



## Liner Inspection and Closure Request

**BTA Oil Producers, LLC  
East Loving SWD  
Eddy County, New Mexico  
Unit Letter "A", Section 15, Township 23 South, Range 28 East  
Latitude 32.309282 North, Longitude 104.068262 West  
NMOCD Incident # nAPP2329051186**

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Prepared For:

BTA Oil Producers  
104 S. Pecos St.  
Midland, TX 79701

Prepared By:

Hungry Horse, LLC  
4024 Plains Hwy  
Lovington, NM 88260  
Office: (575) 393-3386

**October 2023**

*Bradley Wells*

Bradley Wells  
Project Manager  
bwells@hungry-horse.com

*Daniel Dominguez*

Daniel Dominguez  
Environmental Manager  
ddominguez@hungry-horse.com

## Table Of Contents

Background	1
NMOCD Site Classification	1
Liner Inspection	2
Closure Request	2
Limitations	2
Distribution	3

### Figures

- Figure 1 – Topographic Map
- Figure 2 – OSE POD Locations Map
- Figure 3 – USGS Well Locations Map
- Figure 4 – Liner Inspection Map

### Attachments

- Attachment I – Karst and Wetland Maps
- Attachment II – NMOCD Correspondence
- Attachment III – Site Photographs
- Attachment IV – Depth to Groundwater
- Attachment V – Liner Inspection Report
- Attachment VI – NMOCD Form Initial C-141



## HUNGRY HORSE, LLC

The following *Liner Inspection and Closure Request* serves as a condensed update on field activities undertaken at the afore referenced Site.

### Background:

The site is located in Unit Letter A (NE/NE), Section 15, Township 23 South, Range 28 East, approximately two and a half miles north east of Loving, in Eddy County, New Mexico. The location is on private land. Topographic Map, OSE POD Locations Map, and USGS Well Locations Map are included as Figure 1, Figure 2, and Figure 3, respectively.

The release occurred within an earthen containment lined with poly liner; Latitude 32.309282 North, Longitude 104.068262 West. The Initial NMOCD Form C-141 indicated that on October 16, 2023 approximately 300 bbls of processed water was released due to a PD pump failure. A crew was dispatched to the site with a vacuum truck. The pump was repaired and 300 bbls of fluid were recovered. Previously submitted pages of the NMOCD Form C-141 are available on the NMOCD Imaging System. NMOCD Form Initial C-141 is also included as Attachment VI.

### NMOCD Site Classification:

A search of the New Mexico Office of the State Engineer (NMOSE) and United States Geological Survey (USGS) groundwater databases was completed in an effort to determine the horizontal distance to known water sources within a half mile radius of the Release Site. Approximate depth to groundwater was determined using maintained and published water well data. Karst mapping indicates the site is located in a Karst designated area. Karst and Wetland Maps are provided as Attachment I. Depth to groundwater information is provided as Attachment IV and the results are depicted on Figures 2 & 3.

A total of eight water wells were located within a half mile of the release area. With depth to water ranging between 10 to 57 feet bgs. It was also determined that the release occurred within a Karst designated area. However, due to the release being contained within a lined containment area and all fluid was recovered, a liner inspection was scheduled. Utilizing this information, the NMOCD Closure Criteria for the Site is depicted in the table below.

Depth to Groundwater	Constituent	Method	Limit
<50'	Chloride	EPA 300.0 or SM4500 CLB	600 mg/kg
	TPH (GRO + DRO + MRO)	EPA SW-846 Method 8015M Ext	100 mg/kg
	GRO + DRO	EPA SW-846 Method 8015M Ext	N/A
	BTEX	EPA SW-846 Methods 8021B or 8260B	50 mg/kg
	Benzene	EPA SW-846 Methods 8021B or 8260B	10 mg/kg



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**Liner Inspection:**

The release of 300 bbls of produced water occurred on October 16, 2023, due to the failure of the PD pump. A vacuum truck recovered 300 bbls of fluid. The released did not leave the lined containment, hit pad, or go offsite. On November 16, 2023, Hungry Horse LLC notified NMOCD that a liner inspection would be conducted on November 21, 2023. Email correspondence is provided as Attachment II.

On November 21, 2023, Hungry Horse personnel arrived on location to inspect the liner. The liner and containment were thoroughly inspected form edge to edge, as well as around the tanks and process equipment installed on the liner itself (reference Attachment III – Site Photographs). The liner was found to be in place, intact, with no visible, breaks, or tears. There was no evidence of the release escaping the containment area. A completed Liner Inspection Form is attached as Attachment V.

**Closure Request:**

The Liner Inspection and correspondence with NMOCD were conducted in accordance with applicable NMOCD Regulations.

Based upon the reported volume recovered from the release and a thorough liner inspection with photographs demonstrating an intact, untorn, unbroken liner with no evidence of release escaping containment, BTA Oil Producers LLC respectfully request the closure of the East Loving SWD location, incident nAPP2329051186.

**Limitations:**

Hungry Horse, LLC, has prepared this *Liner Inspection and Closure Request* to the best of its ability. No other warranty, expressed or implied, is made or intended. Hungry Horse has examined and relied upon documents referenced in the report and on oral statements made by certain individuals. Hungry Horse has not conducted an independent examination of the facts contained in referenced materials and statements. Hungry Horse has presumed the genuineness of these documents and statements and that the information provided therein is true and accurate. Hungry Horse notes that the facts and conditions referenced in this report may change over time, and the conclusions and recommendations set forth herein are applicable only to the facts and conditions as described at the time of this report.



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**Distribution:**

**BTA Oil Producers, LLC**

104 S. Pecos St.  
Midland, TX 79701

**New Mexico Energy, Minerals and Natural Resources Department**

Oil Conservation Division, District 2  
811 S. First St.  
Artesia, NM 88210

**Chevron USA**

PO Box 285  
Houston, TX 77001

## **Figures**







**Figure 2**

OSE POD Locations Map  
 BTA Oil Producers, LLC  
 East Loving SWD  
 GPS: 32.309282, -104.068262  
 Eddy County

**Legend:**

- East Loving SWD Location
- Plugged OSE Water Well
- Active OSE Water Well
- Pending OSE Water Well
- Unknown OSE Water Well

Drafted: bw  
 Checked: dd  
 Date: 11/20/23





**Figure 3**

USGS Well Locations Map  
BTA Oil Producers, LLC  
East Loving SWD  
GPS: 32.309282, -104.068262  
Eddy County

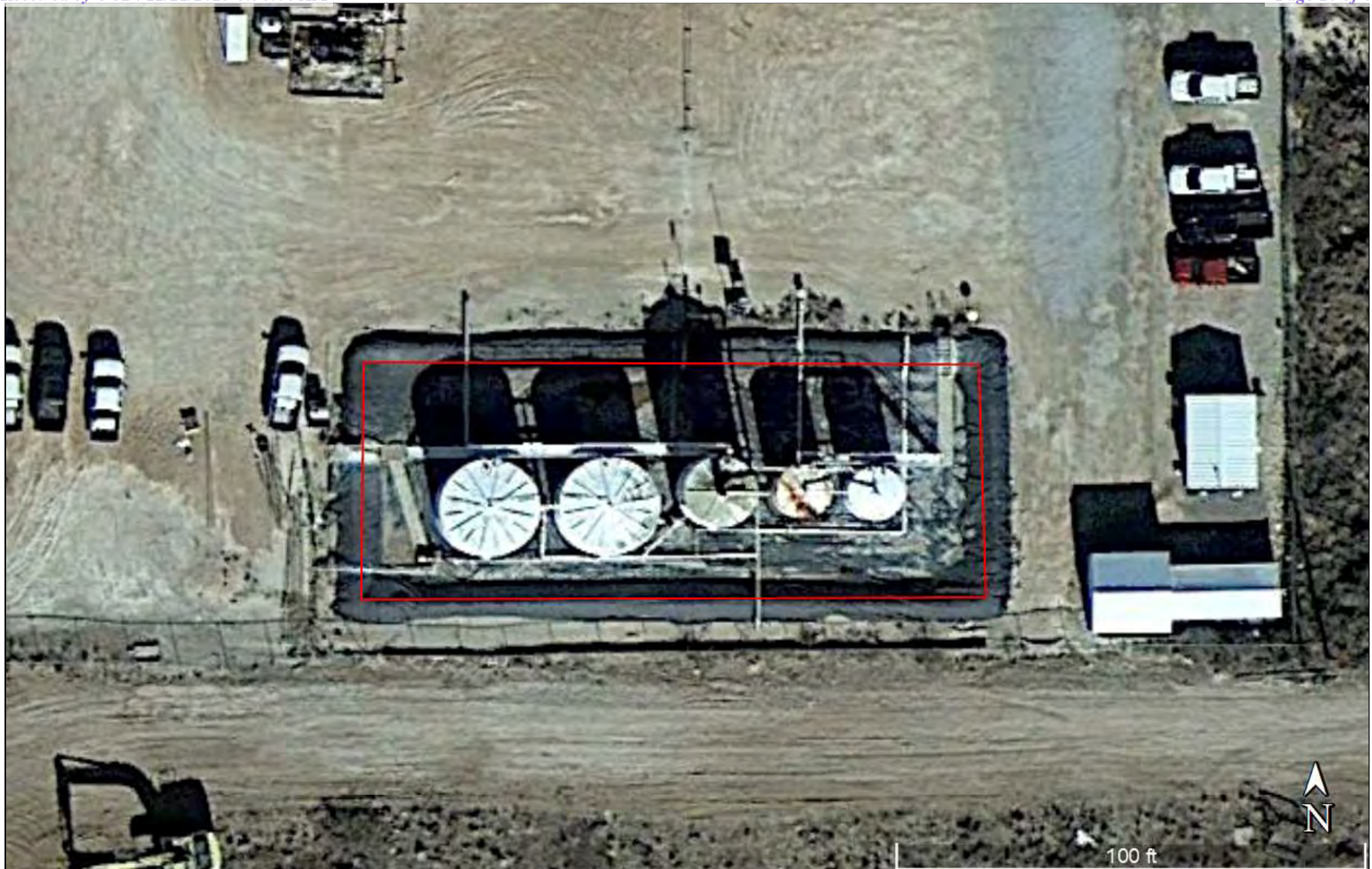
**Legend:**

● East Loving SWD Location

Drafted: bw  
Checked: dd  
Date: 11/20/23





**Figure 4**

Liner Inspection Map  
BTA Oil Producers, LLC  
East Loving SWD  
GPS: 32.309282, -104.068262  
Eddy County

**Legend:**

 Release Within Lined Containment Area

Drafted: bw  
Checked: dd  
Date: 11/20/23

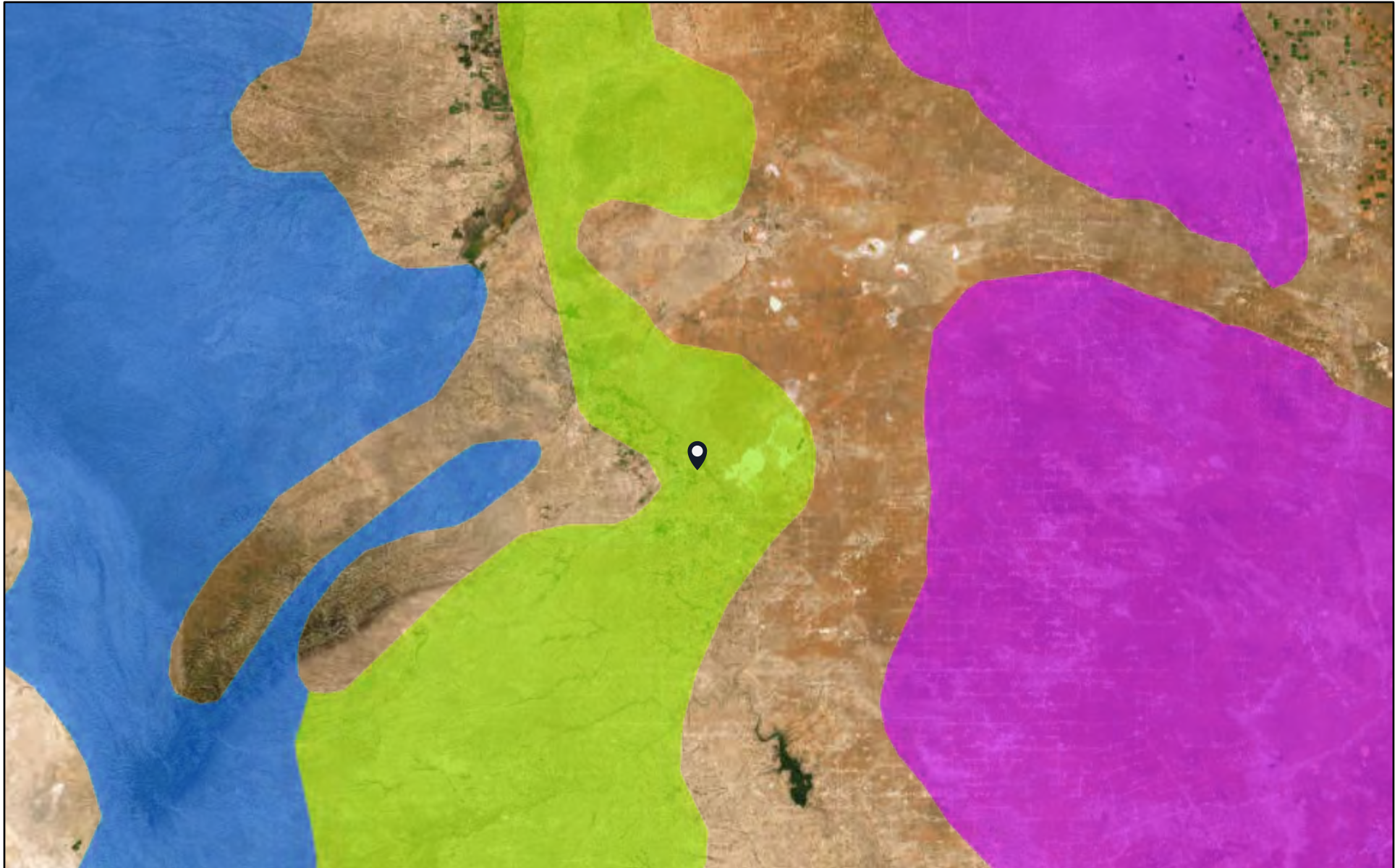


## **Attachment I**

### **Karst and Wetland Maps**



# East Loving SWD



11/21/2023

## Karst Type

- Carbonate
- Erosional
- Gypsum



Volcanic

World Imagery

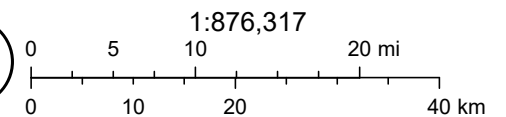
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

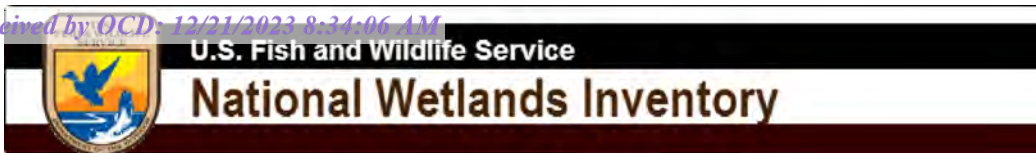
Citations

150m Resolution Metadata



U.S. Geological Survey Open-File Report 2004-1352, Caves and Karst in the U.S. National Park Service, AGI Karst Map of the US., Earthstar Geographics





## East Loving SWD



November 21, 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.

## **Attachment II**

### **NMOCD Correspondence**

## Daniel Dominguez

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**From:** Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov>  
**Sent:** Thursday, November 16, 2023 3:54 PM  
**To:** Daniel Dominguez  
**Cc:** Kelton Beaird; Librado Castillo; Hamlet, Robert, EMNRD; Bratcher, Michael, EMNRD  
**Subject:** RE: [EXTERNAL] Liner Inspection

Hi Daniel,

The OCD has received your notification. 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,

*Shelly*

Shelly Wells \* Environmental Specialist-Advanced  
Environmental Bureau  
EMNRD-Oil Conservation Division  
1220 S. St. Francis Drive | Santa Fe, NM 87505  
(505)469-7520 | [Shelly.Wells@emnrd.nm.gov](mailto:Shelly.Wells@emnrd.nm.gov)  
<http://www.emnrd.state.nm.us/OCD/>

---

**From:** Daniel Dominguez <ddominguez@hungry-horse.com>  
**Sent:** Thursday, November 16, 2023 3:12 PM  
**To:** Enviro, OCD, EMNRD <OCD.Enviro@emnrd.nm.gov>  
**Cc:** Kelton Beaird <KBeaird@btaoil.com>; Librado Castillo <LCastillo@btaoil.com>  
**Subject:** [EXTERNAL] Liner Inspection

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

We will be conducting a liner inspection at the East Loving SWD (nAPP2329051186) on Tuesday November 21, 2023 at 8 am. This is our 2 day notice.

Daniel Dominguez  
Environmental Manager  
Hungry Horse, LLC  
(m) 575-408-3134  
[ddominguez@hungry-horse.com](mailto:ddominguez@hungry-horse.com)

## **Attachment III Site Photographs**

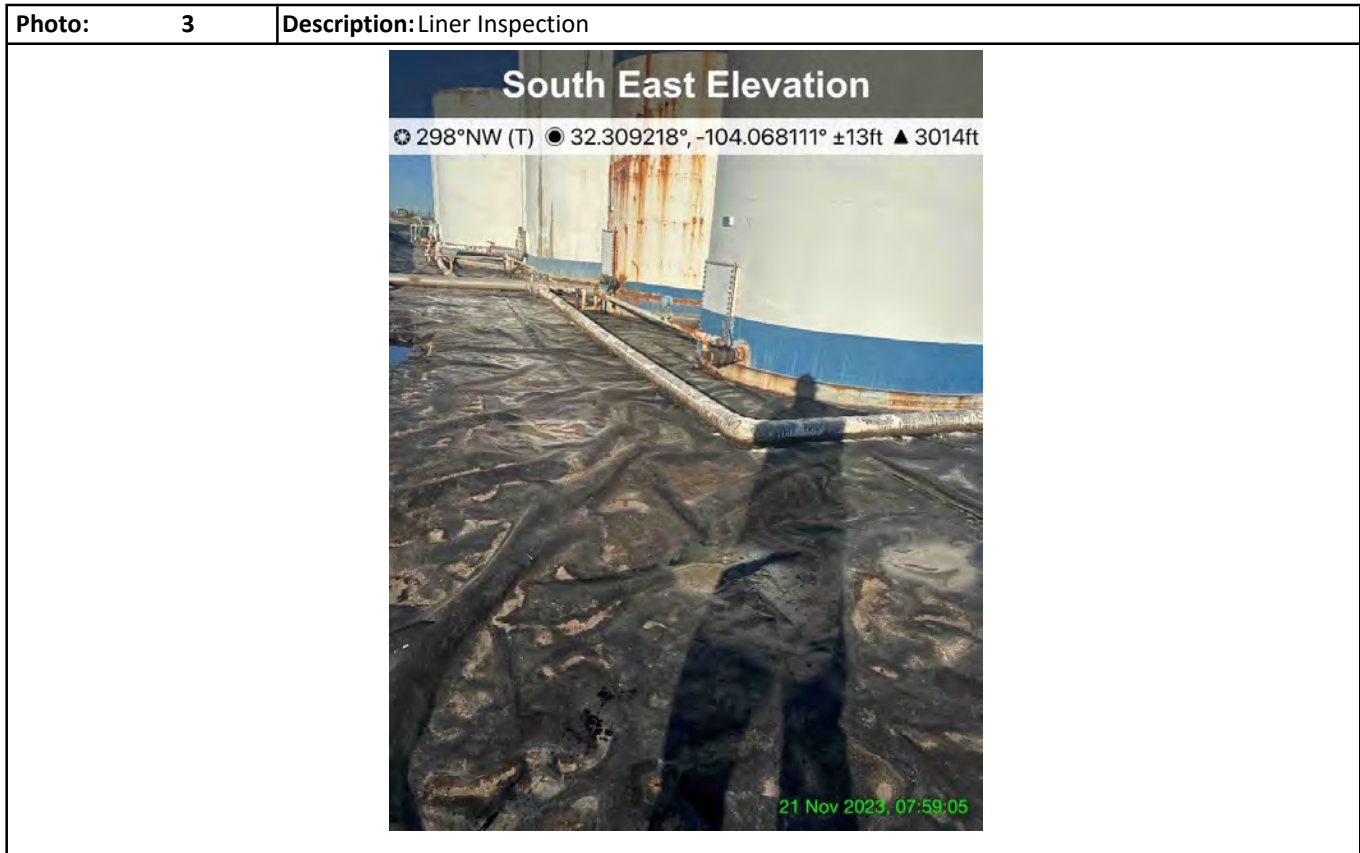


## Photographs

Photo:	1	Description: Release event. October 16, 2023
 A nighttime photograph of an industrial facility. In the foreground, a dark, irregularly shaped object, possibly a spill or release, is visible on a gravel surface. In the background, several large, cylindrical storage tanks are illuminated by artificial lights. A metal staircase and walkway are visible on the right side of the tanks. The sky is dark.		


Photo:	2	Description: Liner Inspection
 A daytime photograph of a liner inspection site. The foreground shows a large, dark, wrinkled liner material, possibly a geomembrane, covering the ground. In the background, there are industrial structures, including a metal staircase and walkway, and a utility pole. The sky is clear and blue. The text "South Elevation" is overlaid at the top, and "21 Nov 2023, 07:58:46" is overlaid at the bottom right. Coordinates are also displayed: "3°N (T) 32.309222°, -104.068113° ±13ft ▲ 3016ft".		

## Photographs



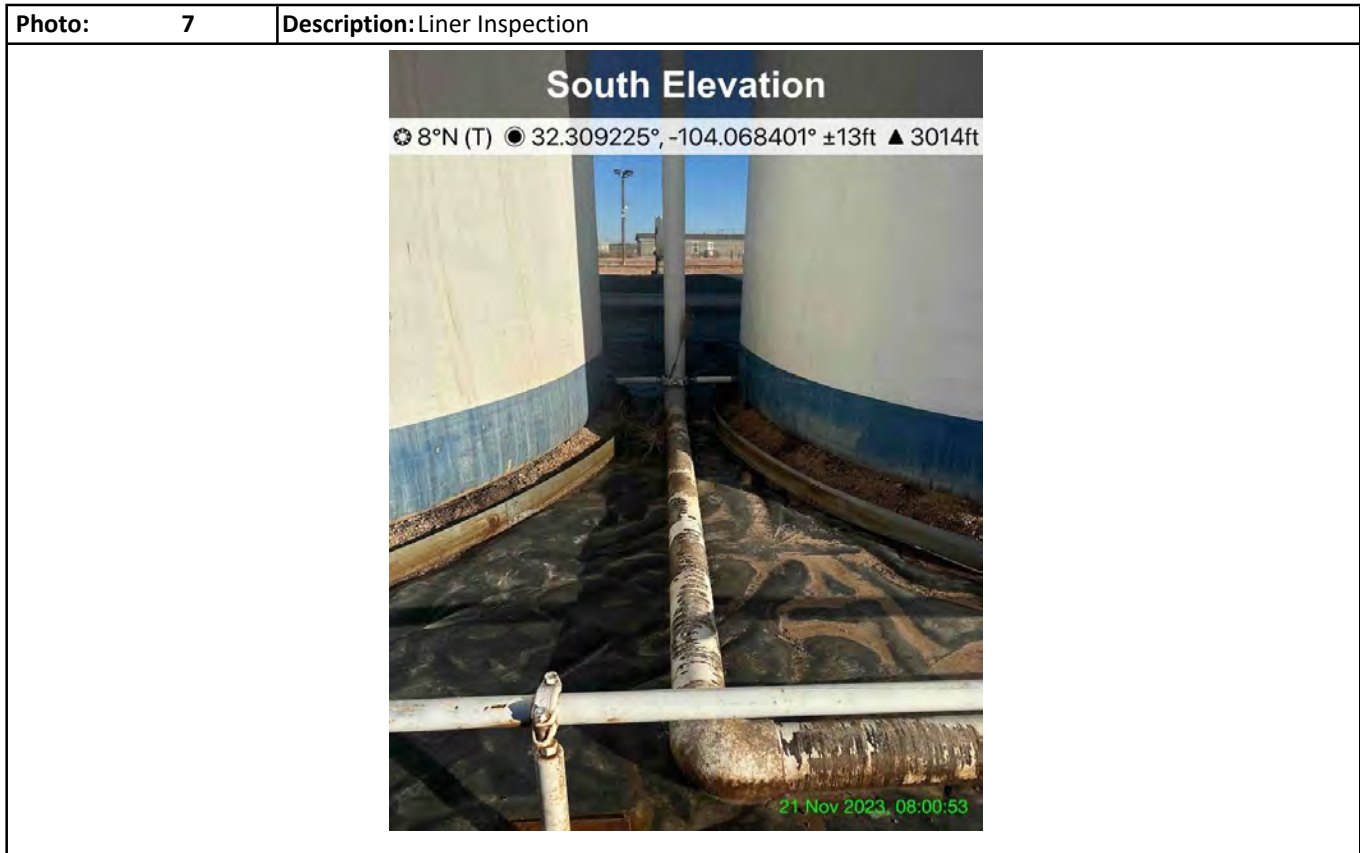
Photographs

Photo:	5	Description: Liner Inspection
<div><div>East Elevation</div><div>☉ 269°W (T) ● 32.309219°, -104.068261° ±13ft ▲ 3011ft</div></div>		

Photo:	6	Description: Liner Inspection
<div><div>South Elevation</div><div>☉ 360°N (T) ● 32.309226°, -104.068314° ±13ft ▲ 3013ft</div></div>		

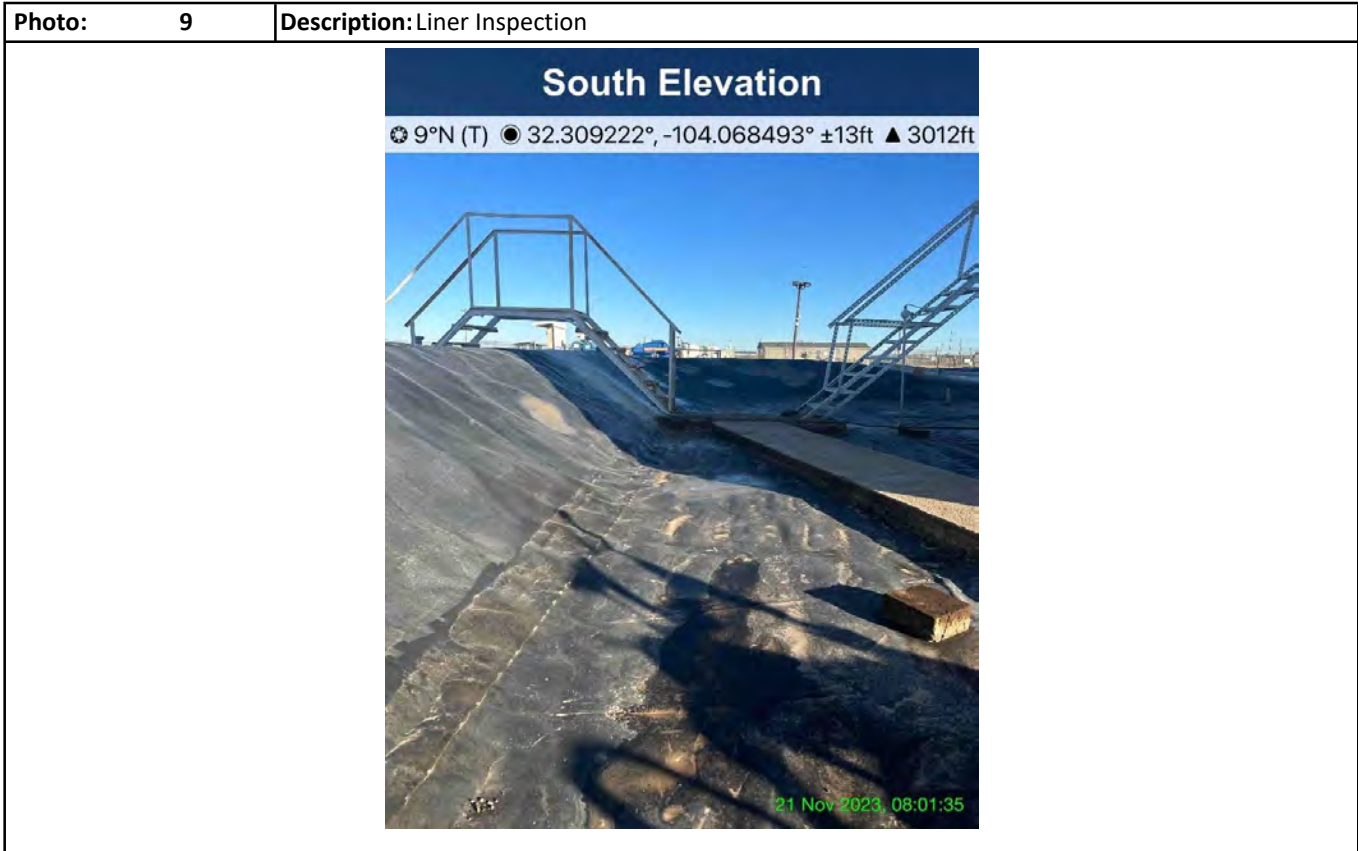


## Photographs





## Photographs

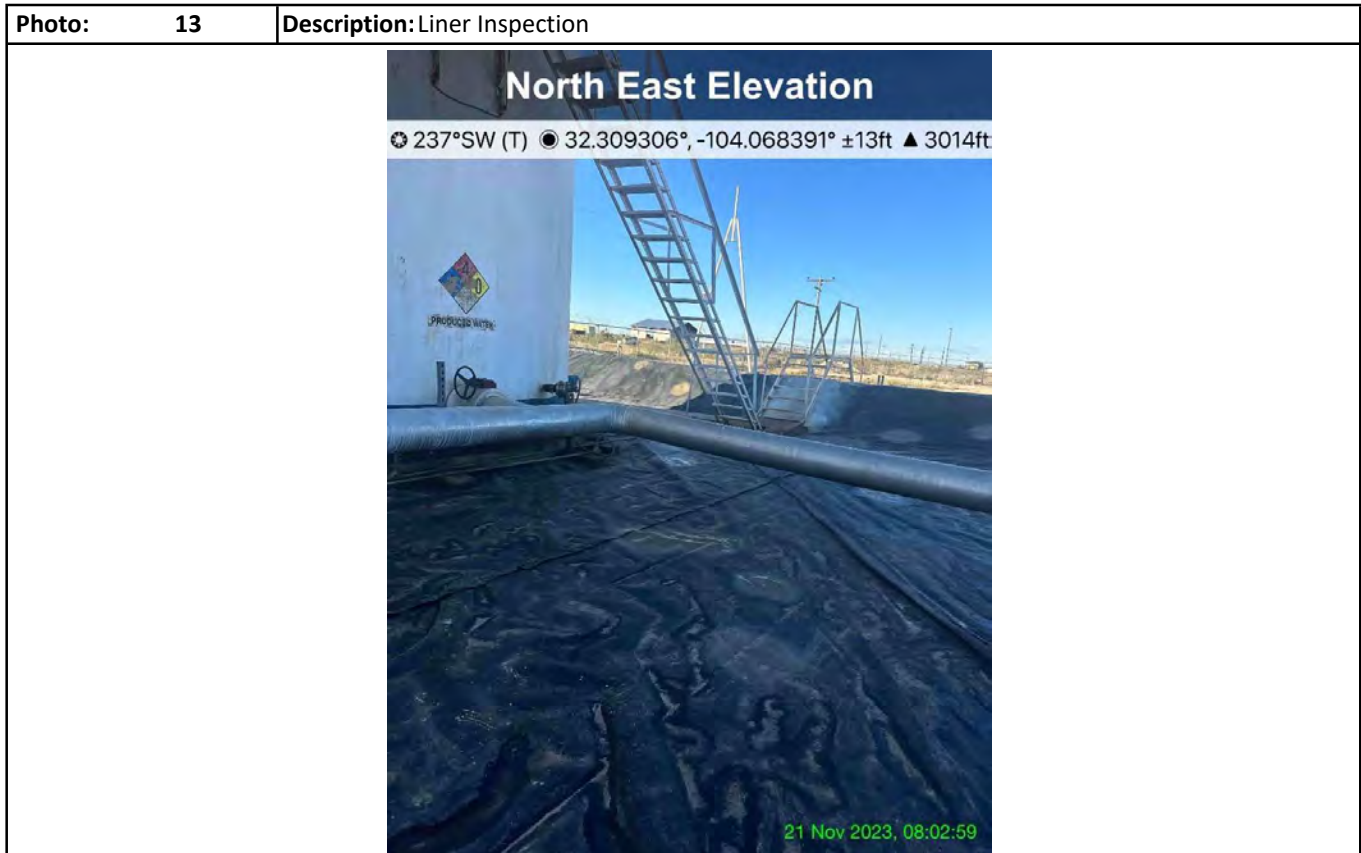


Photographs

Photo:	11	Description: Liner Inspection
<div><div>North West Elevation</div><div>☉ 117°SE (T) ● 32.309323°, -104.068493° ±13ft ▲ 3010ft</div><div>21 Nov 2023, 08:02:17</div></div>		

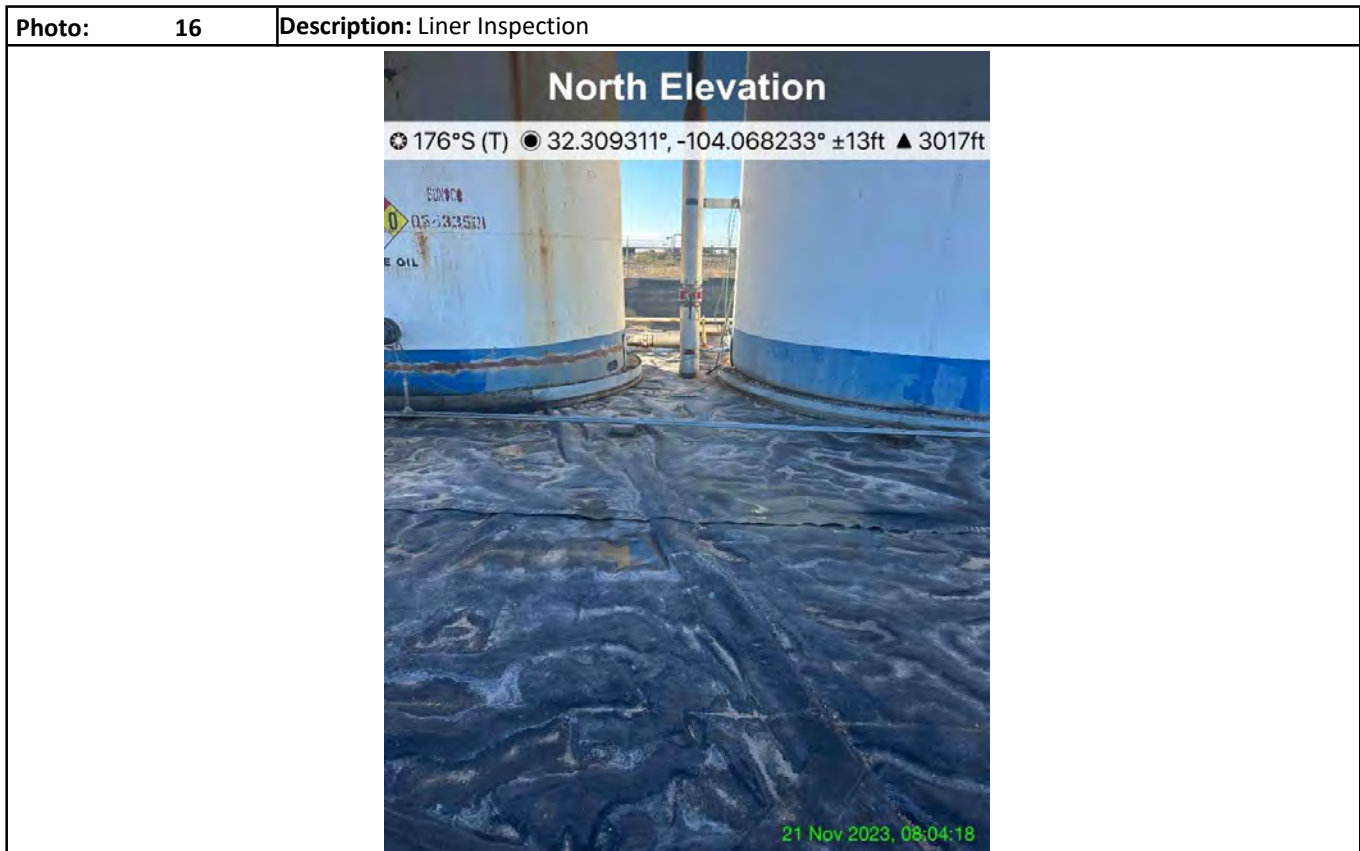
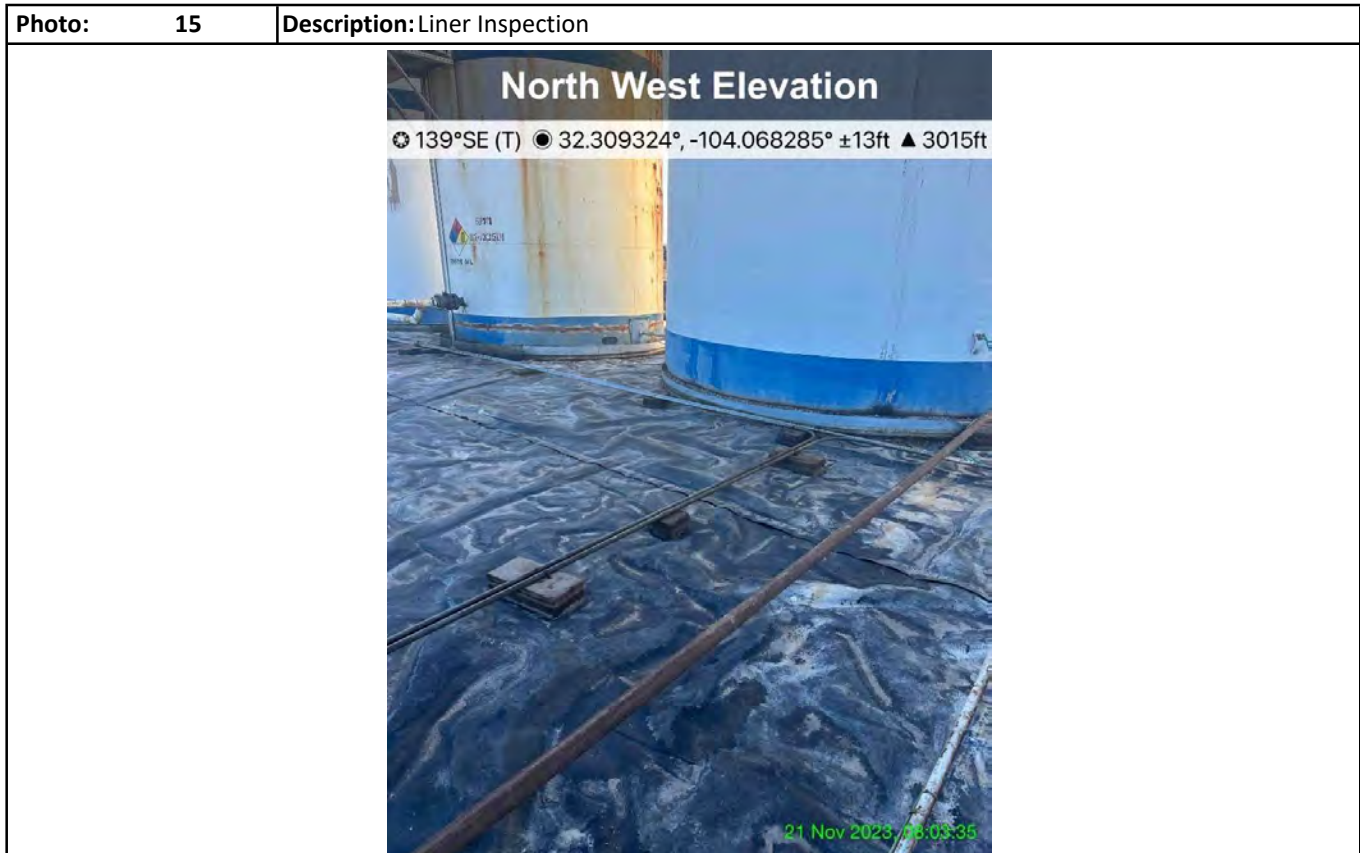
Photo:	12	Description: Liner Inspection
<div><div>North Elevation</div><div>☉ 176°S (T) ● 32.309306°, -104.068388° ±13ft ▲ 3012ft</div><div>21 Nov 2023, 08:02:52</div></div>		

## Photographs





## Photographs





## **Attachment IV**

### **Depth to Groundwater**



## New Mexico Office of the State Engineer

# Wells with Well Log Information

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

(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	Code	Subbasin	County	Source	64	16	4	Sec	Tw	Rng	X	Y	Distance	Start Date	Finish Date	Log File Date	Depth Well	Depth Water	Driller	Licens Number
<a href="#">C 00235</a>		C	ED	Shallow	2	2	15	23S	28E		587676	3575280*	184	07/21/1950	07/23/1950	01/05/1953	70	12	KIMMEL, J.F.	153
<a href="#">C 02503</a>		C	ED	Shallow	4	2	15	23S	28E		587679	3574874*	227	08/27/1996	08/29/1996	09/03/1996	70	12	OSBOURN, FLOYD MILTON	353
<a href="#">C 00616</a>		CUB	ED	Shallow	1	3	1	14	23S	28E	587982	3574978*	295	10/22/1980	12/05/1980	12/09/1980	120	30	BRININSTOOL, M.D.	842
<a href="#">C 00269</a>		C	ED	Shallow	4	4	2	15	23S	28E	587778	3574773*	332	03/01/1958	03/30/1958	04/08/1958	240	35	FREEK, R.H.	212
<a href="#">C 00269 CLW199753</a>	O	C	ED	Shallow	4	4	2	15	23S	28E	587778	3574773*	332	03/01/1958	03/30/1958	04/08/1958	240	35	R.H. FREEK	212
<a href="#">C 04451 POD1</a>		C	ED	Shallow	4	4	4	10	23S	28E	587833	3575521*	439	09/28/2020	10/01/2020	10/14/2020	120	57	HAMMOND, MARKDALENAIGENER	1400
<a href="#">C 02189</a>		C	ED	Shallow	1	1	3	14	23S	28E	587985	3574572*	593	03/12/1990	03/12/1990	04/20/1990	48	29	NORMAN SPRUILL	803
<a href="#">C 03469 POD1</a>		CUB	ED	Shallow	3	4	3	11	23S	28E	588374	3575538*	794	01/24/2011	01/25/2011	05/20/2011	68	38	SCARBOROUGH, LANE (LD)	1188

**Record Count:** 8

**UTMNAD83 Radius Search (in meters):**

**Easting (X):** 587712.6

**Northing (Y):** 3575099.32

**Radius:** 805

\*UTM location was derived from PLSS - see Help

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 particular purpose of the data.

11/21/23 8:01 AM

WELLS WITH WELL LOG INFORMATION



# New Mexico Office of the State Engineer

## Point of Diversion Summary

		(quarters are 1=NW 2=NE 3=SW 4=SE)				(quarters are smallest to largest)		(NAD83 UTM in meters)	
Well Tag	POD Number	Q64	Q16	Q4	Sec	Tws	Rng	X	Y
	C 00235	2	2	15	23S	28E		587676	3575280*
<hr/>									
<b>Driller License:</b> 153		<b>Driller Company:</b> KIMMEL, J.F.							
<b>Driller Name:</b> KIMMEL, J.F.									
<b>Drill Start Date:</b> 07/21/1950		<b>Drill Finish Date:</b> 07/23/1950				<b>Plug Date:</b>			
<b>Log File Date:</b> 01/05/1953		<b>PCW Rev Date:</b> 01/05/1953				<b>Source:</b> Shallow			
<b>Pump Type:</b>		<b>Pipe Discharge Size:</b>				<b>Estimated Yield:</b> 10 GPM			
<b>Casing Size:</b> 7.00		<b>Depth Well:</b> 160 feet				<b>Depth Water:</b>			

\*UTM location was derived from PLSS - see Help

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.

11/21/23 12:16 PM


POINT OF DIVERSION SUMMARY





# New Mexico Office of the State Engineer

## Point of Diversion Summary

		(quarters are 1=NW 2=NE 3=SW 4=SE) (quarters are smallest to largest)						(NAD83 UTM in meters)	
Well Tag	POD Number	Q64	Q16	Q4	Sec	Tws	Rng	X	Y
	C 00269	4	4	2	15	23S	28E	587778	3574773* 
<hr/>									
Driller License:	212	Driller Company:				FREEK, R.H.			
Driller Name:	FREEK, R.H.								
Drill Start Date:	03/01/1958	Drill Finish Date:				03/30/1958	Plug Date:		
Log File Date:	04/08/1958	PCW Rev Date:				04/14/1959	Source:		Shallow
Pump Type:	TURBIN	Pipe Discharge Size:				Estimated Yield:			
Casing Size:	6.00	Depth Well:				240 feet	Depth Water:		35 feet
<hr/>									
Water Bearing Stratifications:					Top	Bottom	Description		
					20	65	Shale/Mudstone/Siltstone		
					200	205	Shale/Mudstone/Siltstone		
<hr/>									
Casing Perforations:					Top	Bottom			
					48	54			

\*UTM location was derived from PLSS - see Help

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.


11/21/23 12:27 PM

POINT OF DIVERSION SUMMARY



# New Mexico Office of the State Engineer

## Point of Diversion Summary

		(quarters are 1=NW 2=NE 3=SW 4=SE)				(quarters are smallest to largest)				(NAD83 UTM in meters)	
Well Tag	POD Number	Q64	Q16	Q4	Sec	Tws	Rng	X	Y		
	C 00616	1	3	1	14	23S	28E	587982	3574978*		
<hr/>											
Driller License:		842		Driller Company:			BRININSTOOL, M.D.				
Driller Name:		BRININSTOOL, M.D.									
Drill Start Date:		10/22/1980		Drill Finish Date:			12/05/1980		Plug Date:		
Log File Date:		12/09/1980		PCW Rev Date:			Source:			Shallow	
Pump Type:					Pipe Discharge Size:			Estimated Yield:			400 GPM
Casing Size:		9.63		Depth Well:			120 feet		Depth Water:		30 feet
<hr/>											
Water Bearing Stratifications:				Top	Bottom	Description					
				60	85	Shallow Alluvium/Basin Fill					
				92	96	Shallow Alluvium/Basin Fill					
<hr/>											
Casing Perforations:				Top	Bottom						
				60	120						

\*UTM location was derived from PLSS - see Help

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.


11/21/23 12:26 PM

POINT OF DIVERSION SUMMARY



# New Mexico Office of the State Engineer

## Point of Diversion Summary

		(quarters are 1=NW 2=NE 3=SW 4=SE)				(quarters are smallest to largest)				(NAD83 UTM in meters)	
Well Tag	POD Number	Q64	Q16	Q4	Sec	Tws	Rng	X	Y		
C	02189	1	1	3	14	23S	28E	587985	3574572*		
x											
Driller License:		803		Driller Company:			SPRUIII BROTHERS DRILLING				
Driller Name:		NORMAN SPRUIII									
Drill Start Date:		03/12/1990		Drill Finish Date:			03/12/1990		Plug Date:		03/13/1990
Log File Date:		04/20/1990		PCW Rcv Date:						Source: Shallow	
Pump Type:					Pipe Discharge Size:			Estimated Yield:			2 GPM
Casing Size:		8.63		Depth Well:			48 feet		Depth Water:		29 feet
x											
Water Bearing Stratifications:				Top	Bottom	Description					
				37	41	Sandstone/Gravel/Conglomerate					
x											
Casing Perforations:				Top	Bottom						
				21	48						

\*UTM location was derived from PLSS - see Help

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.

11/21/23 12:28 PM


POINT OF DIVERSION SUMMARY





# New Mexico Office of the State Engineer

## Point of Diversion Summary

		(quarters are 1=NW 2=NE 3=SW 4=SE)				(NAD83 UTM in meters)			
		(quarters are smallest to largest)							
Well Tag	POD Number	Q64	Q16	Q4	Sec	Tws	Rng	X	Y
C	02503		4	2	15	23S	28E	587679	3574874* 
Driller License:	353	Driller Company:				OSBOURN DRILLING & PUMP CO.			
Driller Name:	OSBOURN, FLOYD MILTON								
Drill Start Date:	08/27/1996	Drill Finish Date:				08/29/1996		Plug Date:	
Log File Date:	09/03/1996	PCW Rev Date:						Source:	Shallow
Pump Type:		Pipe Discharge Size:						Estimated Yield:	27 GPM
Casing Size:	5.50	Depth Well:				70 feet		Depth Water:	12 feet
Water Bearing Stratifications:				Top	Bottom	Description			
				28	58	Sandstone/Gravel/Conglomerate			
Casing Perforations:				Top	Bottom				
				30	70				

\*UTM location was derived from PLSS - see Help

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.

11/21/23 12:25 PM

POINT OF DIVERSION SUMMARY



# New Mexico Office of the State Engineer

## Water Right Summary



WR File Number: C 04268

Subbasin: C

Cross Reference: -

Primary Purpose: DOM 72-12-1 DOMESTIC ONE HOUSEHOLD

Primary Status: PMT PERMIT

Total Acres:

Subfile: -

Header: -

Total Diversion: 1

Cause/Case: -

Owner: JOSE P VALENCIA

### Documents on File

Trn #	Doc	File/Act	Status		Transaction Desc.	From/ To	Acres	Diversion	Consumptive
			1	2					
<a href="#">get images</a>	<a href="#">628334</a>	<a href="#">72121</a>	<a href="#">2018-07-09</a>	PMT	APR C 04268 POD1	T		1	

### Current Points of Diversion

POD Number	Well Tag	Source	Q					(NAD83 UTM in meters)		Other Location Desc	
			64	Q16	Q4	Sec	Tw	Rng	X		Y
<a href="#">C 04268</a>	20772		1	3	1	14	23S	28E	587894	3575069	

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.


11/21/23 12:23 PM

WATER RIGHT SUMMARY



# New Mexico Office of the State Engineer

## Point of Diversion Summary

		(quarters are 1=NW 2=NE 3=SW 4=SE)						(NAD83 UTM in meters)	
Well Tag	POD Number	Q64	Q16	Q4	Sec	Tws	Rng	X	Y
20C1F	C 04451 POD1	4	4	4	10	23S	28E	587833	3575521 
Driller License:	1400	Driller Company:				SOUTHEAST DRILLING COMPANY			
Driller Name:	HAMMOND, MARKDALENAIGENER								
Drill Start Date:	09/28/2020	Drill Finish Date:				10/01/2020		Plug Date:	
Log File Date:	10/14/2020	PCW Rev Date:						Source:	Shallow
Pump Type:		Pipe Discharge Size:						Estimated Yield:	30 GPM
Casing Size:	5.00	Depth Well:				120 feet		Depth Water:	57 feet
Water Bearing Stratifications:					Top	Bottom	Description		
					57	75	Limestone/Dolomite/Chalk		
					87	100	Limestone/Dolomite/Chalk		
Casing Perforations:					Top	Bottom			
					60	120			

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.

11/21/23 12:28 PM

POINT OF DIVERSION SUMMARY





# New Mexico Office of the State Engineer

## Point of Diversion Summary

Well Tag	POD Number	(quarters are 1=NW 2=NE 3=SW 4=SE) (quarters are smallest to largest)						(NAD83 UTM in meters)	
		Q64	Q16	Q4	Sec	Tws	Rng	X	Y
	C 00321	4	2	15	23S	28E		587679	3574874*

x

**Driller License:****Driller Company:****Driller Name:** CHARLES MOORE**Drill Start Date:****Drill Finish Date:****Plug Date:****Log File Date:****PCW Rev Date:****Source:****Pump Type:****Pipe Discharge Size:****Estimated Yield:****Casing Size:** 7.00**Depth Well:** 120 feet**Depth Water:**

x

\*UTM location was derived from PLSS - see Help

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11/21/23 12:24 PM

POINT OF DIVERSION SUMMARY

## **Attachment V**

### **Liner Inspection Report**

## Liner Inspection Form



Client BTA Oil Producers, LLC

Site Name East Loving SWD

Lat/Long 32.309282, -104.068262

Release Date 16-Oct-23

Incident Number nAPP2329051186

NMOCD Notified 16-Nov-23

Inspection Date 21-Nov-23

Observations	Yes	No	Comments
Is the liner present?	✓		
Is the liner torn?		✓	
Are there visible holes in the liner?		✓	
Is the liner retaining any liquids?		✓	
Does it appear the liner had the ability to contain the leak?	✓		

Type of liner: Earthen with liner      Earthen no liner

Metal with Poly Lining      Metal with Spray Epoxy Lining

Other: \_\_\_\_\_


Other concerns or observations:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Inspector Name Shane Rivera

Inspector Signature 

**Attachment VI**  
**NMOCD Form Initial C-141**



District I  
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District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM 87505

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

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

Incident ID	nAPP2329051186
District RP	
Facility ID	fAPP2201734229
Application ID	

Release Notification

Responsible Party

Responsible Party: BTA Oil Producers	OGRID: 260297
Contact Name: Kelton Beaird	Contact Telephone: 432-312-2203
Contact email: kbeaird@btaoil.com	Incident # (assigned by OCD) nAPP2329051186
Contact mailing address: 104 S. Pecos, Midland, TX 79706	

Location of Release Source

Latitude 32.309282 \_\_\_\_\_ Longitude -104.068262 \_\_\_\_\_  
(NAD 83 in decimal degrees to 5 decimal places)

Site Name: East Loving SWD	Site Type: Salt Water Disposal Facility
Date Release Discovered: 10-16-23	API# (if applicable)

Unit Letter	Section	Township	Range	County
A	15	23S	28E	Eddy

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

Nature and Volume of Release

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

<input type="checkbox"/> Crude Oil	Volume Released (bbls)	Volume Recovered (bbls)
<input checked="" type="checkbox"/> Produced Water	Volume Released (bbls) 300	Volume Recovered (bbls) 300
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Condensate	Volume Released (bbls)	Volume Recovered (bbls)
<input type="checkbox"/> Natural Gas	Volume Released (Mcf)	Volume Recovered (Mcf)
<input type="checkbox"/> Other (describe)	Volume/Weight Released (provide units)	Volume/Weight Recovered (provide units)

Cause of Release: The PD Pump failed, causing tank levels to rise. Shortly after, a vac truck failed to adhere to the high level red light and off-loaded into the tanks causing the tanks to overflow. All released fluid stayed inside the lined secondary containment and was fully recovered.

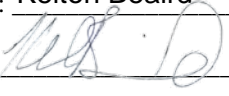
Method for determining volume: All recovered fluid was placed into an isolated tank and gauged to determine the amount.

Incident ID	NAPP2329051186
District RP	
Facility ID	
Application ID	

Was this a major release as defined by 19.15.29.7(A) NMAC?  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If YES, for what reason(s) does the responsible party consider this a major release? 25 barrels or greater
If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)? Yes, by Kelton Beaird, to OCD Enviro, Mike Bratcher, and Robert Hamlet on 10-17-23 by email.	

### Initial Response

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

<input checked="" type="checkbox"/> The source of the release has been stopped. <input checked="" type="checkbox"/> The impacted area has been secured to protect human health and the environment. <input checked="" type="checkbox"/> Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices. <input checked="" type="checkbox"/> All free liquids and recoverable materials have been removed and managed appropriately.	
If all the actions described above have <u>not</u> been undertaken, explain why:	
Per 19.15.29.8 B. (4) NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please attach a narrative of actions to date. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see 19.15.29.11(A)(5)(a) NMAC), please attach all information needed for closure evaluation.	
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.	
Printed Name: <u>Kelton Beaird</u>	Title: <u>Environmental Manager</u>
Signature: <u></u>	Date: <u>10-19-23</u>
email: <u>kbeaird@btaoil.com</u>	Telephone: <u>432-312-2203</u>
<b><u>OCD Only</u></b>	
Received by: <u>Shelly Wells</u>	Date: <u>10/19/2023</u>

**District I**  
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**District IV**  
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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 277217

CONDITIONS

Operator: BTA OIL PRODUCERS, LLC 104 S Pecos Midland, TX 79701	OGRID: 260297
	Action Number: 277217
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
scwells	None	10/19/2023

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

QUESTIONS

Action 296840

**QUESTIONS**

Operator: BTA OIL PRODUCERS, LLC 104 S Pecos Midland, TX 79701	OGRID:
	260297
	Action Number:
	296840
Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)	

**QUESTIONS**

Prerequisites	
Incident ID (n#)	nAPP2329051186
Incident Name	NAPP2329051186 EAST LOVING SWD #1 @ 0
Incident Type	Produced Water Release
Incident Status	Remediation Closure Report Received
Incident Facility	[fAPP2201734229] East Loving SWD #1

**Location of Release Source**

Please answer all the questions in this group.

Site Name	EAST LOVING SWD #1
Date Release Discovered	10/16/2023
Surface Owner	Private

**Incident Details**

Please answer all the questions in this group.

Incident Type	Produced Water Release
Did this release result in a fire or is the result of a fire	No
Did this release result in any injuries	No
Has this release reached or does it have a reasonable probability of reaching a watercourse	No
Has this release endangered or does it have a reasonable probability of endangering public health	No
Has this release substantially damaged or will it substantially damage property or the environment	No
Is this release of a volume that is or may with reasonable probability be detrimental to fresh water	No

**Nature and Volume of Release**

Material(s) released, please answer all that apply below. Any calculations or specific justifications for the volumes provided should be attached to the follow-up C-141 submission.

Crude Oil Released (bbls) Details	Not answered.
Produced Water Released (bbls) Details	Cause: Overflow - Tank, Pit, Etc.   Tank (Any)   Produced Water   Released: 300 BBL   Recovered: 300 BBL   Lost: 0 BBL.
Is the concentration of chloride in the produced water >10,000 mg/l	Yes
Condensate Released (bbls) Details	Not answered.
Natural Gas Vented (Mcf) Details	Not answered.
Natural Gas Flared (Mcf) Details	Not answered.
Other Released Details	Not answered.
Are there additional details for the questions above (i.e. any answer containing Other, Specify, Unknown, and/or Fire, or any negative lost amounts)	The PD Pump failed causing tank levels to rise. At the same time a vac truck failed to adhere to the high level red light and offloaded into the tanks causing the tanks to overflow. All fluid released remained inside the lined secondary containment and was fully recovered.



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

QUESTIONS, Page 2

Action 296840

**QUESTIONS (continued)**

Operator: BTA OIL PRODUCERS, LLC 104 S Pecos Midland, TX 79701	OGRID:	260297
	Action Number:	296840
	Action Type:	[C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**QUESTIONS**

<b>Nature and Volume of Release (continued)</b>	
Is this a gas only submission (i.e. only significant Mcf values reported)	No, according to supplied volumes this does not appear to be a "gas only" report.
Was this a major release as defined by Subsection A of 19.15.29.7 NMAC	Yes
Reasons why this would be considered a submission for a notification of a major release	From paragraph A. "Major release" determine using: (1) an unauthorized release of a volume, excluding gases, of 25 barrels or more.
With the implementation of the 19.15.27 NMAC (05/25/2021), venting and/or flaring of natural gas (i.e. gas only) are to be submitted on the C-129 form.	

**Initial Response**

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

The source of the release has been stopped	True
The impacted area has been secured to protect human health and the environment	True
Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices	True
All free liquids and recoverable materials have been removed and managed appropriately	True
If all the actions described above have not been undertaken, explain why	Not answered.

Per Paragraph (4) of Subsection B of 19.15.29.8 NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please prepare and attach a narrative of actions to date in the follow-up C-141 submission. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC), please prepare and attach all information needed for closure evaluation in the follow-up C-141 submission.

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.

I hereby agree and sign off to the above statement	Name: BTA HUNGRY Title: Environmental Manager Email: kbeaird@btaoil.com Date: 12/21/2023
--	---

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**Santa Fe, NM 87505**

QUESTIONS, Page 3

Action 296840

**QUESTIONS (continued)**

Operator: BTA OIL PRODUCERS, LLC 104 S Pecos Midland, TX 79701	OGRID:	260297
	Action Number:	296840
	Action Type:	[C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**QUESTIONS****Site Characterization**

Please answer all the questions in this group (only required when seeking remediation plan approval and beyond). 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 in feet below ground surface (ft bgs)	Less than or equal 25 (ft.)
What method was used to determine the depth to ground water	NM OSE iWaters Database Search
Did this release impact groundwater or surface water	No
<b>What is the minimum distance, between the closest lateral extents of the release and the following surface areas:</b>	
A continuously flowing watercourse or any other significant watercourse	Between ½ and 1 (mi.)
Any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)	Between 1 and 5 (mi.)
An occupied permanent residence, school, hospital, institution, or church	Between 300 and 500 (ft.)
A spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes	Between 500 and 1000 (ft.)
Any other fresh water well or spring	Between 500 and 1000 (ft.)
Incorporated municipal boundaries or a defined municipal fresh water well field	Between 1 and 5 (mi.)
A wetland	Greater than 5 (mi.)
A subsurface mine	Between 1 and 5 (mi.)
An (non-karst) unstable area	Zero feet, overlying, or within area
Categorize the risk of this well / site being in a karst geology	Low
A 100-year floodplain	Between 1 and 5 (mi.)
Did the release impact areas not on an exploration, development, production, or storage site	No

**Remediation Plan**

Please answer all the questions that apply or are indicated. This information must be provided to the appropriate district office no later than 90 days after the release discovery date.

Requesting a remediation plan approval with this submission	Yes
Attach a comprehensive report demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined, pursuant to 19.15.29.11 NMAC and 19.15.29.13 NMAC.	
Have the lateral and vertical extents of contamination been fully delineated	Yes
Was this release entirely contained within a lined containment area	Yes
Per Subsection B of 19.15.29.11 NMAC unless the site characterization report includes completed efforts at remediation, the report must include a proposed remediation plan in accordance with 19.15.29.12 NMAC, which includes the anticipated timelines for beginning and completing the remediation.	
On what estimated date will the remediation commence	11/21/2023
On what date will (or did) the final sampling or liner inspection occur	11/21/2023
On what date will (or was) the remediation complete(d)	11/21/2023
What is the estimated surface area (in square feet) that will be remediated	0
What is the estimated volume (in cubic yards) that will be remediated	0
These estimated dates and measurements are recognized to be the best guess or calculation at the time of submission and may (be) change(d) over time as more remediation efforts are completed.	
The OCD recognizes that proposed remediation measures may have to be minimally adjusted in accordance with the physical realities encountered during remediation. If the responsible party has any need to significantly deviate from the remediation plan proposed, then it should consult with the division to determine if another remediation plan submission is required.	

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QUESTIONS, Page 4

Action 296840

**QUESTIONS (continued)**

Operator: BTA OIL PRODUCERS, LLC 104 S Pecos Midland, TX 79701	OGRID: 260297
	Action Number: 296840
	Action Type: [C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**QUESTIONS****Remediation Plan (continued)**

*Please answer all the questions that apply or are indicated. This information must be provided to the appropriate district office no later than 90 days after the release discovery date.*

**This remediation will (or is expected to) utilize the following processes to remediate / reduce contaminants:**

*(Select all answers below that apply.)*

Is (or was) there affected material present needing to be removed	No
Is (or was) there a power wash of the lined containment area (to be) performed	Yes
OTHER (Non-listed remedial process)	Not answered.

*Per Subsection B of 19.15.29.11 NMAC unless the site characterization report includes completed efforts at remediation, the report must include a proposed remediation plan in accordance with 19.15.29.12 NMAC, which includes the anticipated timelines for beginning and completing the remediation.*

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.

I hereby agree and sign off to the above statement	Name: BTA HUNGRY Title: Environmental Manager Email: kbeaird@btaoil.com Date: 12/21/2023
--	---

*The OCD recognizes that proposed remediation measures may have to be minimally adjusted in accordance with the physical realities encountered during remediation. If the responsible party has any need to significantly deviate from the remediation plan proposed, then it should consult with the division to determine if another remediation plan submission is required.*

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QUESTIONS, Page 6

Action 296840

**QUESTIONS (continued)**

Operator: BTA OIL PRODUCERS, LLC 104 S Pecos Midland, TX 79701	OGRID:	260297
	Action Number:	296840
	Action Type:	[C-141] Remediation Closure Request C-141 (C-141-v-Closure)

**QUESTIONS**

<b>Liner Inspection Information</b>	
Last liner inspection notification (C-141L) recorded	<b>296832</b>
Liner inspection date pursuant to Subparagraph (a) of Paragraph (5) of Subsection A of 19.15.29.11 NMAC	<b>11/21/2023</b>
Was all the impacted materials removed from the liner	<b>Yes</b>
What was the liner inspection surface area in square feet	<b>6800</b>

**Remediation Closure Request**

*Only answer the questions in this group if seeking remediation closure for this release because all remediation steps have been completed.*

Requesting a remediation closure approval with this submission	<b>Yes</b>
Have the lateral and vertical extents of contamination been fully delineated	<b>Yes</b>
Was this release entirely contained within a lined containment area	<b>Yes</b>
What was the total surface area (in square feet) remediated	<b>0</b>
What was the total volume (cubic yards) remediated	<b>0</b>
Summarize any additional remediation activities not included by answers (above)	<b>repaired leak. power washed liner. notified liner inspection. completed liner inspection.</b>

*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 (in .pdf format) 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.*

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.

I hereby agree and sign off to the above statement	<b>Name: BTA HUNGRY</b> <b>Title: Environmental Manager</b> <b>Email: kbeaird@btaoil.com</b> <b>Date: 12/21/2023</b>
--	---



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CONDITIONS  
  
Action 296840

CONDITIONS

Operator: BTA OIL PRODUCERS, LLC 104 S Pecos Midland, TX 79701	OGRID:
	260297
	Action Number:
	296840
Action Type:	
[C-141] Remediation Closure Request C-141 (C-141-v-Closure)	

CONDITIONS

Created By	Condition	Condition Date
rhamlet	We have received your Remediation Closure Report for Incident #NAPP2329051186 EAST LOVING SWD #1, thank you. This Remediation Closure Report is approved.	3/26/2024