



October 30, 2023

Ms. Brittany Hall
New Mexico Energy, Minerals, and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, NM 87505

**Re: REVISED Closure Report
ConocoPhillips
(Heritage COG Operating LLC)
West Brushy 8 Federal SWD #001 Release
Unit Letter A, Section 08, Township 26 South, Range 29 East
Eddy County, New Mexico
Incident ID# nAB1702748717
2RP-4094**

Ms. Hall,

Tetra Tech, Inc. (Tetra Tech) was contacted by ConocoPhillips Company (ConocoPhillips) to evaluate a historical Heritage COG Operating release and subsequent remedial actions performed at the West Brushy 8 Federal SWD #001 (API No. 30-015-31675) release site. The release footprint is located in Public Land Survey System (PLSS) Unit Letter A, Section 08, Township 26 South, Range 29 East, in Eddy County, New Mexico (Site). The approximate release point occurred at coordinates 32.063404°, -103.997568° as shown on Figures 1 and 2. The site is located on federal lands managed by the Bureau of Land Management (BLM).

BACKGROUND

According to the State of New Mexico Oil Conservation Division (NMOCD) C-141 Initial Report, the release was discovered on January 24, 2017. The release was caused by a connection failure in a polyline within a pasture. The connection was replaced, and a vacuum truck was dispatched to remove all freestanding fluids. Approximately 30 bbls of produced water was released on pasture, of which approximately 15 bbls were recovered. The approximate release extent is shown in Figure 3.

The NMOCD approved the initial C-141 on January 27, 2017, and subsequently assigned the release the Incident ID nAB1702748717 and the remediation permit (RP) number 2RP-4094. The initial C-141 form is included in Appendix A.

BBC SITE ASSESSMENT

On February 7, 2017, BBC International (BBC) conducted a site assessment for incident nAB1702748717. Assessment activities consisted of advancing four (4) soil borings (SP1 through SP4) within the approximate release extent. Four (4) cardinal direction soil samples were also collected to achieve horizontal delineation. The assessment sampling locations are presented in Figure 3.

A total of twenty (20) samples were collected from the sample locations and transferred under chain of custody to Cardinal Laboratories (Cardinal) in Hobbs, New Mexico. All soil samples were analyzed for chloride via Method SM4500Cl-B. Selected samples were analyzed for TPH via Method 8015 Modified and

Tetra Tech

901 West Wall St., Suite 100, Midland, TX 79701

Tel 432.682.4559 Fax 432.682.3946 www.tetrattech.com

REVISED Closure Report
October 30, 2023

ConocoPhillips

BTEX via Method 8021B. Analytical results associated with samples collected during the February 2017 assessment activities are summarized in Table 1.

NMOCD APPROVED WORKPLAN

A Delineation Workplan was prepared by BBC based on the results of the February 2017 assessment activities. The Delineation Workplan was submitted to NMOCD on March 29, 2017, and to the BLM via email on March 29, 2017. The Delineation Workplan proposed excavation of the area encompassing SP1 and SP2 to a depth of 3 feet, and the area encompassing SP3 and SP4 to a depth of 2 feet. The excavated areas would then be backfilled with clean soil and revegetated to appropriate standards. The proposed excavation extents are indicated in the figure included in the Delineation Workplan.

The Delineation Workplan was approved by NMOCD via email on April 6, 2017, with the following comment:

- *"Your proposal for remediation of the above referenced release is approved, with the following: OCD requests excavation through the proposed 3' interval at SP1 & SP2, or confirmation samples showing less than 1000 mg/kg remaining. Excavation through the proposed 2' interval at SP3 & SP4, or confirmation samples showing less than 1000 mg/kg remaining. Please advise once remedial activities have been scheduled. Federal sites will require like approval from BLM."*

A copy of the Delineation Workplan is included in the OCD Online Imaging files. Regulatory correspondence is included as Appendix B.

REMEDIAL ACTION, CLOSURE REPORT, AND NMOCD REJECTION

The West Brushy 8 Federal SWD #001 facility was subject to numerous releases in the period between 2015 and 2017. Based on available correspondence, BBC bundled several incidents into one remedial action. Post-assessment, BBC began the excavation of impacted soils in pasture. A Closure Report prepared by BBC states that excavation activities were completed in accordance with the approved Workplan. Areas of the release extent were reportedly excavated to 2 - 3 feet bgs as approved. Photographs of the excavated and backfilled areas were included in the Closure Report. The figure provided in the Closure Report for Incident nAB1702748717 was identical to that provided in the Workplan. A copy of the Closure Report is included as Appendix C.

The Closure Report for four separate releases that occurred at the West Brushy 8 Federal SWD #001 Site, including Incident nAB1702748717, was submitted on January 22, 2019. The Closure Report was rejected by NMOCD for Incident nAB1702748717 on December 12, 2022 with the following comments:

- *"In an email found in the incident details dated 4/6/2017, OCD requests excavation through the proposed 3' interval at SP1 & SP2, or confirmation samples showing less than 1000 mg/kg remaining. Excavation through the proposed 2' interval at SP3 & SP4, or confirmation samples showing less than 1000 mg/kg remaining. No laboratory analytical results found in the report.*
- *2RP-4094 closed. Refer to incident #nAB1702748717 in all future communication.*
- *Please submit a complete report through the OCD Permitting website by 3/17/2023."*

A copy of the NMOCD correspondence is included in Appendix B.

SITE CHARACTERIZATION

The site characterization performed by BBC at the time of the assessment (and ensuing proposed Delineation Workplan) established a depth to groundwater at 75 feet below ground surface (bgs) based on the New Mexico Office of State Engineering (NMOSE) reporting system. This site characterization was accepted when the Delineation Workplan was approved.

Given the age of the release and the associated actions, an updated site characterization was performed for the release footprint for the revised closure request and no sinkholes, residences, schools, hospitals, institutions, churches, springs, private domestic water wells, playa lakes, streams, wetlands, incorporated municipal boundaries, subsurface mines, or floodplains are located within the distances specified in 19.15.29 New Mexico Administrative Code (NMAC). The Site is in an area of medium karst potential. The Pecos River is located approximately 1,800 feet northwest of the Site. Two (2) NMOSE stream bodies are located approximately 600 and 1,000 feet from the release area, respectively.

There are no water wells listed in the NMOSE database located within approximately ½ mile (800 meters) of the site. According to data from two (2) wells listed in the NMOSE database located within approximately 1.5 miles (2,400 meters) from the Site, groundwater was encountered at a minimum depth of 75 feet bgs. The site characterization data is presented in Appendix D.

REGULATORY FRAMEWORK

In accordance with Subsection E of 19.15.29.12 NMAC, per 19.15.29.11 NMAC, the site characterization data was used to determine recommended remedial action levels (RRALs) for benzene, toluene, ethylbenzene, and xylene (collectively referred to as BTEX), total petroleum hydrocarbons (TPH), and chlorides in soil. Additionally, a remedial action level of 1,000 mg/kg was established in NMOCD correspondence associated with the Delineation Workplan approval (Appendix B).

Based on the site characterization, including the lack of groundwater data within a ½-mile radius and the proximity to the Pecos River and stream bodies, and in accordance with Table I of 19.15.29.12 NMAC and the conditions of the Delineation Workplan approval, the RRALs for the Site are as follows:

Constituent	Site RRAL
Chloride	1,000 mg/kg
TPH (GRO+DRO+MRO)	100 mg/kg
BTEX	50 mg/kg
Benzene	10 mg/kg

EVALUATION OF REMEDIAL ACTION

Following receipt of the Closure Report rejection, ConocoPhillips engaged Tetra Tech to review all available historical documentation for all release incidents associated with the West Brushy 8 Federal SWD #001 facility, and to perform visual site inspections of the numerous release incidents in order to ascertain the extent of the remedial actions taken by BBC. No laboratory analytical data or other evidence of confirmation sampling was discovered during the file review.

Tetra Tech personnel visited the release site in February and August 2023 in order to geolocate the photographs of excavated and backfilled areas included in the Closure Report and to determine current site conditions. The remediated area presented in Figure 4 were identified in the field based on the figure included in the approved Workplan and Closure Report and corroborated by the photographs included in the Closure Report as well as observations made during the 2023 visual site inspections. The remediated area is located in an active production area with numerous surface lines, overhead power lines, and vehicular traffic corridors. An equipment yard was constructed adjacent to the 2-foot excavation area at some point following the completion of remediation activities. Vegetative growth was observed in portions of the remediated extent, and no staining or other visible evidence of the release were present at the time of the site visit. Photographic documentation of the 2018 remedial activities and the 2023 site conditions is presented in Appendix E.

REVISED Closure Report
October 30, 2023

ConocoPhillips

CONCLUSION

Based on the current site conditions, and documentation of the previous remedial work completed, ConocoPhillips respectfully requests closure for this incident. Several lines of evidence provide the basis for this request.

- Based on the documentation associated with the remediation conducted by BBC, it appears that the impacted soil within the release footprint on pasture associated with the West Brushy 8 Federal SWD #001 Release has been remediated as per the approved Delineation Workplan.
- Confirmation sampling was not conducted following the remediation activities because remediation was conducted per the Delineation Workplan, which was approved prior to the rule change requiring confirmation sampling.
- The conditions of the approval stated that the release must be excavated to the depths proposed or until confirmation samples indicated chloride concentrations below 1,000 mg/kg.
- Photographic documentation of remedial activities from the Closure Report was geolocated to identify areas associated with Incident ID nAB1702748717, and these photographs confirm that the area was excavated to the proposed depths of 2-3 feet bgs.
- No visible evidence (staining, odor, etc.) was observed in the former release area during the 2023 site visit evaluations.
- Vegetative growth was present in portions of the remediated area, which is currently being used for active production activities.

The final C-141 forms are enclosed in Appendix A. If you have any questions, please call me at (512) 739-7874.

Sincerely,
Tetra Tech, Inc.



Samantha K. Abbott, P.G.
Project Manager



Christian M. Llull, P.G.
Program Manager

cc: Mr. Ike Tavaréz – ConocoPhillips

REVISED Closure Report
October 30, 2023

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LIST OF ATTACHMENTS

Figures:

- Figure 1 – Overview Map
- Figure 2 – Topographic Map
- Figure 3 – Approximate Release Extent and Site Assessment (BBC)
- Figure 4 – Remediation Extents (BBC)

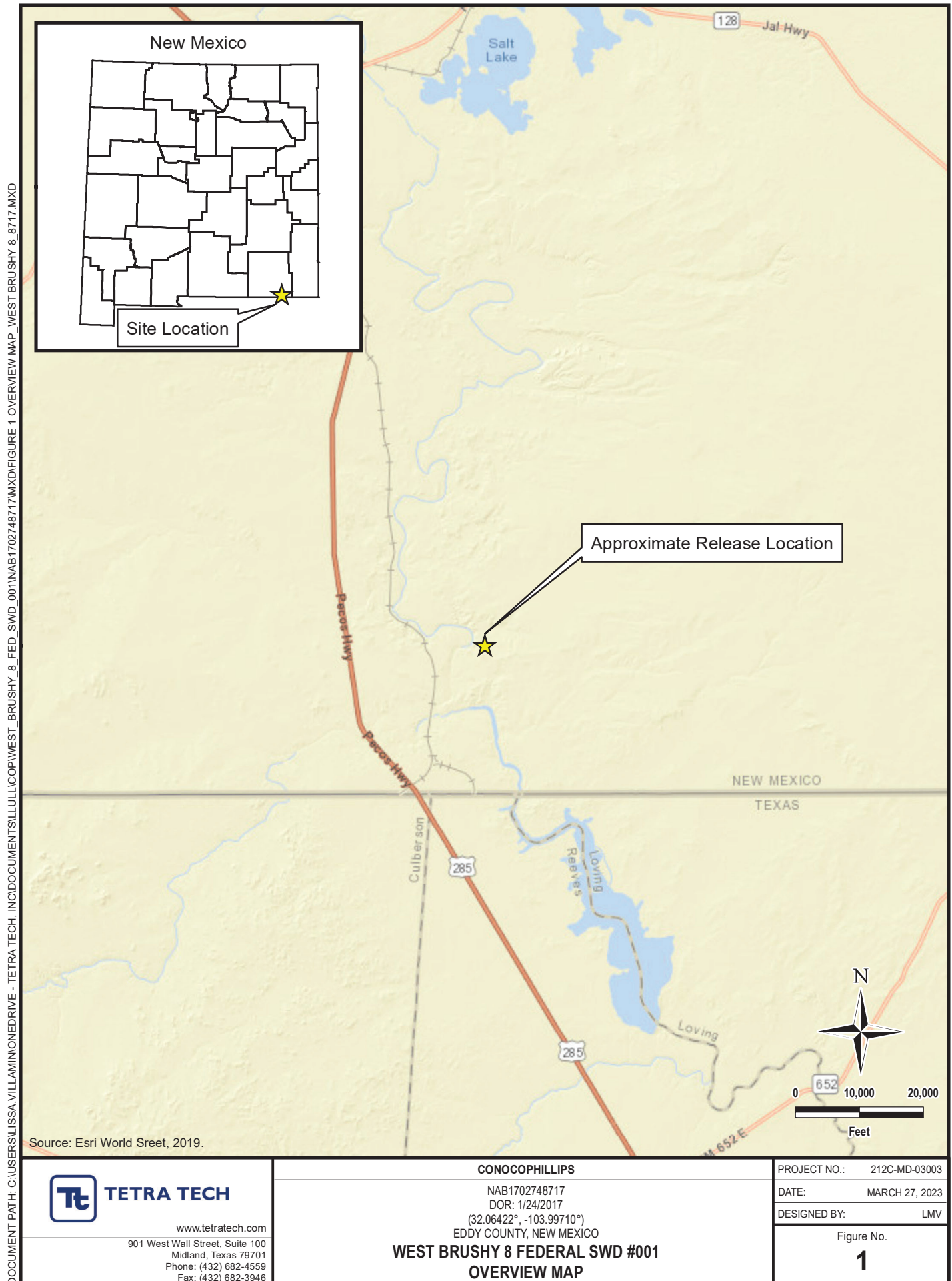
Tables:

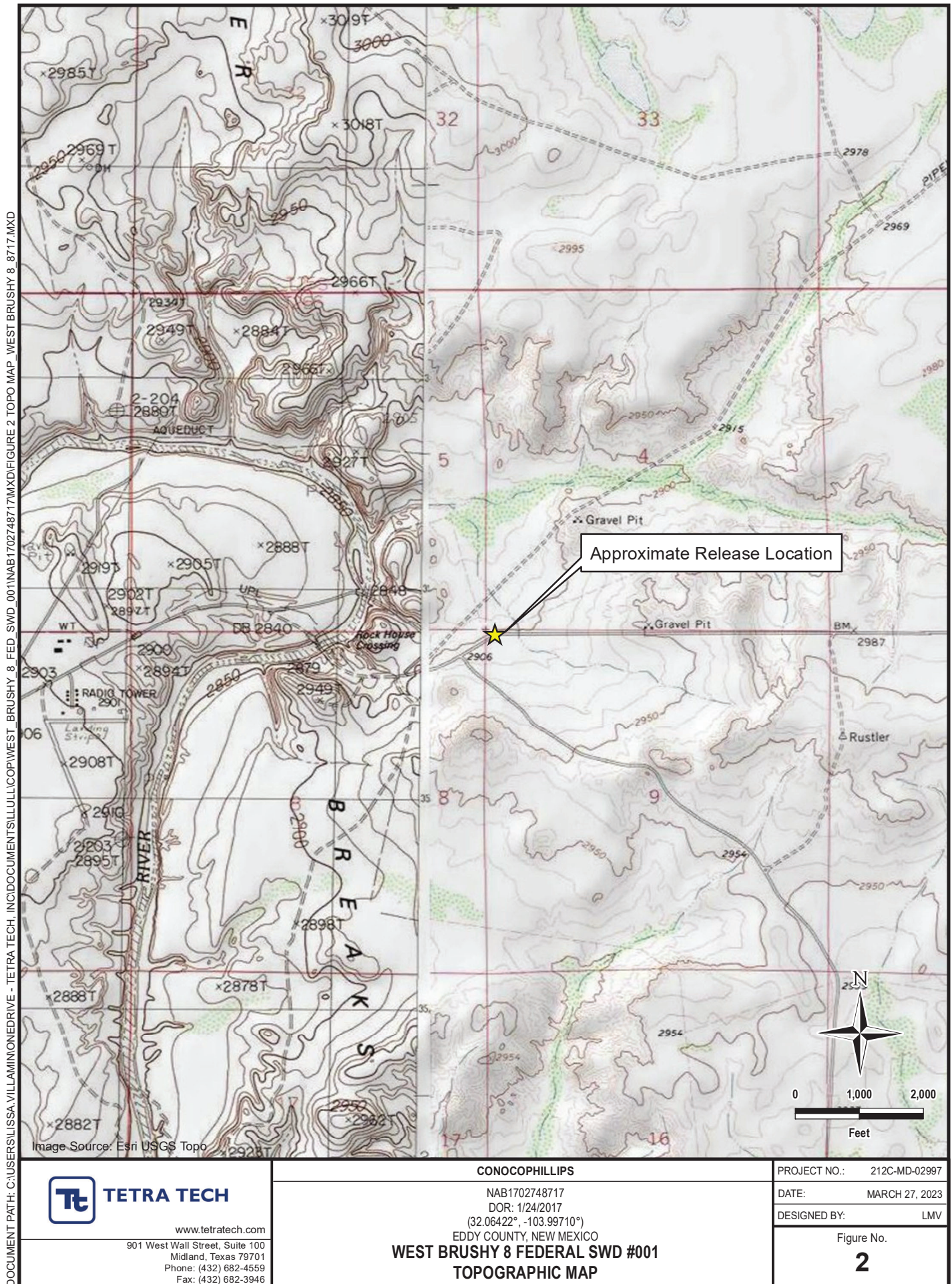
- Table 1 – Summary of Analytical Results – 2017 Soil Assessment

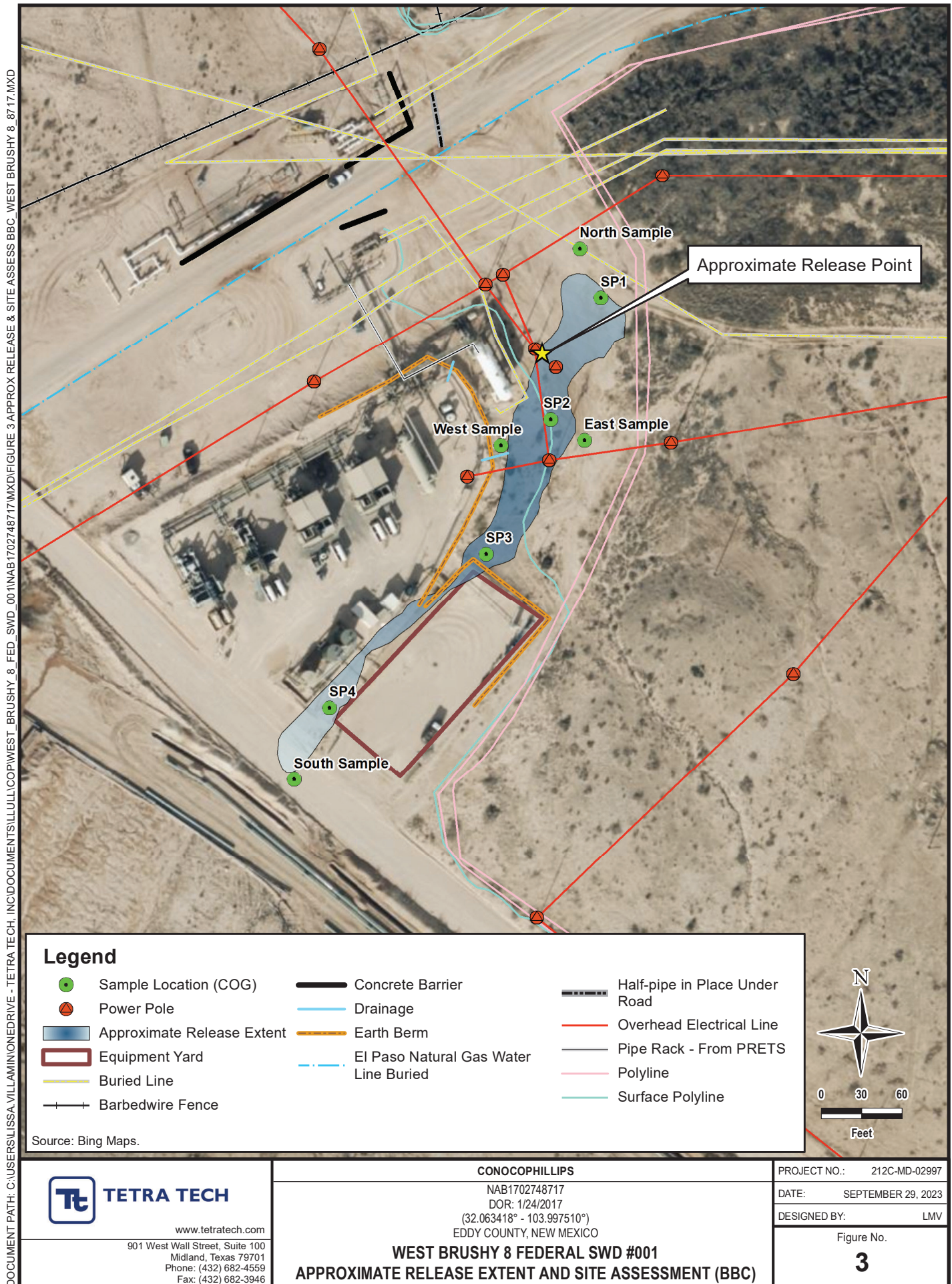
Appendices:

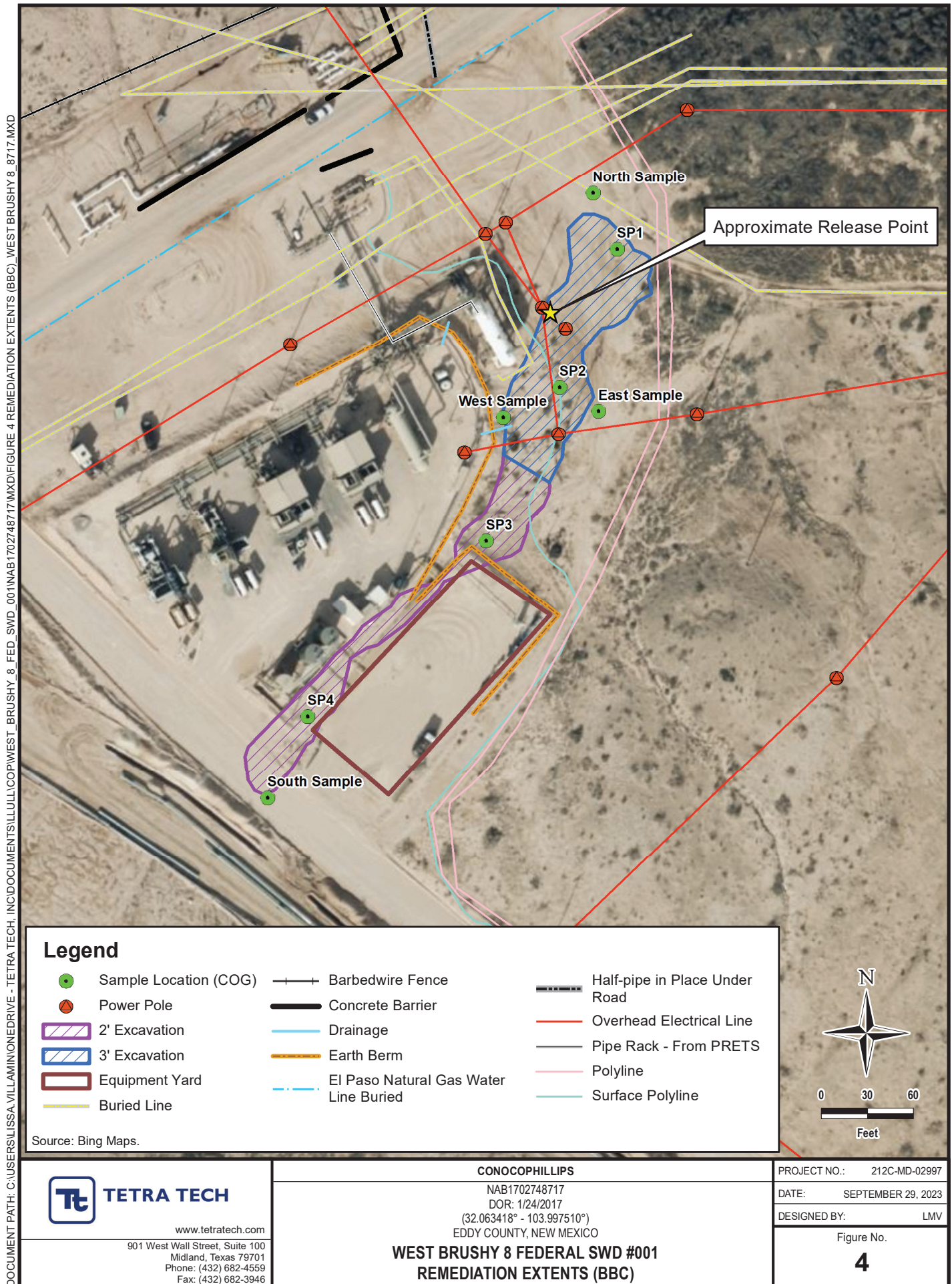
- Appendix A – C-141 Forms
- Appendix B – Regulatory Correspondence
- Appendix C – 2019 BBC Closure Report
- Appendix D – Site Characterization Data
- Appendix E – Photographic Documentation

FIGURES









TABLES

TABLE 1
SUMMARY OF ANALYTICAL RESULTS
BBC SOIL ASSESSMENT- nAB1702748717
CONOCOPHILLIPS
WEST BRUSHY 8 FEDERAL SWD #1
EDDY COUNTY, NM

Sample ID	Sample Date	Sample Depth	Chloride ¹		BTEX ²										TPH ³							
					Benzene		Toluene		Ethylbenzene		Total Xylenes		Total BTEX		GRO		DRO		EXT DRO		Total TPH (GRO+DRO+EXT DRO)	
		ft. bgs	mg/kg	Q	mg/kg	Q	mg/kg	Q	mg/kg	Q	mg/kg	Q	mg/kg	Q	mg/kg	Q	mg/kg	Q	mg/kg	Q		mg/kg
SP1	2/7/2017	1	10,800		<0.050		<0.050		<0.050		<0.150		<0.300		<10.0		<10.0		NS		-	
		3	5,200		NS		NS		NS		NS		NS		NS		NS		NS		-	
		4	848		NS		NS		NS		NS		NS		NS		NS		NS		-	
		5	48.0		NS		NS		NS		NS		NS		NS		NS		NS		-	
SP2	2/7/2017	1	9,000		<0.050		<0.050		<0.050		<0.150		<0.300		<10.0		<10.0		NS		-	
		3	5,360		NS		NS		NS		NS		NS		NS		NS		NS		-	
		4	656		NS		NS		NS		NS		NS		NS		NS		NS		-	
		5	64.0		NS		NS		NS		NS		NS		NS		NS		NS		-	
SP3	2/7/2017	1	11,700		<0.050		<0.050		<0.050		<0.150		<0.300		<10.0		<10.0		NS		-	
		2	4,960		NS		NS		NS		NS		NS		NS		NS		NS		-	
		3	400		NS		NS		NS		NS		NS		NS		NS		NS		-	
		4	80.0		NS		NS		NS		NS		NS		NS		NS		NS		-	
SP4	2/7/2017	1	8,660		<0.050		<0.050		<0.050		<0.150		<0.300		<10.0		<10.0		NS		-	
		2	4,480		NS		NS		NS		NS		NS		NS		NS		NS		-	
		3	416		NS		NS		NS		NS		NS		NS		NS		NS		-	
		4	48.0		NS		NS		NS		NS		NS		NS		NS		NS		-	
North	2/7/2017	Surface	48.0		NS		NS		NS		NS		NS		NS		NS		NS		-	
East	2/7/2017	Surface	64.0		NS		NS		NS		NS		NS		NS		NS		NS		-	
West	2/7/2017	Surface	48.0		NS		NS		NS		NS		NS		NS		NS		NS		-	
South	2/7/2017	Surface	48.0		NS		NS		NS		NS		NS		NS		NS		NS		-	

NOTES:

- ft. Feet
- bgs Below ground surface
- mg/kg Milligrams per kilogram
- TPH Total Petroleum Hydrocarbons
- GRO Gasoline range organics
- DRO Diesel range organics
- 1 Method SM4500Cl-B
- 2 Method 8021B
- 3 Method 8015M
- NS Analyte not sample for parameter

Bold and italicized values indicate exceedance of proposed Remediation RRALs.
Shaded rows indicate intervals that were removed during the remedial activities.

QUALIFIERS:

APPENDIX A C-141 Forms

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

NM OIL CONSERVATION

ARTESIA DISTRICT

JAN 25 2017

Form C-141
Revised August 8, 2011

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

RECEIVED

Release Notification and Corrective Action

DAB1702748717

OPERATOR		<input checked="" type="checkbox"/> Initial Report	<input type="checkbox"/> Final Report
Name of Company:	COG Operating LLC 229137	Contact:	Robert McNeill
Address:	600 West Illinois Avenue, Midland TX 79701	Telephone No.	432-683-7443
Facility Name:	West Brushy 8 Federal SWD #001	Facility Type:	SWD
Surface Owner:	Federal	Mineral Owner:	
		API No.	30-015-31675

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
A	08	26S	29E	660	North	330	East	Eddy

Latitude Longitude

NATURE OF RELEASE

Type of Release:	Produced Water	Volume of Release:	30 bbls	Volume Recovered:	15 bbls
Source of Release:	Flowline	Date and Hour of Occurrence:	January 24, 2017 10:30 am	Date and Hour of Discovery:	January 24, 2017 10:30 am
Was Immediate Notice Given?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom?	Ms. Weaver - NMOCD / Shelly Tucker - BLM		
By Whom?	Rebecca Haskell	Date and Hour:	January 24, 2017 3:05 pm	* 2:05pm e-mail	
Was a Watercourse Reached?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.			
If a Watercourse was Impacted, Describe Fully.*					
Describe Cause of Problem and Remedial Action Taken.*					
The release was due to a connection failure in a polyline. The connection was replaced.					
Describe Area Affected and Cleanup Action Taken.*					
The release was within a pasture. A vacuum truck was dispatched to remove all freestanding fluids. Concho will have the spill area sampled to delineate any possible impact from the release and we will present a remediation work plan to the NMOCD for approval prior to any significant 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 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:	Rebecca Haskell				
Printed Name:	Rebecca Haskell	OIL CONSERVATION DIVISION			
Title:	Senior HSE Coordinator	Signed By: Mike [Signature]			
E-mail Address:	rhaskell@concho.com	Approved by Environmental Specialist:			
Date:	January 25, 2017	Approval Date:	1/27/17	Expiration Date:	N/A
Phone:	432-683-7443	Conditions of Approval:			Attached <input type="checkbox"/>
		See attached			

* Attach Additional Sheets If Necessary

2RP-4094

Operator/Responsible Party,

The OCD has received the form C-141 you provided on 1/25/17 regarding an unauthorized release. The information contained on that form has been entered into our incident database and remediation case number 202-4094 has been assigned. **Please refer to this case number in all future correspondence.**

It is the Division's obligation under both the Oil & Gas Act and Water Quality Act to provide for the protection of public health and the environment. Our regulations (19.15.29.11 NMAC) state the following,

The responsible person shall complete division-approved corrective action for releases that endanger public health or the environment. The responsible person shall address releases in accordance with a remediation plan submitted to and approved by the division or with an abatement plan submitted in accordance with 19.15.30 NMAC. [emphasis added]

Release characterization is the first phase of corrective action unless the release is ongoing or is of limited volume and all impacts can be immediately addressed. Proper and cost-effective remediation typically cannot occur without adequate characterization of the impacts of any release. Furthermore, the Division has the ability to impose reasonable conditions upon the efforts it oversees. **As such, the Division is requiring a workplan for the characterization of impacts associated with this release be submitted to the OCD District 2 office in Artesia on or before 2/25/17.** If and when the release characterization workplan is approved, there will be an associated deadline for submittal of the resultant investigation report. Modest extensions of time to these deadlines may be granted, but only with acceptable justification.

The goals of a characterization effort are: 1) determination of the lateral and vertical extents along with the magnitude of soil contamination. 2) determine if groundwater or surface waters have been impacted. 3) If groundwater or surface waters have been impacted, what are the extents and magnitude of that impact. 4) The characterization of any other adverse impacts that may have occurred (examples: impacts on vegetation, impacts on wildlife, air quality, loss of use of property, etc.). To meet these goals as quickly as possible, the following items must, at a minimum, be addressed in the release characterization workplan and subsequent reporting:

- Horizontal delineation of soil impacts in each of the four cardinal compass directions. Adsorbed soil contamination must be characterized for the following constituents using the associated laboratory methods: benzene, toluene, ethylbenzene, and total xylenes by either Method 8260 or 8021, total petroleum hydrocarbons by Method 8015 extended range (GRO+DRO+MRO; C₆ thru C₃₆), and for chloride by Method 300. This is not an exclusive list of potential contaminants. Analyzed parameters should be modified based on the nature of the released substance(s). Soil sampling must be both within the impacted area and beyond.

- Vertical delineation of soil impacts. Adsorbed soil contamination must be characterized for the following constituents using the associated laboratory methods: benzene, toluene, ethylbenzene, and total xylenes by either Method 8260 or 8021, total petroleum hydrocarbons by Method 8015 extended range (GRO+DRO+MRO; C₆ thru C₃₆), and for chloride by Method 300. As above, this is not an exclusive list of potential contaminants and can be modified. Vertical characterization samples should be taken at depth intervals no greater than five feet apart. Lithologic description of encountered soils must also be provided. At least ten vertical feet of soils with contaminant concentrations at or below these values must be demonstrated as existing above the water table.

- Nominal detection limits for field and laboratory analyses must be provided.

- Composite sampling is not generally allowed.

- Field screening and assessment techniques are acceptable (headspace, titration, EC [include algorithm for validation purposes], EM, etc.), but the sampling and assay procedures must be clearly defined. Copies of field notes are highly desirable. A statistically significant set of split samples must be submitted for confirmatory laboratory analysis, including the laterally farthest and vertically deepest sets of soil samples. Make sure there are at least two soil samples submitted

for laboratory analysis from each borehole or test pit (highest observed contamination and deepest depth investigated). Copies of the actual laboratory results must be provided including chain of custody documentation.

- Probable depth to shallowest protectable groundwater and lateral distance to nearest surface water. If there is an estimate of groundwater depth, the information used to arrive at that estimate must be provided. If there is a reasonable assumption that the depth to protectable water is 50 feet or less, the responsible party should anticipate the need for at least one groundwater monitoring well to be installed in the area of likely maximum contamination.

- If groundwater contamination is encountered, an additional investigation workplan may be required to determine the extents of that contamination. Groundwater and/or surface water samples, if any, must be analyzed by a competent laboratory for volatile organic hydrocarbons (typically Method 8260 full list), total dissolved solids, pH, major anions and cations including chloride and sulfate, dissolved iron, and dissolved manganese. The investigation workplan must provide the groundwater sampling method(s) and sample handling protocols. To the fullest extent possible, aqueous analyses must be undertaken using nominal method detection limits. As with the soil analyses, copies of the actual laboratory results must be provided including chain of custody documentation.

- Accurately scaled and well-drafted site maps must be provided providing the location of borings, test pits, monitoring wells, potentially impacted areas, and significant surface features including roads and site infrastructure that might limit either the release characterization or remedial efforts. Field sketches may be included in subsequent reporting, but should not be considered stand-alone documentation of the site's layout. Digital photographic documentation of the location and fieldwork is recommended, especially if unusual circumstances are encountered.

Nothing herein should be interpreted to preclude emergency response actions or to imply immediate remediation by removal cannot proceed as warranted. Nonetheless, characterization of impacts and confirmation of the effectiveness of remedial efforts must still be provided to the OCD before any release incident will be closed.

Jim Griswold

OCD Environmental Bureau Chief
1220 South St. Francis Drive
Santa Fe, New Mexico 87505
505-476-3465
jim.griswold@state.nm.us

Incident ID	nAB1702748717
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?	75 (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.

Oil Conservation Division

Incident ID	nAB1702748717
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: Ike Tavarez _____ Title: Program Manager, Remediation _____

Signature:  _____ Date: 10/30/2023 _____

email: Ike.Tavarez@conocophillips.com _____ Telephone: 432-685-2573 _____

OCD Only

Received by: Shelly Wells _____ Date: 10/31/2023 _____

Incident ID	nAB1702748717
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: Ike Tavarez Title: Program Manager, Remediation

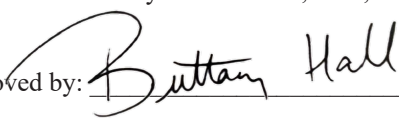
Signature:  Date: 10/30/2023

email: Ike.Tavarez@conocophillips.com Telephone: 432-685-2573

OCD Only

Received by: Shelly Wells Date: 10/31/2023

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: 11/6/2023

Printed Name: Brittany Hall Title: Environmental Specialist

APPENDIX B

Regulatory Correspondence

Bratcher, Mike, EMNRD

From: Bratcher, Mike, EMNRD
Sent: Thursday, April 6, 2017 12:57 PM
To: 'Cliff Brunson'
Cc: Becky Haskell; Ken Swinney; Jennifer Gilkey; Kathy Purvis; Tucker, Shelly
Subject: RE: COG West Brushy 8 Federal SWD #1 - Delineation Workplan

RE: COG * West Brushy 8 Fed 1 * 2RP-4094 * DOR: 1/24/17

Cliff,

Your proposal for remediation of the above referenced release is approved, with the following: OCD requests excavation through the proposed 3' interval at SP1 & SP2, or confirmation samples showing less than 1000 mg/kg remaining. Excavation through the proposed 2' interval at SP3 & SP4, or confirmation samples showing less than 1000 mg/kg remaining. Please advise once remedial activities have been scheduled. Federal sites will require like approval from BLM.

OCD approval does not relieve the operator of liability should their operations fail to adequately investigate and remediate contamination that may pose a threat to ground water, surface water, human health or the environment. In addition, OCD approval does not relieve the operator of responsibility for compliance with any other federal, state, local laws and/or regulations.

If you have any questions or concerns, and for notification, please contact me.

Mike Bratcher
NMOCD District 2
811 S. First St.
Artesia NM 88210
575-748-1283 Ext 108
mike.bratcher@state.nm.us

From: Cliff Brunson [mailto:cbrunson@bbcinternational.com]
Sent: Wednesday, March 29, 2017 3:00 PM
To: Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>
Cc: Becky Haskell <rhaskell@concho.com>; Ken Swinney <kswinney@bbcinternational.com>; Jennifer Gilkey <jgilkey@bbcinternational.com>; Kathy Purvis <kathy@bbcinternational.com>
Subject: COG West Brushy 8 Federal SWD #1 - Delineation Workplan

Mike,

I have attached a Delineation and remediation packet for the COG West Brushy 8 Federal SWD #1 that I told you I would send. If you would please review and give me a call to discuss if needed. If this meets with your approval, a return email approving the remediation would be greatly appreciated.

Thanks, Cliff

Cliff P. Brunson, CEI, CRS
President
BBC International, Inc.

World-Wide Environmental Specialists
Mailing Address:
P. O. Box 805
Hobbs, NM 88241-0805 USA
Shipping Address:
1324 W. Marland St.
Hobbs, NM 88240 USA
Phone: (575) 397-6388
Fax: (575) 397-0397
E-Mail: cbrunson@bbcinternational.com



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Chavira, Lisbeth

From: Hall, Brittany, EMNRD <Brittany.Hall@emnrd.nm.gov>
Sent: Tuesday, April 11, 2023 2:50 PM
To: Chavira, Lisbeth
Cc: Abbott, Sam; Llull, Christian
Subject: RE: [EXTERNAL] Extension Request - Application ID: 166040 (nAB1702748717)

⚠ CAUTION: This email originated from an external sender. Verify the source before opening links or attachments. **⚠**

Lisbeth,

Your extension request for **nAB1702748717** is approved. New due date is now 6/15/2023.

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.

Thank you,

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
<http://www.emnrd.nm.gov/ocd/>

From: Chavira, Lisbeth <LISBETH.CHAVIRA@tetrattech.com>
Sent: Tuesday, April 11, 2023 1:43 PM
To: Hall, Brittany, EMNRD <Brittany.Hall@emnrd.nm.gov>
Cc: Abbott, Sam <Sam.Abbott@tetrattech.com>; Llull, Christian <Christian.Llull@tetrattech.com>
Subject: [EXTERNAL] Extension Request - Application ID: 166040 (nAB1702748717)

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

Ms. Hall:

On behalf of ConocoPhillips, Tetra Tech is requesting a 90-day extension (until June 15, 2023) to complete the associated reporting for the West Brushy 8 Federal SWD #001 Release site (**nAB1702748717**).

ConocoPhillips recently received a large volume of NMOCD determinations related to unresolved releases from ConocoPhillips' predecessor-in-interest ("COG") via the *Internal Manual Incident File Supporting Documentation (ENV)* (IM-BNF) process.

Given the difficulties inherent with available resource allocation for several projects with similar deadlines within a short period of time, this schedule is not currently practical.

ConocoPhillips plans to conduct additional work in the coming months however, and once the data is collected, tabulated, and evaluated, a subsequent report will be submitted to the OCD.

Please let me know if you have any questions or concerns.

Thank you,

Lisbeth Chavira | Staff Geoscientist

Direct Mobile +1 (512) 596-8201 | Lisbeth.chavira@tetrattech.com

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From: [Hall, Brittany, EMNRD](#)
To: [Abbott, Sam](#)
Cc: [Llull, Christian](#); [Chavira, Lisbeth](#)
Subject: RE: [EXTERNAL] Extension Request - nAB1529948530, nAB1702748717 ,nAB1715742101, nAB1619432451
Date: Friday, September 15, 2023 2:24:50 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

CAUTION: This email originated from an external sender. Verify the source before opening links or attachments.

Ms. Abbott,

Thank you for the information. OCD will grant an extension until October 30, 2023, for all four releases (**nAB1529948530, nAB1702748717 ,nAB1715742101, nAB1619432451**).

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 files.

Thank you,

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
<http://www.emnrd.nm.gov/ocd/>

From: Abbott, Sam <Sam.Abbott@tetrattech.com>
Sent: Friday, September 15, 2023 12:18 PM
To: Hall, Brittany, EMNRD <Brittany.Hall@emnrd.nm.gov>
Cc: Llull, Christian <Christian.Llull@tetrattech.com>; Chavira, Lisbeth <LISBETH.CHAVIRA@tetrattech.com>
Subject: RE: [EXTERNAL] Extension Request - Application ID 206727 (nAB1529948530)

Ms. Hall,

The remedial action performed by BBC was grouped over four individual release footprints and the closure report was aggregated into one combined deliverable. Although BBC did complete remedial action over several different portions of the footprint, it has been difficult to discern which portions of each individual release extent was acted upon based on the provided figures, which were not drawn to scale, and the photographs, which did not differentiate between release areas.

Considerable time and effort has been spent to review all available documentation for each of the four release incidents, including work plans and regulatory correspondence; and decipher exactly which areas were worked on by BBC as documented in the rejected closure report, while attempting to designate areas in the field with areas identified in the figures and photographs. The site is an extremely busy and active area with numerous subsurface and surface hazards which has also hampered project progress. Tetra Tech has photographic

documentation of multiple site visits conducted in 2023, which are provided here.

Tetra Tech is committed to provide a quality deliverable to the NMOCD in an attempt to close these incidents, however, the difficulties inherent with the noted matters require more time and effort.

Sam

Samantha Abbott, PG | Project Manager

Direct Mobile +1 (512) 739-7874 | Business +1 (512) 338-1667 | Sam.Abbott@tetrattech.com

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8911 N Capital of Texas Hwy #2310 | Austin, TX 78759 | tetrattech.com

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From: Hall, Brittany, EMNRD <Brittany.Hall@emnrd.nm.gov>

Sent: Thursday, September 14, 2023 3:21 PM

To: Abbott, Sam <Sam.Abbott@tetrattech.com>

Cc: Llull, Christian <Christian.Llull@tetrattech.com>; Chavira, Lisbeth
<LISBETH.CHAVIRA@tetrattech.com>

Subject: RE: [EXTERNAL] Extension Request - Application ID 206727 (nAB1529948530)

⚠ CAUTION: This email originated from an external sender. Verify the source before opening links or attachments. **⚠**

Ms. Abbott,

This incident (nAB1529948530) is already out of compliance as the release was discovered 9/13/2015 and a complete report was due on 8/1/2023.

Your email states that "ConocoPhillips has completed a site visit to evaluate current conditions and identify safety hazards present in the incident release area". Was anything identified that would justify the need for additional time? Per 19.15.29.12 B. (2) NMAC "an extension of time may be requested upon a showing of good cause as determined by the division".

Thank you,

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

<http://www.emnrd.nm.gov/ocd/>

From: Abbott, Sam <Sam.Abbott@tetrattech.com>
Sent: Tuesday, September 12, 2023 4:26 PM
To: Hall, Brittany, EMNRD <Brittany.Hall@emnrn.dnm.gov>
Cc: Llull, Christian <Christian.Llull@tetrattech.com>; Chavira, Lisbeth <LISBETH.CHAVIRA@tetrattech.com>
Subject: [EXTERNAL] Extension Request - Application ID 206727 (nAB1529948530)

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Ms. Hall:

On behalf of ConocoPhillips, Tetra Tech is requesting an additional 90-day extension (until October 30, 2023) to complete reporting for the West Brushy 8 Federal SWD #001 Release site (nAB1529948530).

The original closure report completed by BBC was denied by OCD for the following reasons:

- Closure/deferral was rejected for this release in 2016 based on the location of the release and the release not being fully delineated. There are numerous releases that have occurred at this site and have not been closed. If there was overlap of the releases, the approved workplans will need to be provided as stated in this closure report. Submit a complete report through the OCD Permitting website by 8/1/2023. 2RP-3353 closed. Refer to incident #NAB1529948530 in all future correspondence.

The release incident is located in the vicinity of an active battery in an area congested with active surface and subsurface lines. Given the complexities of this site, including numerous surface and subsurface utilities within the release footprint, this incident is now being handled by the risk management and remediation group at ConocoPhillips. Additionally, because the rejected closure report comprised four release incidents, interpreting the remedial actions associated with the individual release incidents has taken a higher level of effort than anticipated.

In addition to a thorough file review, ConocoPhillips has completed a site visit to evaluate current conditions and identify safety hazards present in the incident release area. The revised report will be submitted to the OCD within the requested timeframe.

Please let me know if you have any questions or concerns.

Thank you,
Sam

Samantha Abbott, PG | Project Manager
Direct Mobile +1 (512) 739-7874 | Business +1 (512) 338-1667 | Sam.Abbott@tetrattech.com

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APPENDIX C

2019 BBC Closure Report

Closure Report

Site Description

Site Name:	West Brushy 8 Federal SWD #1
Company:	COG Operating LLC
Legal Description:	U/L A, Section 8, T26S, R29E
County:	Eddy County, NM
GPS Coordinates:	N 32.06422° W-103.99710°

Release Data

Date of Release:	9/13/15, 7/3/16, 1/24/17, and 5/27/17
Type of Release:	Produced water
Source of Release:	Flowline leaks
Volume of Release:	30 bbls, 25 bbls, 30 bbls, 30 bbls
Volume Recovered:	3 bbls, 0 bbls, 15 bbls, 20 bbls

Remediation Specifications

Remediation Parameters:	Remediation was conducted based on the depths approved in each work plan.	
Remediation Activities:	9/14/18 to 12/27/18	
Plan Sent to OCD:	Dates vary	Email from Cliff Brunson to Mike Bratcher
OCD Approval of Plan:	2/22/18	Email from Mike Bratcher to Cliff Brunson
Plan Sent to BLM:	Dates vary	Email from Cliff Brunson to Shelly Tucker
BLM Approval of Plan:	2/14/18	Email from Shelly Tucker to Cliff Brunson

Supporting Documentation

Initial C-141	Signed 10/24/15, 7/8/16, 1/25/17, and 6/1/17
Final C-141	Signed 1/14/19
Site Diagram	Dates vary
Pictures	Remediation, liner, and backfill 9/17/18 to 12/27/18

Request for Closure

Based on the completion of the remediation plan, BBC International, Inc. requests closure approval from NMOCD.

Cliff Brunson, President, BBC International, Inc.

01/22/2019

Form C-141

State of New Mexico
Oil Conservation Division

Page 6

Incident ID	
District RP	2RP-3353
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: Rebecca HaskellTitle: Senior HSE CoordinatorSignature: Rebecca HaskellDate: 1/14/2019email: rhaskell@concho.comTelephone: (432) 683-7443**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: _____ Date: _____

Printed Name: _____

Title: _____

Form C-141

State of New Mexico
Oil Conservation Division

Page 6

Incident ID	
District RP	2RP-3774
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: Rebecca Haskell Title: Senior HSE Coordinator
Signature: Rebecca Haskell Date: 1/14/19
email: rhaskell@concho.com Telephone: (432) 683-7443

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: _____ Date: _____

Printed Name: _____ Title: _____

Form C-141

State of New Mexico
Oil Conservation Division

Page 6

Incident ID	
District RP	2RP-4094
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)
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Printed Name: Rebecca Haskell Title: Senior HSE Coordinator
Signature: Rebecca Haskell Date: 1/14/19
email: rhaskell@concho.com Telephone: (432) 683-7443

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: _____ Date: _____

Printed Name: _____ Title: _____

Form C-141

State of New Mexico
Oil Conservation Division

Page 6

Incident ID	
District RP	2RP-4240
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: Rebecca Haskell Title: Senior HSE Coordinator
 Signature: Rebecca Haskell Date: 1/14/19
 email: rhaskell@concho.com Telephone: (432) 683-7443

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: _____ Date: _____

Printed Name: _____ Title: _____

September 15, 2015


West Brushy 8 SWD #1

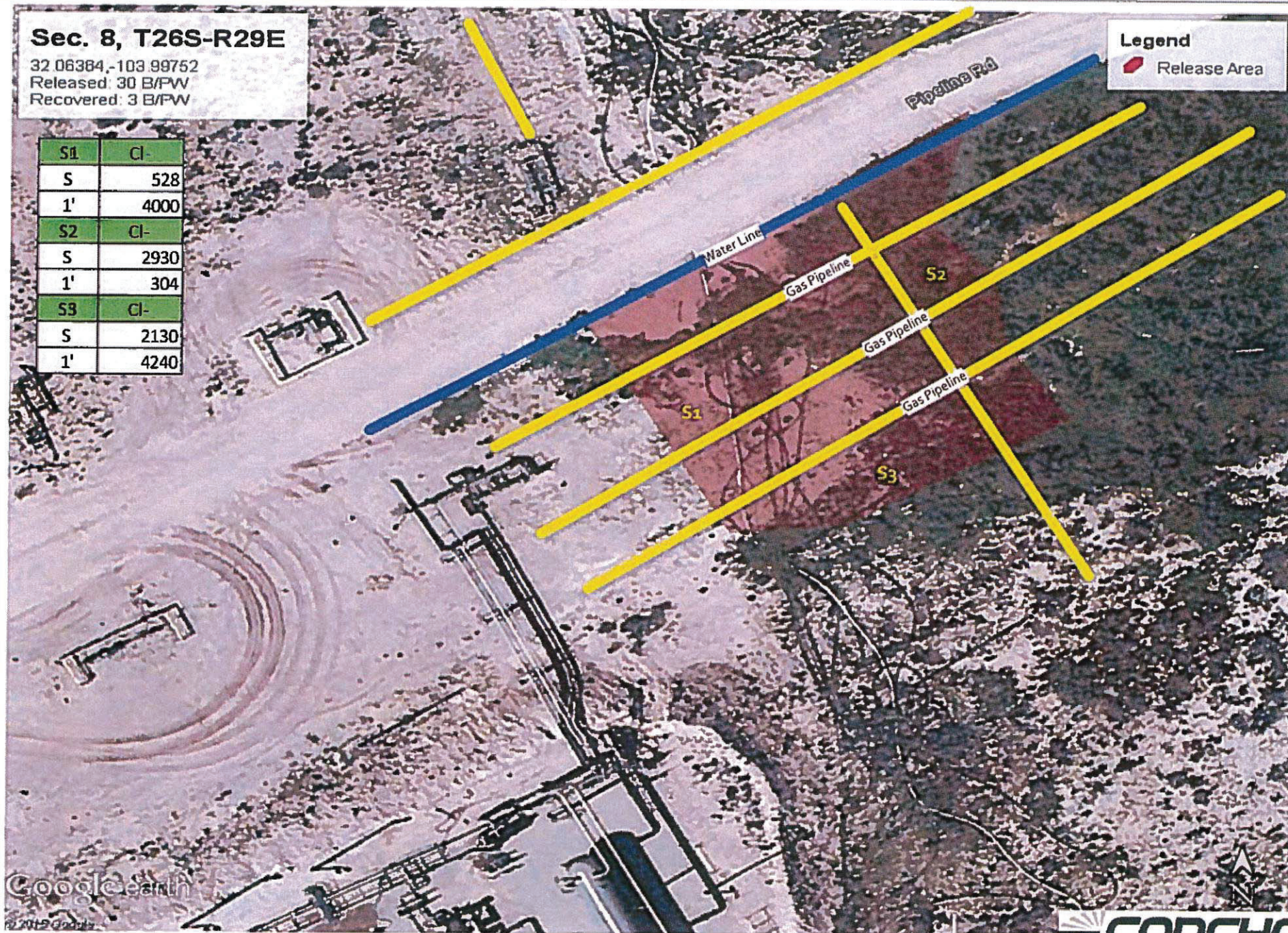
Sec. 8, T26S-R29E

32 06384, -103 99752
Released: 30 B/PW
Recovered: 3 B/PW

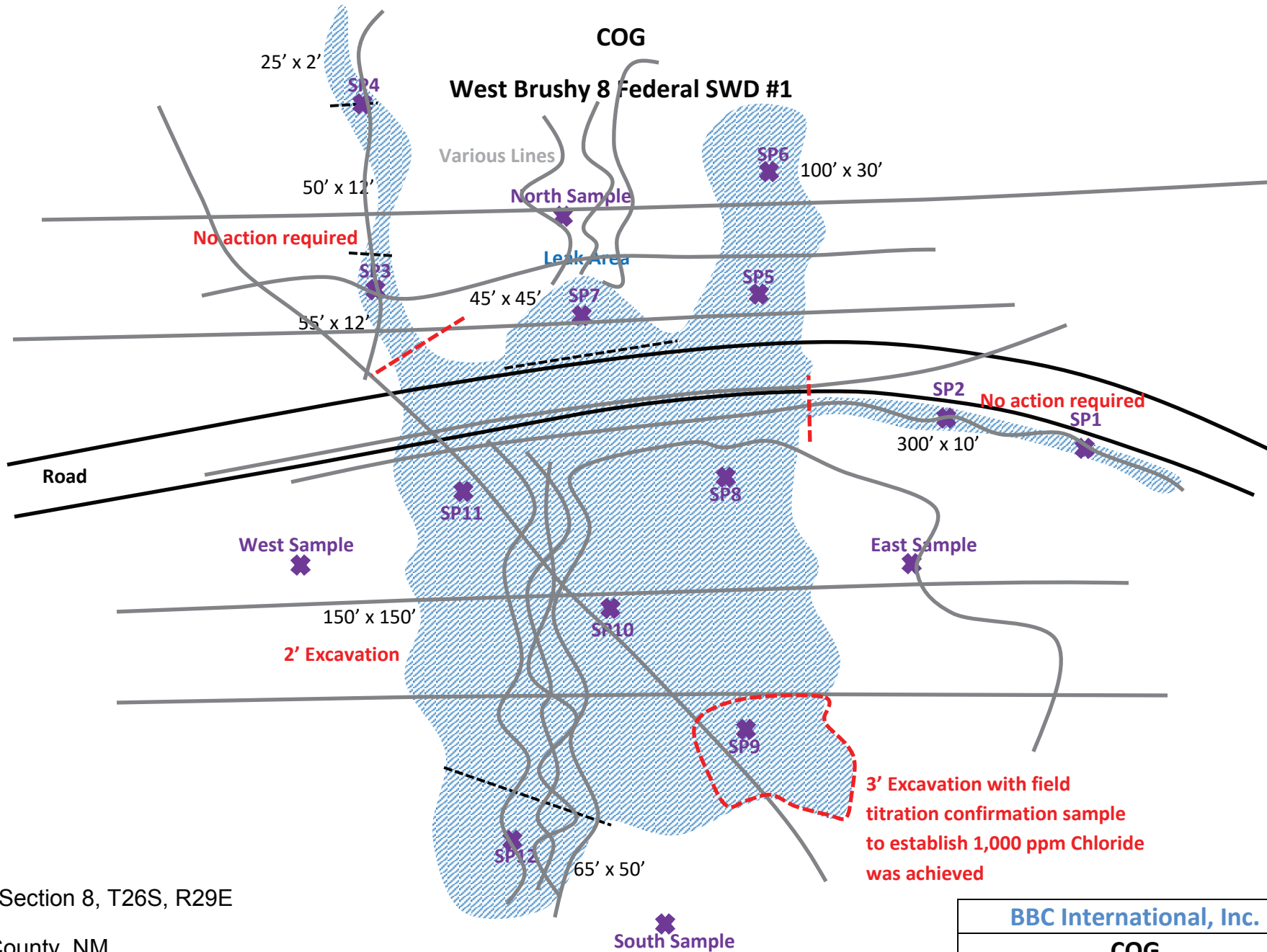
S1	CI-
S	528
1'	4000
S2	CI-
S	2930
1'	304
S3	CI-
S	2130
1'	4240

Legend

 Release Area



 **CONCHO**



U/L A, Section 8, T26S, R29E

Eddy County, NM

N 32.06350° W 103.99756°

API# 30-015-31675

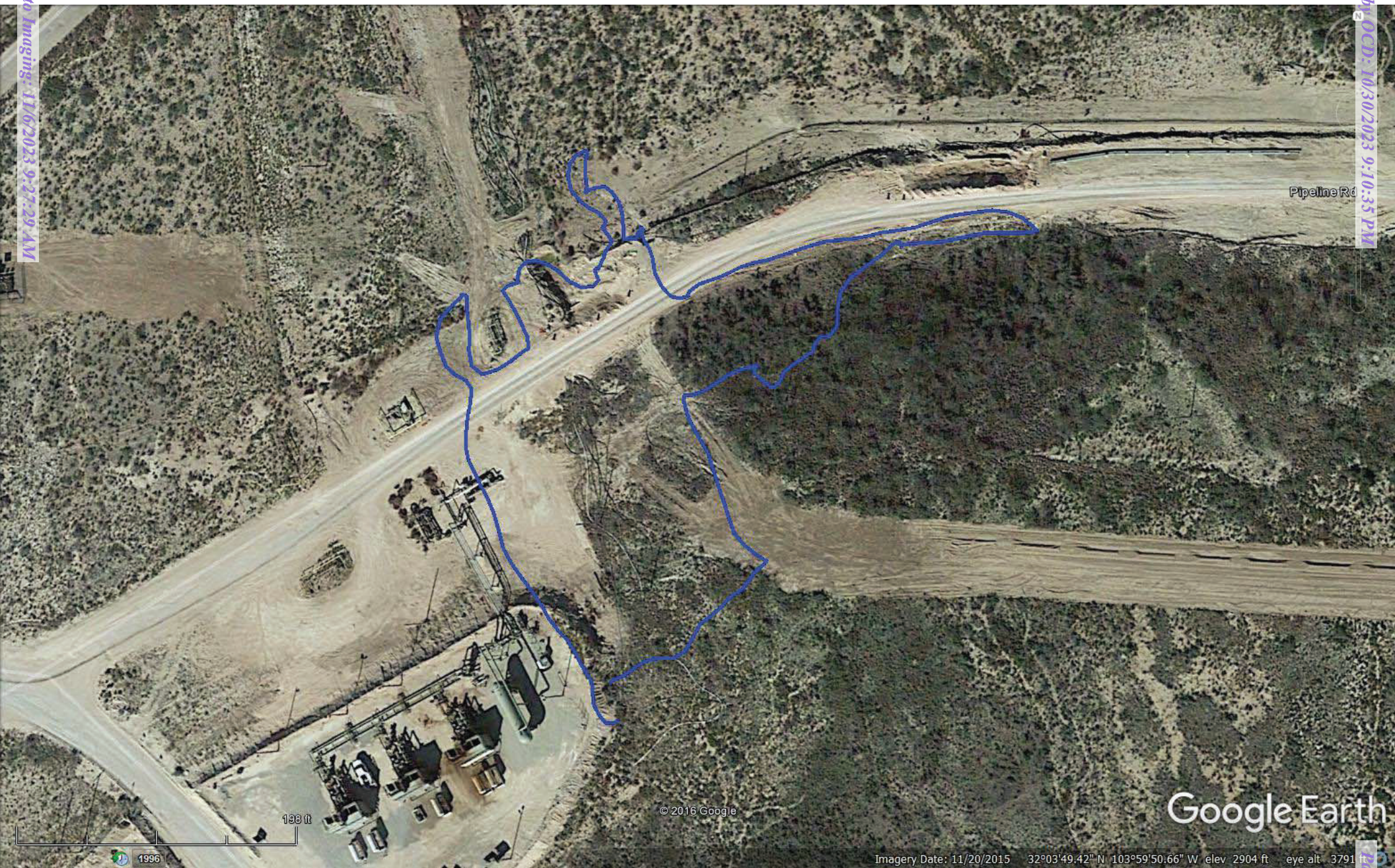
BBC International, Inc.**COG****West Brushy 8 Federal SWD #1**

Date: 01/05/2016

DRWG by: K. Purvis

NOT TO SCALE

File: COG 2017



Pipeline Rd

Google Earth

© 2016 Google

Imagery Date: 11/20/2015 32°03'49.42" N 103°59'50.66" W elev 2904 ft eye alt 3791

193 ft

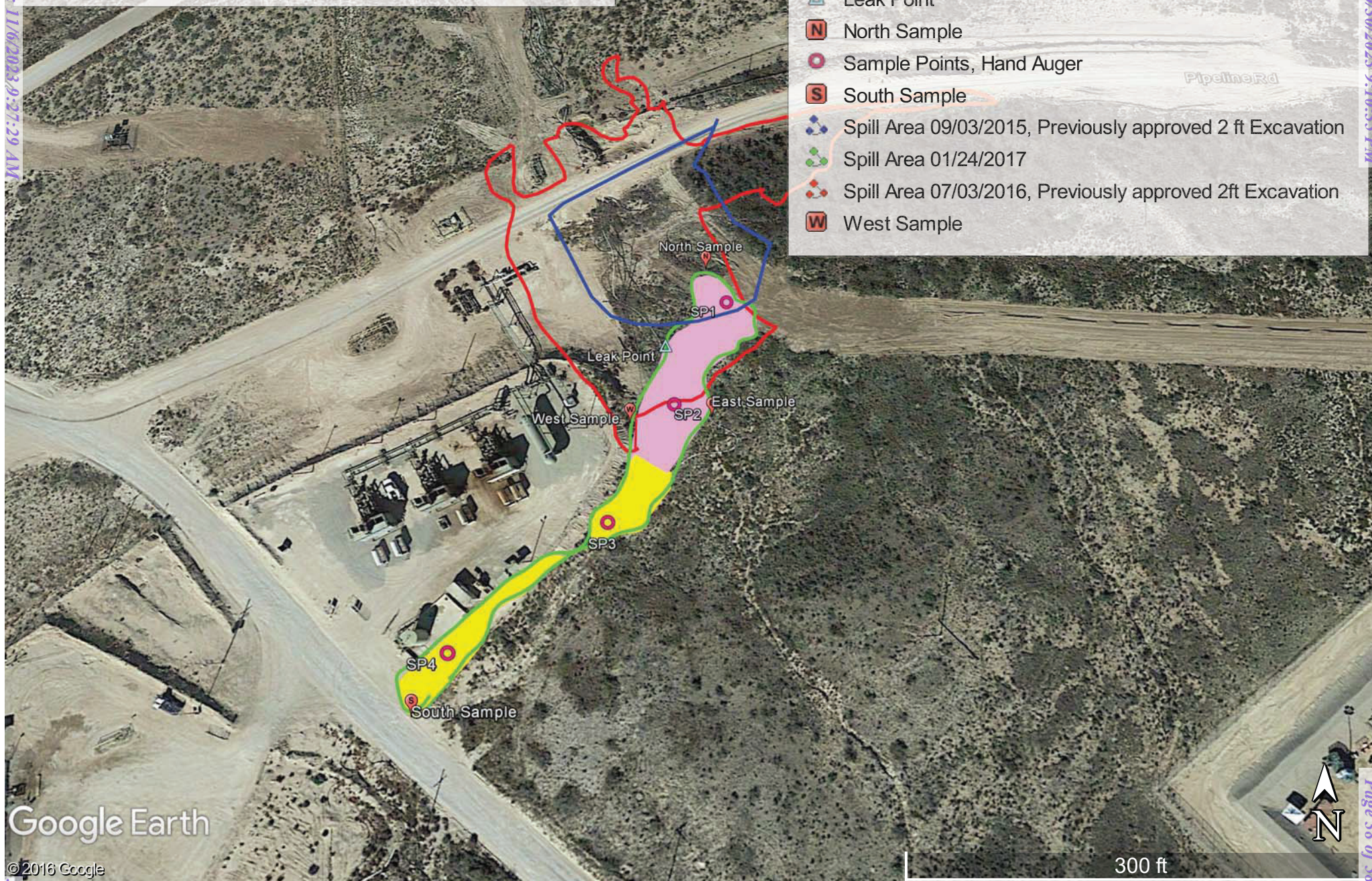
1996

COG, West Brushy 8 Federal SWD #1

Leak Date: 01/24/2017
Eddy County, NM
API# 30-015-31675
RP# 2RP-4094

Legend

- 2 ft Excavation
- 3 ft Excavation
- East Sample
- Leak Point
- North Sample
- Sample Points, Hand Auger
- South Sample
- Spill Area 09/03/2015, Previously approved 2 ft Excavation
- Spill Area 01/24/2017
- Spill Area 07/03/2016, Previously approved 2ft Excavation
- West Sample



Google Earth

© 2016 Google

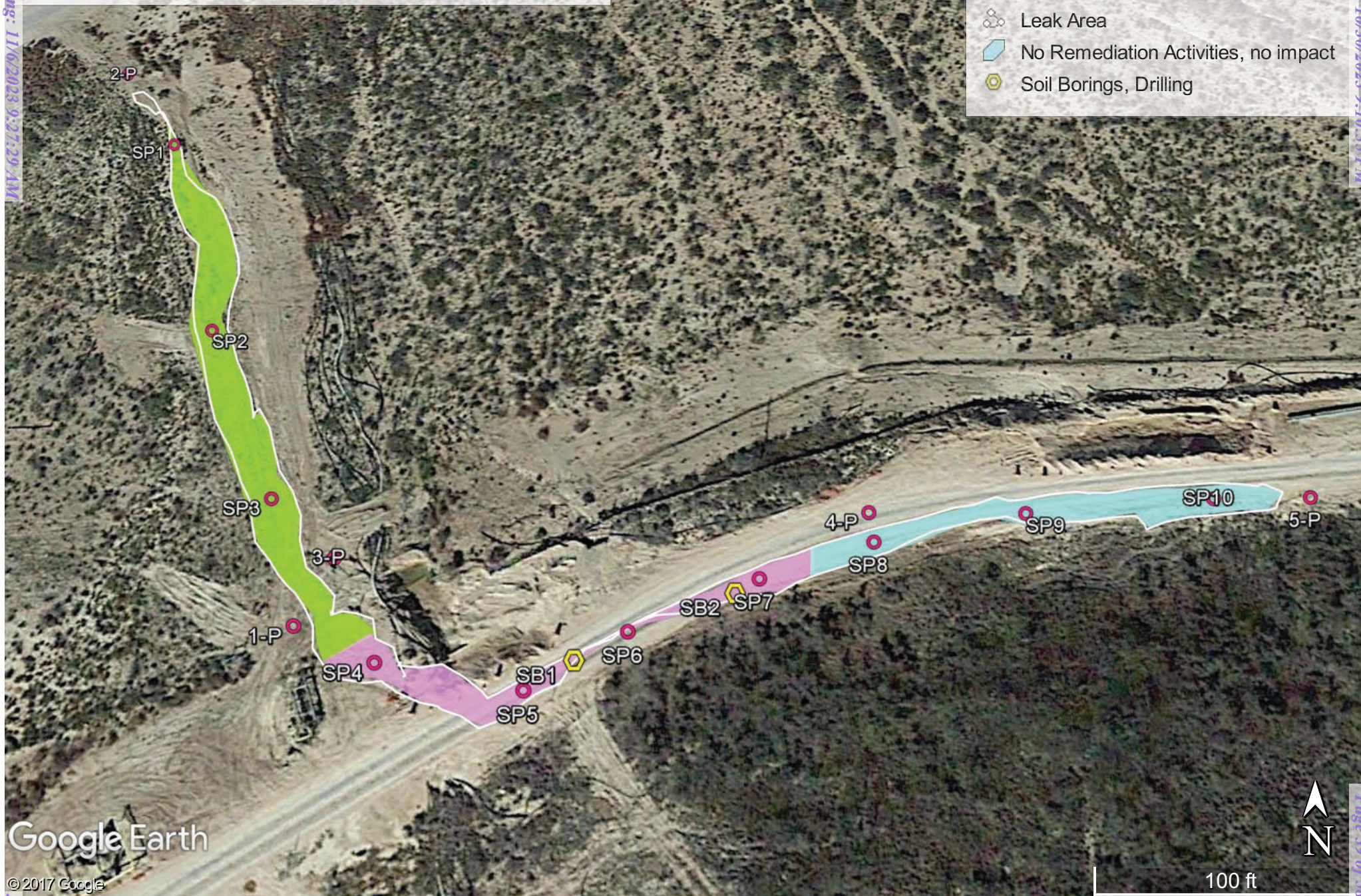
300 ft

COG, West Brushy 8 Federal SWD #1

Leak date: 05/27/2017
Eddy County, NM
API# 30-015-31675

Legend

- 1 ft Excavation
- 4 ft Excavation with liner
- Sample points
- Leak Area
- No Remediation Activities, no impact
- Soil Borings, Drilling













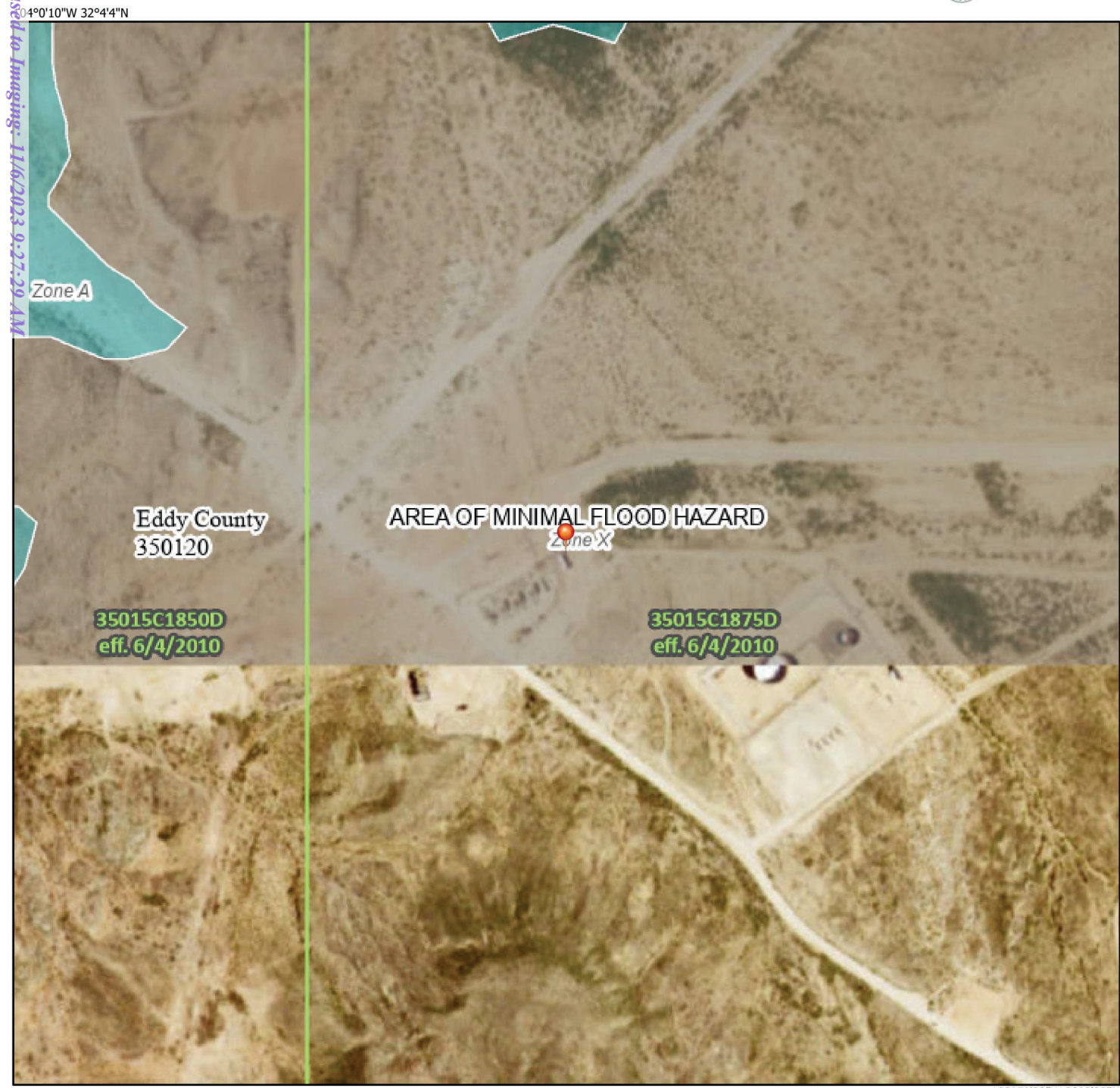




APPENDIX D

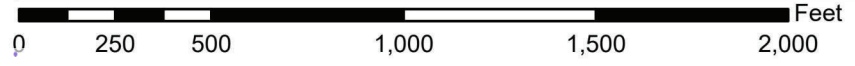
Site Characterization Data

National Flood Hazard Layer FIRMMette



104°0'10"W 32°4'4"N

103°59'33"W 32°3'33"N



1:6,000

Basemap Imagery Source: USGS National Map 2023

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 X
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 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
	Hydrographic Feature	
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 9/26/2023 at 10:39 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.

Released to Imaging: 11/6/2023 9:27:29 AM

Received by OCD: 10/20/2023 9:10:35 PM

Page 48 of 58

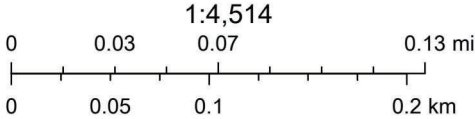
OCD - Karst Areas



9/26/2023, 10:23:19 AM

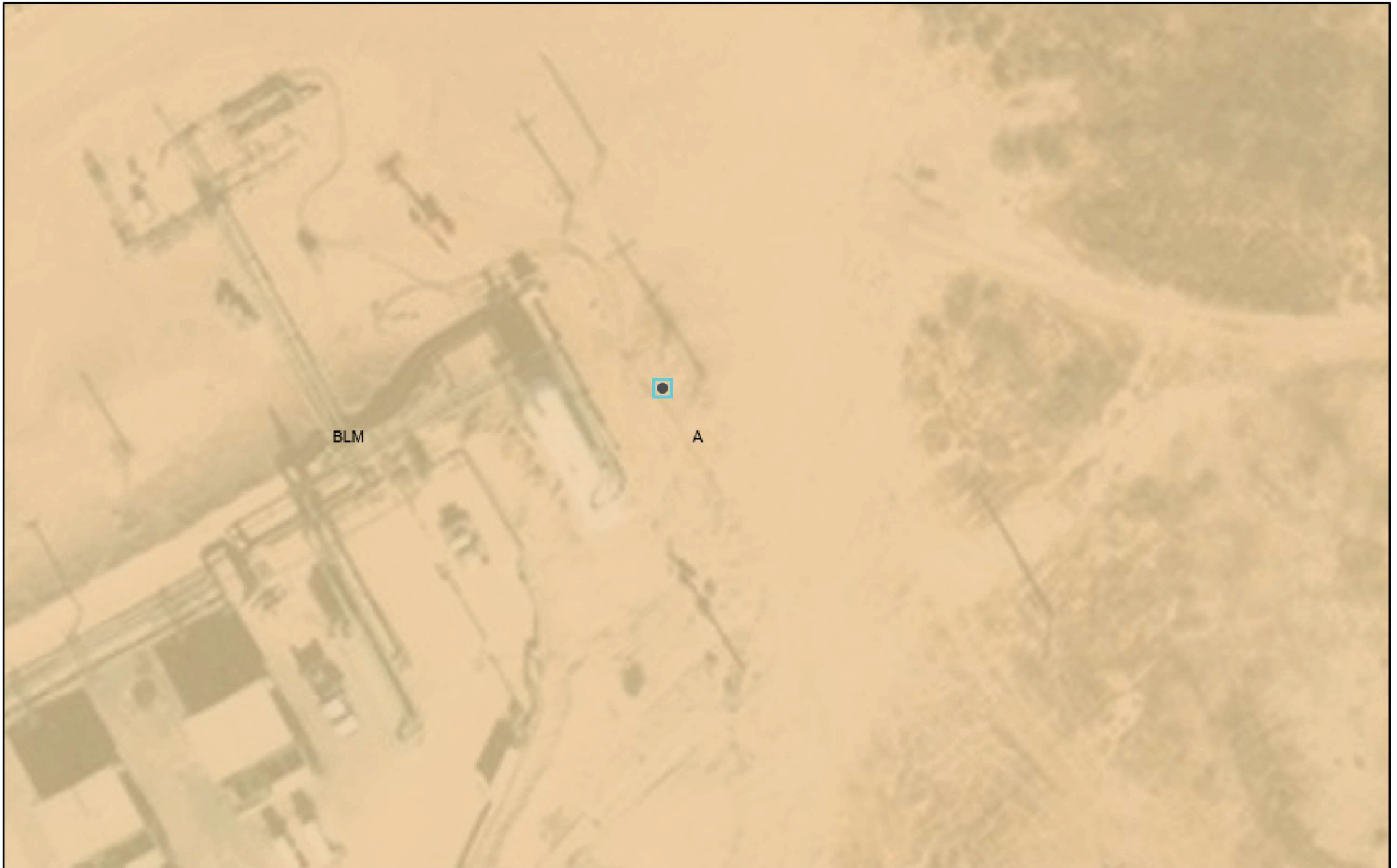
Karst Occurrence Potential

Medium



BLM, OCD, New Mexico Tech, Esri, HERE, Garmin, iPC, Maxar, BLM

OCD - Land Ownership



9/26/2023, 10:14:09 AM

Mineral Ownership

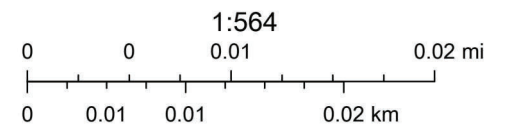


A-All minerals are owned by U.S.

Land Ownership



BLM



U.S. BLM, Maxar, Microsoft, Esri, HERE, Garmin, iPC



New Mexico Office of the State Engineer

Water Column/Average Depth to Water

(A CLW##### in the
POD suffix indicates the
POD has been replaced
& no longer serves a
water right file.)

(R=POD has
been replaced,
O=orphaned,
C=the file is
closed)

(quarters are 1=NW 2=NE 3=SW 4=SE)
(quarters are smallest to largest)

(NAD83 UTM in meters)

(In feet)

POD Number	POD Sub-Code	basin	County	Q 64	Q 16	Q 4	Sec	Tws	Rng	X	Y	Distance	Depth Well	Depth Water	Water Column
C 03507 POD1	C		ED	1	3	3	05	26S	29E	593064	3548313	1611	140	78	62
C 03508 POD1	C		ED	1	3	3	05	26S	29E	593063	3548361	1624	140	75	65

Average Depth to Water: 76 feet

Minimum Depth: 75 feet

Maximum Depth: 78 feet

Record Count: 2

UTMNAD83 Radius Search (in meters):

Easting (X): 594622.15

Northing (Y): 3547903.47

Radius: 1700

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.

APPENDIX E

Photographic Documentation



TETRA TECH, INC. PROJECT NO. 212C-MD-02997	DESCRIPTION	View north of open excavation in vicinity of SP3 to approximately 2-3 ft bgs. Power poles and high-pressure tank to rear.	1
	SITE NAME	West Brushy 8 SWD #001 Release	9/27/2018



TETRA TECH, INC. PROJECT NO. 212C-MD-02997	DESCRIPTION	View north of open excavation in vicinity of SP2 to approximately 3 ft bgs. Power poles and high-pressure tank in view.	2
	SITE NAME	West Brushy 8 SWD #001 Release	9/27/2018



TETRA TECH, INC. PROJECT NO. 212C-MD-02997	DESCRIPTION	View north of open excavation in vicinity of SP3 to approximately 2 ft bgs. Power poles and high-pressure tank in view.	3
	SITE NAME	West Brushy 8 SWD #001 Release	10/08/2018



TETRA TECH, INC. PROJECT NO. 212C-MD-02997	DESCRIPTION	View west of open excavation in vicinity of SP1 to approximately 3 ft bgs. High-pressure tank in view.	4
	SITE NAME	West Brushy 8 SWD #001 Release	10/08/2018



TETRA TECH, INC. PROJECT NO. 212C-MD-02997	DESCRIPTION	View southwest of open excavation in area of SP1 to approximately 3 ft bgs. Power poles and high-pressure tank in view.	5
	SITE NAME	West Brushy 8 SWD #001 Release	10/08/2018



TETRA TECH, INC. PROJECT NO. 212C-MD-02997	DESCRIPTION	View south of backfilling operations. Power poles and high-pressure tank to west.	6
	SITE NAME	West Brushy 8 SWD #001 Release	10/17/2018



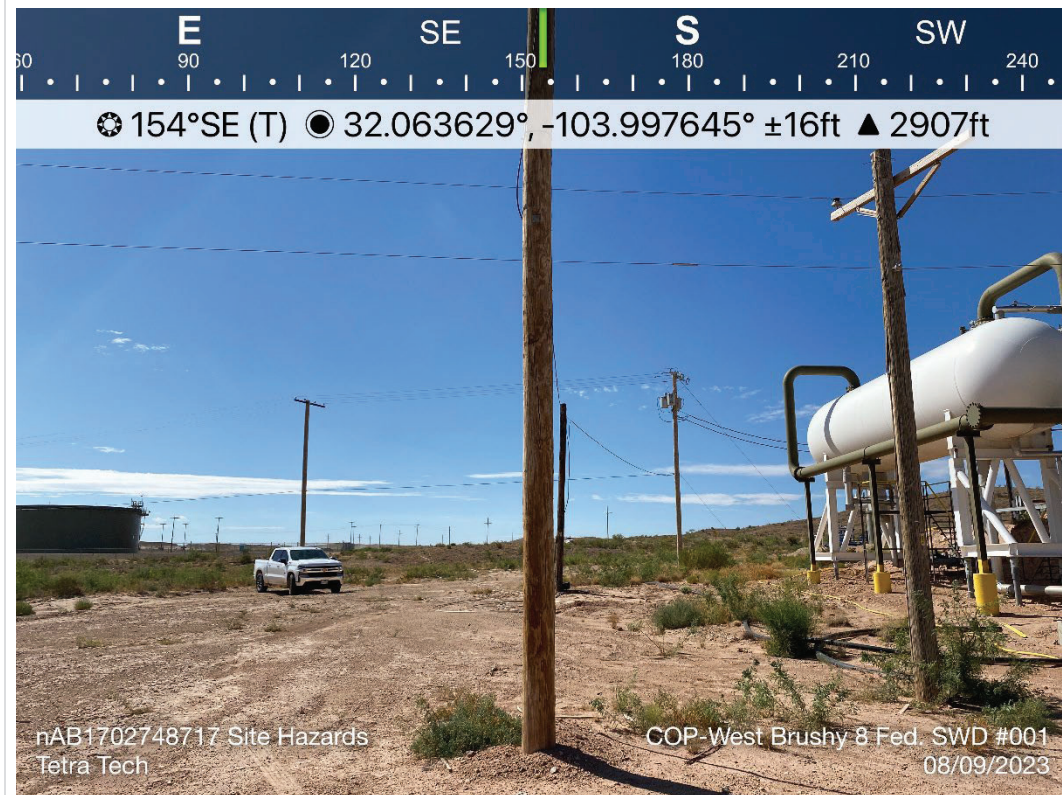
TETRA TECH, INC. PROJECT NO. 212C-MD-02997	DESCRIPTION	View west of backfilled area south of facility infrastructure.	7
	SITE NAME	West Brushy 8 SWD #001 Release	10/17/2018



TETRA TECH, INC. PROJECT NO. 212C-MD-02997	DESCRIPTION	View north of 2023 site conditions. Equipment yard fencing visible in foreground.	8
	SITE NAME	West Brushy 8 SWD #001 Release	8/9/2023



TETRA TECH, INC. PROJECT NO. 212C-MD-02997	DESCRIPTION	View west-southwest of 2023 site conditions.	9
	SITE NAME	West Brushy 8 SWD #001 Release	8/9/2023



TETRA TECH, INC. PROJECT NO. 212C-MD-02997	DESCRIPTION	View south-southeast of 2023 site conditions.	10
	SITE NAME	West Brushy 8 SWD #001 Release	8/9/2023

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 281219

CONDITIONS

Operator: COG OPERATING LLC 600 W Illinois Ave Midland, TX 79701	OGRID: 229137
	Action Number: 281219
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
bhall	Closure approved. Closed under conditions outlined in the approved workplan dated 4/6/2017.	11/6/2023