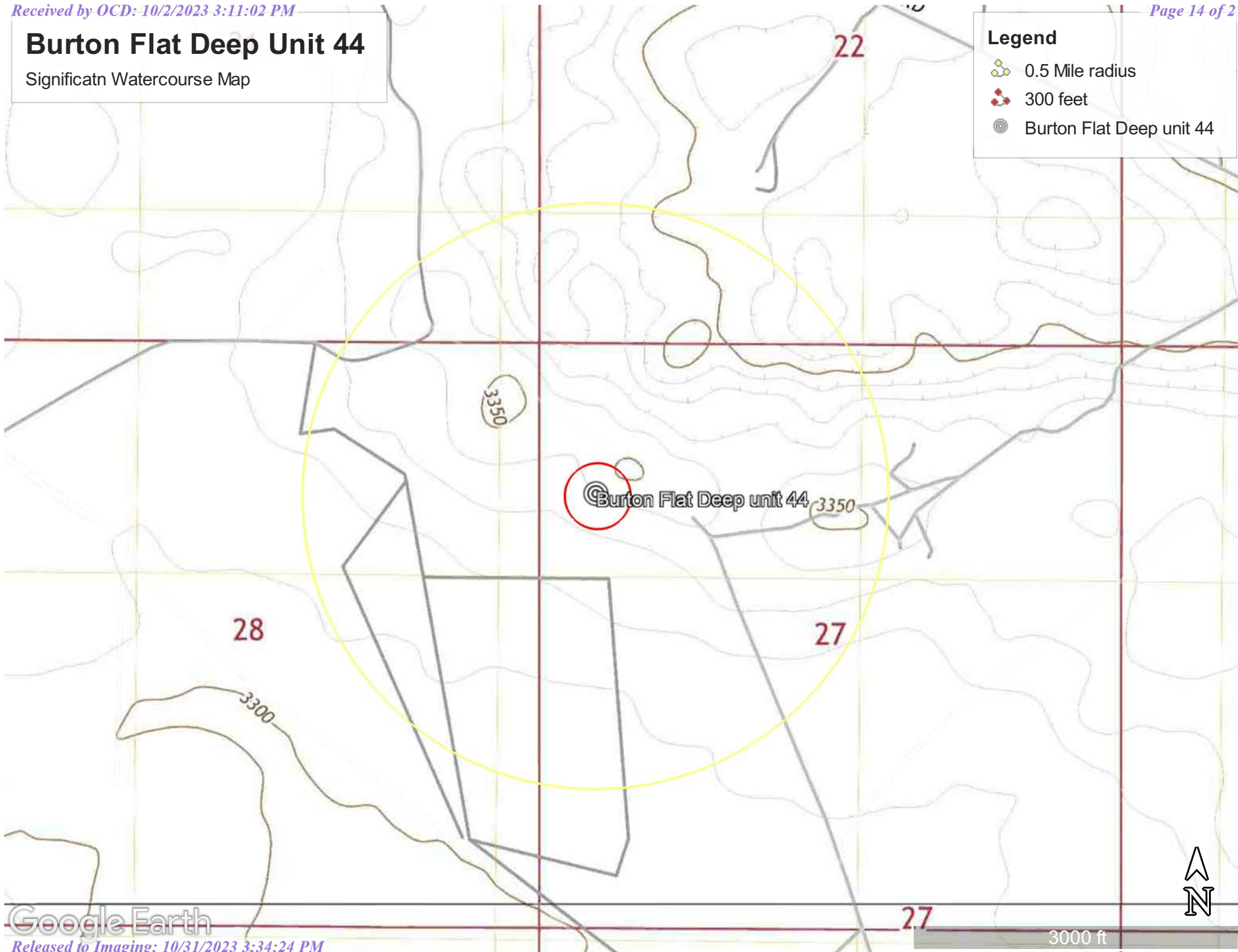


Burton Flat Deep Unit 44

Significatn Watercourse Map

Legend

- 0.5 Mile radius
- 300 feet
- Burton Flat Deep unit 44





U.S. Fish and Wildlife Service

National Wetlands Inventory

Burton 44



April 26, 2023

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

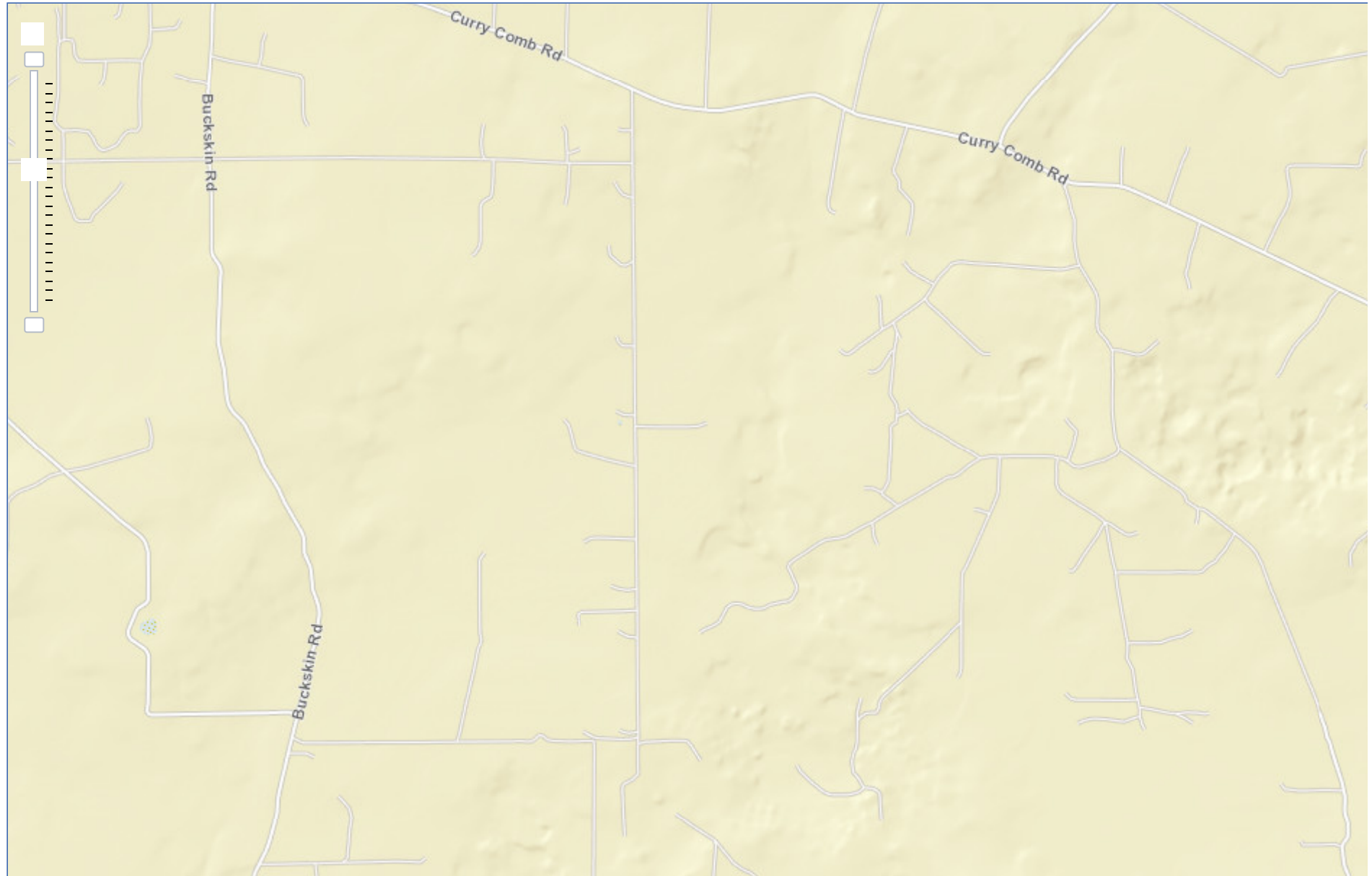
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



National Water Information System: Mapper



National Flood Hazard Layer FIRMette



104°4'29"W 32°38'22"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

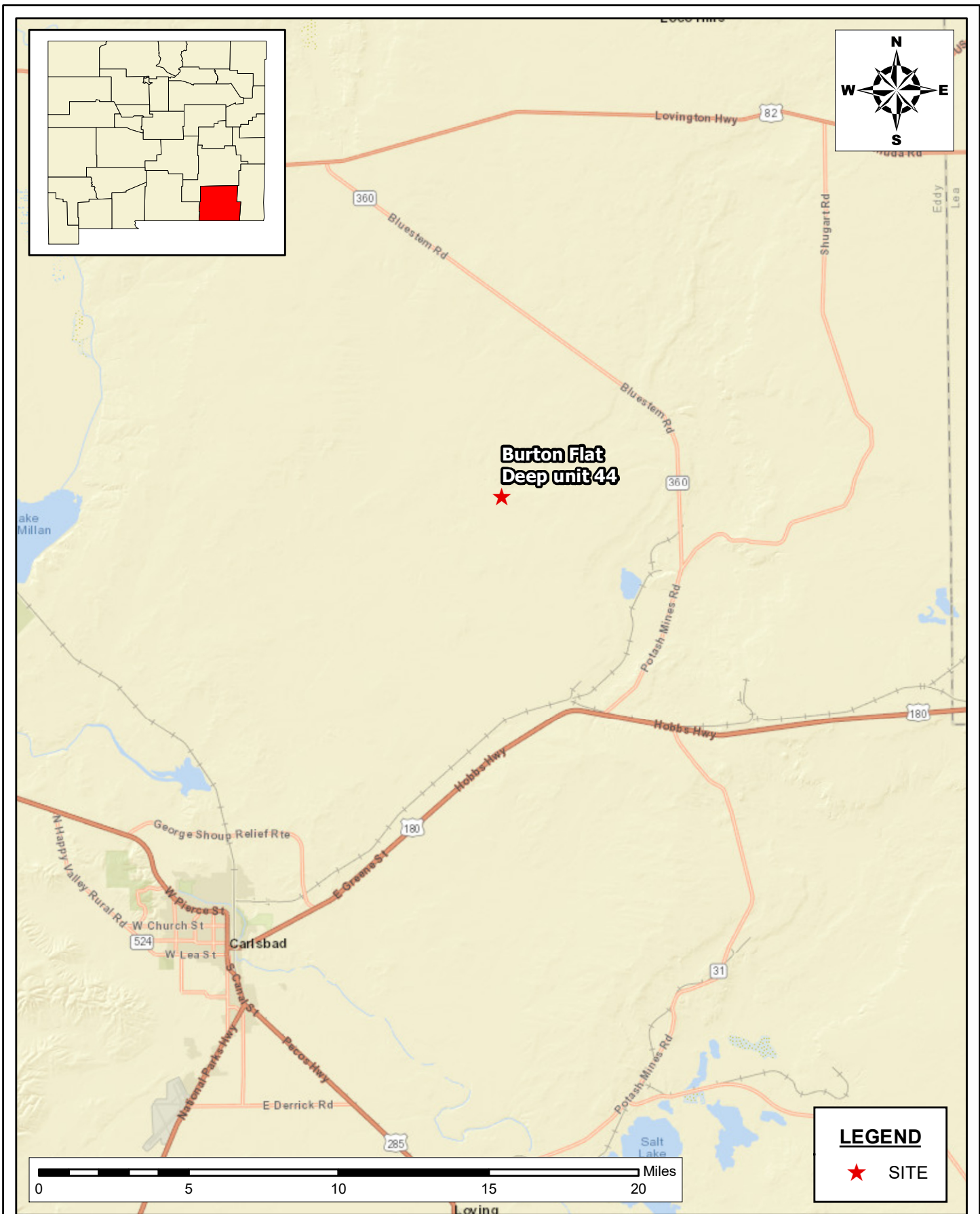
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/26/2023 at 9:58 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

FIGURES

Document Path: P:\2023 PROJECTS\DEVON\NRC\237289 - Burton Flat Deep unit 44\7 - Figures\GIS\Figure_1_SL.mxd



SITE LOCATION MAP
SITE ASSESSMENT REPORT
DEVON ENERGY PRODUCTION COMPANY
BURTON FLAT DEEP UNIT 44
EDDY COUNTY, NEW MEXICO

SCALE: As Shown

Date: 6/23/2023

PROJECT #: 237289



New Tech Global Environmental, LLC
 911 Regional Park Drive
 Houston, Texas 77060
 T - 281.872.9300
 F - 281.872.4521
 Web: www.ntgenvironmental.com

NOTES:

1. Base Image: ESRI Maps & Data 2013
2. Map Projection: NAD 1983

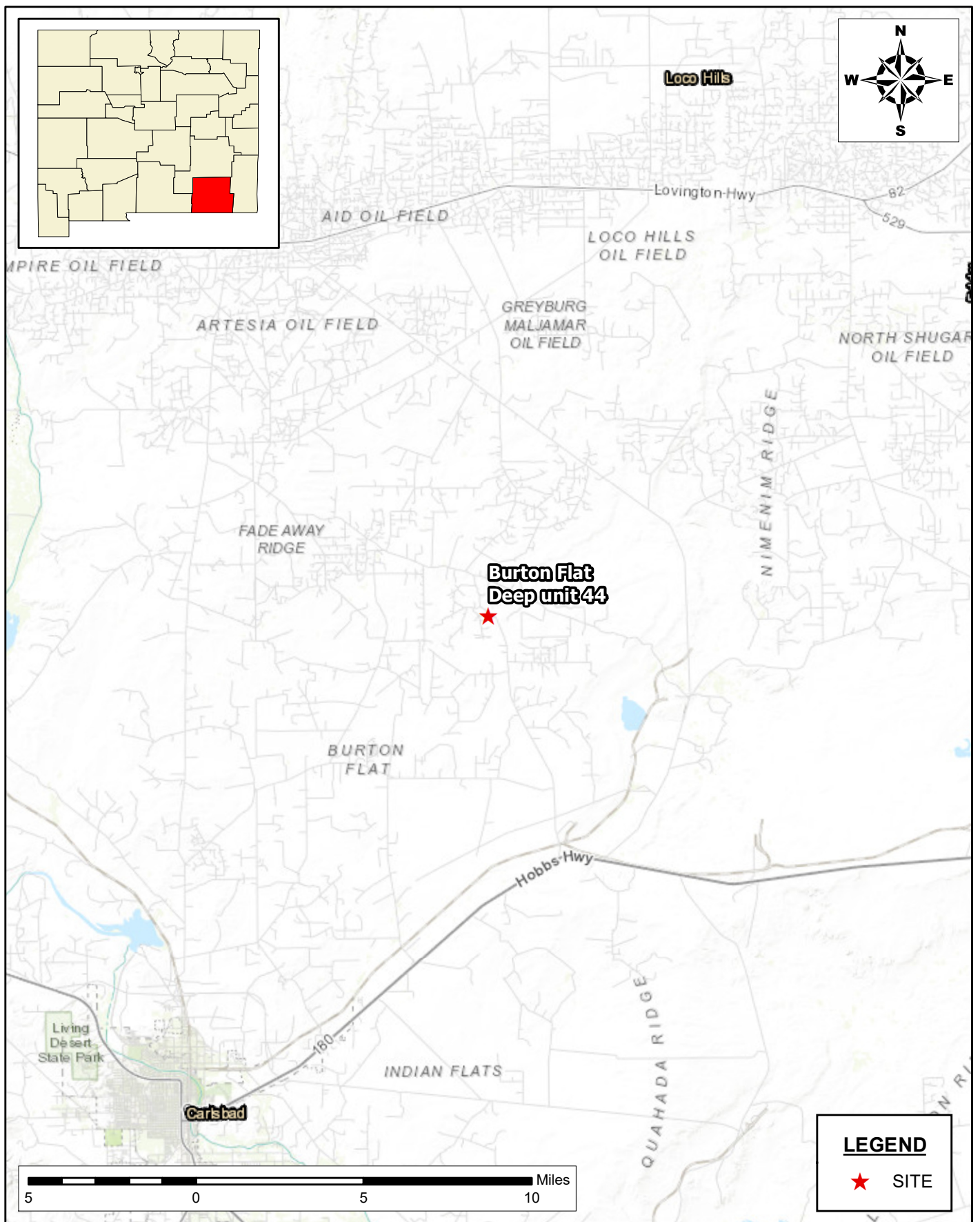
DRAWING NUMBER:

FIGURE 1

SHEET NUMBER:

1 of 1

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**TOPOGRAPHIC MAP
SITE ASSESSMENT REPORT
DEVON ENERGY PRODUCTION COMPANY
BURTON FLAT DEEP UNIT 44
EDDY COUNTY, NEW MEXICO**

SCALE: As Shown Date: 6/23/2023 PROJECT #: 237289



New Tech Global Environmental, LLC
911 Regional Park Drive
Houston, Texas 77060
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NOTES:

1. Base Image: ESRI Maps & Data 2013
2. Map Projection: NAD 1983

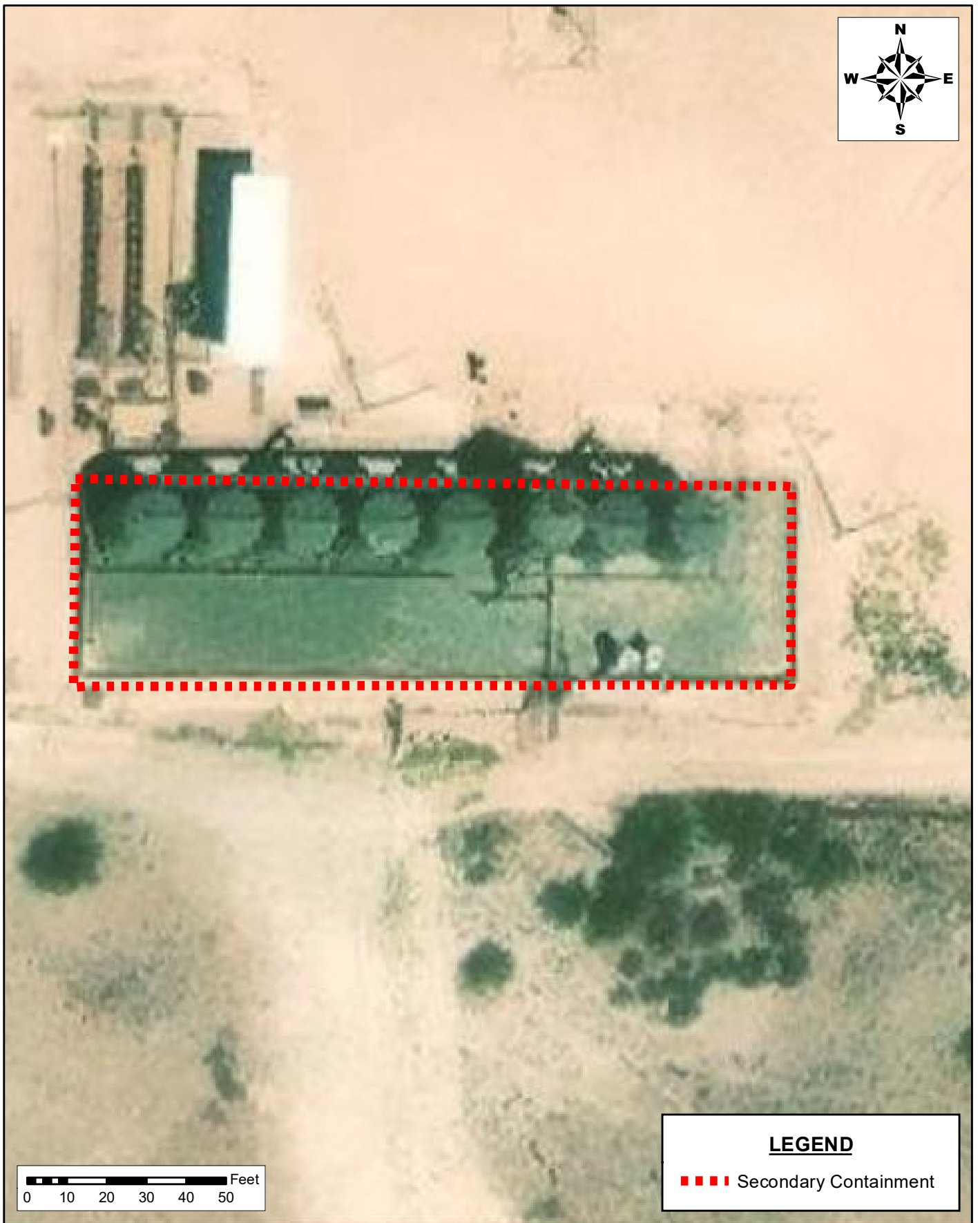
DRAWING NUMBER:

FIGURE 2

SHEET NUMBER:

1 of 1

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LEGEND

■ ■ ■ Secondary Containment

**SECONDARY CONTAINMENT MAP
CLOSURE REPORT
DEVON ENERGY PRODUCTION COMPANY
BURTON FLATS DEEP UNIT #44
EDDY COUNTY, NEW MEXICO**

SCALE: As Shown Date: 8/21/2023 PROJECT #: 237289



New Tech Global Environmental, LLC
911 Regional Park Drive
Houston, Texas 77060
T - 281.872.9300
F - 281.872.4521
Web: www.ntgenviroinmental.com

NOTES:

- 1. Base Image: ESRI Maps & Data 2013
- 2. Map Projection: NAD 1983

DRAWING NUMBER:

FIGURE 3

SHEET NUMBER:

1 of 1

PHOTOGRAPHIC LOG

PHOTOGRAPHIC LOG

Devon Energy Production Company

Photograph No. 1

Facility: Burton Flat Deep Unit 44

County: Eddy County, New Mexico

Description:
View of liner.



Photograph No. 2

Facility: Burton Flat Deep Unit 44

County: Eddy County, New Mexico

Description:
View of liner.



Photograph No. 3

Facility: Burton Flat Deep Unit 44

County: Eddy County, New Mexico

Description:
View of liner.



PHOTOGRAPHIC LOG

Devon Energy Production Company

Photograph No. 4

Facility: Burton Flat Deep Unit 44

County: Eddy County, New Mexico

Description:
View of liner.

**Photograph No. 5**

Facility: Burton Flat Deep Unit 44

County: Eddy County, New Mexico

Description:
View of liner.

**Photograph No. 6**

Facility: Burton Flat Deep Unit 44

County: Eddy County, New Mexico

Description:
View of liner.



PHOTOGRAPHIC LOG

Devon Energy Production Company

Photograph No. 7

Facility: Burton Flat Deep Unit 44

County: Eddy County, New Mexico

Description:
View of liner.

**Photograph No. 8**

Facility: Burton Flat Deep Unit 44

County: Eddy County, New Mexico

Description:
View of liner.

**Photograph No. 9**

Facility: Burton Flat Deep Unit 44

County: Eddy County, New Mexico

Description:
View of liner.



PHOTOGRAPHIC LOG

Devon Energy Production Company

Photograph No. 10

Facility: Burton Flat Deep Unit 44

County: Eddy County, New Mexico

Description:
View of liner.



Photograph No. 11

Facility: Burton Flat Deep Unit 44

County: Eddy County, New Mexico

Description:
View of liner.



Photograph No. 12

Facility: Burton Flat Deep Unit 44

County: Eddy County, New Mexico

Description:
View of liner.



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 271498

CONDITIONS

Operator: DEVON ENERGY PRODUCTION COMPANY, LP 333 West Sheridan Ave. Oklahoma City, OK 73102	OGRID: 6137
	Action Number: 271498
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
amaxwell	None	10/31/2023