District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

# State of New Mexico Energy Minerals and Natural Resources

Oil Conservation Division 1220 South St. Francis Dr. Santa Fe, NM 87505 Form C Revised October 10

Submit 2 Copies to appropriate of the District Office in accord with Rule 116 on side of

# **Release Notification and Corrective Action**

			Rei	ease Mount	catioi	i and Co	orrective A	CHOI	ı		
						<b>OPERA</b>	ГOR			al Report	Final F
Name of Company: Elm Ridge Exploration					Contact: Amy Mackey						
Address: PO Box 156, Bloomfield, NM 87413						No.: (505) 632-3	3476 Ex	xt 201			
Facility Name: Bisti Coal 22-2						Facility Typ	e: Gas Well				
Surface Ow	ner: Feder	ral		Mineral C	)wner:				Lease N	lo.: NOO-C	C-14-20-5578
				LOCA	ATION	N OF REI	LEASE				
Unit Letter	Section	Township	Range	Feet from the					West Line   County		
L	22	25N	12W	2310	1			] 1	FWL	San Juan	
	I		La	atitude: 36.385	771179	4 Longitu	de: -108.105169	9664			
				NAT	URE	OF RELI	EASE				
Type of Relea						Volume of	Release: Unknov	vn		Recovered: U	
Source of Rel	ease: Earth	Pit				Date and H Historical	lour of Occurrence	e:	Date and	Hour of Disc	covery: NA
Was Immedia	te Notice (					If YES, To	Whom?				
			Yes L	No 🛛 Not Re	equired						
By Whom?	D	1 10				Date and H		L - 11/-4			
Was a Watero	ourse Read	ched?	Yes 🗵	No		If YES, Volume Impacting the Watercourse.					
If a Watercou	rse was Im	pacted, Descri	be Fully.	•	. 10.1	<u> </u>			-0		
Describe Area Blow sand wa composite sar petroleum hyc chlorides via	n pit, but in Affected as as removed inple was co drocarbons USEPA Me	and Cleanup A from the earth ollected from a (TPH) via US thod 4500B.	Above Grocetion Takes an pit, an approxima EPA Meth	en.* d approximately stely one (1) foot I nod 418.1, and in le returned results	six (6) cubelow the Envirotes below t	bic yards of e earthen pit ech's laborate he 'Pit Rule'	rthen pit on locat production sludge once it was removery for benzene ar standards of 100 esults are attached	ge' was wed. The definition of	removed from the sample was a Via USER TPH, 0.2 m	om the earth ras analyzed PA Method 8 g/kg benzen	en pit. A 5-poin in the field for t 8021 and for tota
I hereby certif regulations all public health of should their of	y that the in operators a or the envir operations had ment. In a	nformation give are required to conment. The ave failed to a ddition, NMO	ven above report an acceptanc dequately CD accep	is true and compl d/or file certain re e of a C-141 repo investigate and re	lete to the elease no ert by the emediate	e best of my stifications an NMOCD ma contamination	knowledge and used perform corrector arked as "Final Room that pose a three the operator of recommendation of recommendation of recommendation and the contractor of recommendation of recommendation and the contractor of recommendatio	nderstar tive act eport" d	nd that purs ions for rele loes not reli round water	uant to NMO eases which eve the oper	may endanger rator of liability tter, human healt
Signature:						OIL CONSERVATION DIVISION  Approved by District Supervisor:				<u>)N</u>	
Printed Name:	Ms. Amy	Mackey					District Superviso	J1.			
Title: Adminis	trative Ma	nager			A	Approval Date	D:		Expiration l	Date:	
E-mail Addres	s: amackey			5-632-3476 Ext 2		Conditions of Approval:  Attached					
Attach Additi				5 552-5-10 EAU 2							

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

For temporary pits, closed-loop systems, a below-grade tanks, submit to the appropriat NMOCD District Office.

For permanent pits and exceptions submit the Santa Fe Environmental Bureau office an provide a copy to the appropriate NMOCD

Santa Fe, Nivi 87303 District Office.
Pit, Closed-Loop System, Below-Grade Tank, or  Proposed Alternative Method Permit or Closure Plan Application
Proposed Alternative Method Permit or Closure Plan Application
Type of action:  Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method Modification to an existing permit Closure plan only submitted for an existing permitted or non-permitted pit, closed-loop system, below-grade tank, or proposed alternative method
Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, below-grade tank, or alternative request
Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations, or ordinary to the comply with any other applicable governmental authority's rules, regulations, or ordinary to the comply with any other applicable governmental authority's rules, regulations, or ordinary to the comply with any other applicable governmental authority's rules, regulations, or ordinary to the comply with any other applicable governmental authority's rules, regulations, or ordinary to the comply with any other applicable governmental authority's rules, regulations, or ordinary to the comply with any other applicable governmental authority's rules, regulations, or ordinary to the comply with any other applicable governmental authority's rules, regulations, or ordinary to the comply with any other applicable governmental authority's rules, regulations, or ordinary to the comply with any other applicable governmental authority is rules, regulations, or ordinary to the comply with any other applicable governmental authority is rules, regulations, and the complex properties are considered to the complex properties and the complex properties are considered to the complex properties a
Operator: Elm Ridge Exploration OGRID #: 149052
Address: P.O. Box 156; Bloomfield, NM 87413
Facility or well name: Bisti Coal 22-2
API Number: 3004528243 OCD Permit Number:
U/L or Qtr/Qtr L Section 22 Township 25N Range 12W County: San Juan
Center of Proposed Design: Latitude <u>36.3857711794</u> Longitude <u>-108.105169664</u> NAD: ☐1927 ☑ 1983
Surface Owner: M Federal M State M Private M Tribal Trust or Indian Allotment
2.    Pit: Subsection F or G of 19.15.17.11 NMAC   Temporary: □ Drilling □ Workover   Permanent □ Emergency □ Cavitation □ P&A
☐ Lined ☑ Unlined Liner type: Thicknessmil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other
☐ String-Reinforced
Liner Seams: Welded Factory Other Volume: bbl Dimensions: L 4' x W 2' x D 2'
Closed-loop System: Subsection H of 19.15.17.11 NMAC   Type of Operation: P&A Drilling a new well Workover or Drilling (Applies to activities which require prior approval of a permit or notice intent)   Drying Pad Above Ground Steel Tanks Haul-off Bins Other Lined Unlined Liner type: Thickness mil LLDPE HDPE PVC Other Liner Seams: Welded Factory Other
Below-grade tank: Subsection I of 19.15.17.11 NMAC
Volume:bbl Type of fluid:
Tank Construction material:
☐ Secondary containment with leak detection ☐ Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off
☐ Visible sidewalls and liner ☐ Visible sidewalls only ☐ Not labeled
Liner type: Thicknessmil
5.
Alternative Method:

Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

6.	
Fencing: Subsection D of 19.15.17.11 NMAC (Applies to permanent pits, temporary pits, and below-grade tanks)	
Chain link, six feet in height, two strands of barbed wire at top (Required if located within 1000 feet of a permanent residence, school, h institution or church)	iospital,
☐ Four foot height, four strands of barbed wire evenly spaced between one and four feet	
Alternate. Please specify	
7.	
Netting: Subsection E of 19.15.17.11 NMAC (Applies to permanent pits and permanent open top tanks)	
Screen Netting Other	
Monthly inspections (If netting or screening is not physically feasible)	
Signs: Subsection C of 19.15.17.11 NMAC	
12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers	
Signed in compliance with 19.15.3.103 NMAC	
Administrative Approvals and Exceptions:	
Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17 NMAC for guidance.  Please check a box if one or more of the following is requested, if not leave blank:	
Administrative approval(s): Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau o	ffice for
consideration of approval.  Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.	
10.	
Siting Criteria (regarding permitting): 19.15.17.10 NMAC Instructions: The applicant must demonstrate compliance for each siting criteria below in the application. Recommendations of accept	table source
material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the approp	riate district
office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of ap Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. Siting criteria does not apply to dryin	
above-grade tanks associated with a closed-loop system.	
Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank.  - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	Yes
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).	☐ Yes ☐
- Topographic map; Visual inspection (certification) of the proposed site	
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.	Yes NA
(Applies to temporary, emergency, or cavitation pits and below-grade tanks)	
<ul> <li>Visual inspection (certification) of the proposed site; Aerial photo; Satellite image</li> <li>Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.</li> </ul>	
	☐ Yes ☐ NA
· · · · · · · · · · · · · · · · · · ·	□ NA
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application.  - NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site	☐ Yes ☐
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance	
adopted pursuant to NWSA 1978, Section 3-27-3, as amended.	☐ Yes ☐
Within 500 feet of a wetland.	☐ Yes ☐
	<ul><li>☐ Yes □</li><li>☐ Yes □</li></ul>
Within the area overlying a subsurface mine.	Yes 🗆
Within the area overlying a subsurface mine.	
Within the area overlying a subsurface mine.  - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division  Within an unstable area.	Yes 🗆
Within the area overlying a subsurface mine.  - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	Yes
Within the area overlying a subsurface mine.  - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division  Within an unstable area.  - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map	Yes

Temporary Pits, Emergency Pits, and Below-grade Tanks Permit Application Attachment Checklist: Subsection B of 19.15.17.9 NMAC  Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.  Hydrogeologic Report (Below-grade Tanks) - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC  Hydrogeologic Data (Temporary and Emergency Pits) - based upon the requirements of Paragraph (2) of Subsection B of 19.15.17.9 NMAC  Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC  Design Plan - based upon the appropriate requirements of 19.15.17.12 NMAC  Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC  Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NM/and 19.15.17.13 NMAC  Previously Approved Design (attach copy of design) API Number:  or Permit Number:  or Permit Number:
12.  Closed-loop Systems Permit Application Attachment Checklist: Subsection B of 19.15.17.9 NMAC  Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.  Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19.15.17.9
Siting Criteria Compliance Demonstrations (only for on-site closure) - based upon the appropriate requirements of 19.15.17.10 NMAC  Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC  Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC  Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NM and 19.15.17.13 NMAC
☐ Previously Approved Design (attach copy of design) API Number:
Previously Approved Operating and Maintenance Plan API Number: (Applies only to closed-loop system that use
above ground steel tanks or haul-off bins and propose to implement waste removal for closure)
Permanent Pits Permit Application Checklist: Subsection B of 19.15.17.9 NMAC  Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.    Hydrogeologic Report - based upon the requirements of Paragraph (1) of Subsection B of 19.15.17.9 NMAC   Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC   Climatological Factors Assessment   Certified Engineering Design Plans - based upon the appropriate requirements of 19.15.17.11 NMAC   Dike Protection and Structural Integrity Design - based upon the appropriate requirements of 19.15.17.11 NMAC   Leak Detection Design - based upon the appropriate requirements of 19.15.17.11 NMAC   Liner Specifications and Compatibility Assessment - based upon the appropriate requirements of 19.15.17.11 NMAC   Quality Control/Quality Assurance Construction and Installation Plan   Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC   Freeboard and Overtopping Prevention Plan - based upon the appropriate requirements of 19.15.17.11 NMAC   Nuisance or Hazardous Odors, including H <sub>2</sub> S, Prevention Plan   Emergency Response Plan   Oil Field Waste Stream Characterization   Monitoring and Inspection Plan   Erosion Control Plan   Closure Plan - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC
Proposed Closure: 19.15.17.13 NMAC Instructions: Please complete the applicable boxes, Boxes 14 through 18, in regards to the proposed closure plan.
Type: Drilling Workover Emergency Cavitation P&A Permanent Pit Below-grade Tank Closed-loop System Alternative Proposed Closure Method: Waste Excavation and Removal Waste Removal (Closed-loop systems only) On-site Closure Method (Only for temporary pits and closed-loop systems) In-place Burial On-site Trench Burial Alternative Closure Method (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)
Waste Excavation and Removal Closure Plan Checklist: (19.15.17.13 NMAC) Instructions: Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.  Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC  Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC  Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings)  Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC  Re-vegetation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Stee Instructions: Please indentify the facility or facilities for the disposal of liquids, drill facilities are required.		
facilities are required.  Disposal Facility Name: Dis	posal Facility Permit Number:	
	posal Facility Permit Number:	
Will any of the proposed closed-loop system operations and associated activities occur  Yes (If yes, please provide the information below) No		vice and operation
Required for impacted areas which will not be used for future service and operations:  Soil Backfill and Cover Design Specifications based upon the appropriate req Re-vegetation Plan - based upon the appropriate requirements of Subsection I of Site Reclamation Plan - based upon the appropriate requirements of Subsection C	19.15.17.13 NMAC	С
17. Siting Criteria (regarding on-site closure methods only): 19.15.17.10 NMAC Instructions: Each siting criteria requires a demonstration of compliance in the clos provided below. Requests regarding changes to certain siting criteria may require ad considered an exception which must be submitted to the Santa Fe Environmental But demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for g	ministrative approval from the appropriate dist reau office for consideration of approval. Just	rict office or ma
Ground water is less than 50 feet below the bottom of the buried waste.  - NM Office of the State Engineer - iWATERS database search; USGS; Data obt	ained from nearby wells	Yes No
Ground water is between 50 and 100 feet below the bottom of the buried waste - NM Office of the State Engineer - iWATERS database search; USGS; Data obt	ained from nearby wells	☐ Yes ☐ No
Ground water is more than 100 feet below the bottom of the buried waste.  - NM Office of the State Engineer - iWATERS database search; USGS; Data obt	ained from nearby wells	☐ Yes ☐ No
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other signific lake (measured from the ordinary high-water mark).  - Topographic map; Visual inspection (certification) of the proposed site	ant watercourse or lakebed, sinkhole, or playa	☐ Yes ☐ No
Within 300 feet from a permanent residence, school, hospital, institution, or church in experimental control of the proposed site; Aerial photo; Satellite image	xistence at the time of initial application.	☐ Yes ☐ No
Within 500 horizontal feet of a private, domestic fresh water well or spring that less that watering purposes, or within 1000 horizontal feet of any other fresh water well or spring  NM Office of the State Engineer - iWATERS database; Visual inspection (certi	, in existence at the time of initial application.	☐ Yes ☐ No
Within incorporated municipal boundaries or within a defined municipal fresh water we adopted pursuant to NMSA 1978, Section 3-27-3, as amended.  - Written confirmation or verification from the municipality; Written approval ob		☐ Yes ☐ No
Within 500 feet of a wetland US Fish and Wildlife Wetland Identification map; Topographic map; Visual ins	pection (certification) of the proposed site	☐ Yes ☐ No
Within the area overlying a subsurface mine Written confirmation or verification or map from the NM EMNRD-Mining and	Mineral Division	☐ Yes ☐ No
Within an unstable area.  - Engineering measures incorporated into the design; NM Bureau of Geology & N Society; Topographic map	Aineral Resources; USGS; NM Geological	☐ Yes ☐ No
Within a 100-year floodplain FEMA map		☐ Yes ☐ No
On-Site Closure Plan Checklist: (19.15.17.13 NMAC) Instructions: Each of the followance wark in the box, that the documents are attached.  Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of Subsequence Construction/Design Plan of Burial Trench (if applicable) based upon the appropication/Design Plan of Temporary Pit (for in-place burial of a drying pad) - Protocols and Procedures - based upon the appropriate requirements of 19.15.17.1 Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsequence Waste Material Sampling Plan - based upon the appropriate requirements of Subsequence Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cure Soil Cover Design - based upon the appropriate requirements of Subsection H of 1 Re-vegetation Plan - based upon the appropriate requirements of Subsection G	ents of 19.15.17.10 NMAC ection F of 19.15.17.13 NMAC riate requirements of 19.15.17.11 NMAC based upon the appropriate requirements of 19. 3 NMAC ents of Subsection F of 19.15.17.13 NMAC ection F of 19.15.17.13 NMAC uttings or in case on-site closure standards cann 9.15.17.13 NMAC 9.15.17.13 NMAC	15.17.11 NMAC

Operator Application Certification:  I hereby certify that the information submitted with this application is true, acc	curate and complete to the best of my knowledge and belief.
Name (Print):	
Signature:	Date:
E-mail address:	Telephone:
20. OCD Approval: Permit Application (including closure plan) Closure	
OCD Representative Signature:	Approval Date:
Title:	OCD Permit Number:
Closure Report (required within 60 days of closure completion): Subsection Instructions: Operators are required to obtain an approved closure plan prior The closure report is required to be submitted to the division within 60 days of section of the form until an approved closure plan has been obtained and the	or to implementing any closure activities and submitting the closure re If the completion of the closure activities. Please do not complete this
	☑ Closure Completion Date: 8/11/09
22.  Closure Method:  Waste Excavation and Removal ☐ On-Site Closure Method ☐ Altern☐ If different from approved plan, please explain.	mative Closure Method   Waste Removal (Closed-loop systems onl
23.  Closure Report Regarding Waste Removal Closure For Closed-loop System Instructions: Please indentify the facility or facilities for where the liquids, dr two facilities were utilized.	
Disposal Facility Name: Envirotech Landfarm #2	Disposal Facility Permit Number: <u>NM-01-0011</u>
Disposal Facility Name:	Disposal Facility Permit Number:
Were the closed-loop system operations and associated activities performed on one Yes (If yes, please demonstrate compliance to the items below) \( \subseteq \) No	or in areas that will not be used for future service and operations?
Required for impacted areas which will not be used for future service and operated Site Reclamation (Photo Documentation)  Soil Backfilling and Cover Installation  Re-vegetation Application Rates and Seeding Technique	ations:
Closure Report Attachment Checklist: Instructions: Each of the following is mark in the box, that the documents are attached.  Proof of Closure Notice (surface owner and division) see attached  Proof of Deed Notice (required for on-site closure)  Plot Plan (for on-site closures and temporary pits)  Confirmation Sampling Analytical Results (if applicable) see attached  Waste Material Sampling Analytical Results (required for on-site closure)  Disposal Facility Name and Permit Number Envirotech Landfarm #2, Note Soil Backfilling and Cover Installation see attached  Re-vegetation Application Rates and Seeding Technique pursuant to the Site Reclamation (Photo Documentation) see attached  On-site Closure Location: Latitude	) NM-01-0011 BLM MOU
	itude NAD:
Operator Closure Certification:  I hereby certify that the information and attachments submitted with this closure belief. I also certify that the closure complies with all applicable closure requires	report is true, accurate and complete to the best of my knowledge and ements and conditions specified in the approved closure plan.
Name (Print): Ms. Any Mackey	Title: Administrative Manager
Signature:	Date: 10-8-09
E-mail address <u>amackey1@elmridge.net</u>	Telephone:

# Elm Ridge Exploration Bisti Coal 22-2 Sec. 22, Twn 25N, Rge 12W Project No. 03056-0171

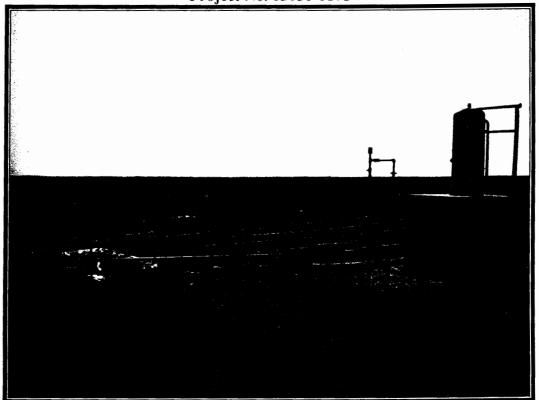


Photo 1: Bisti Coal 22-2 Well Site Overview

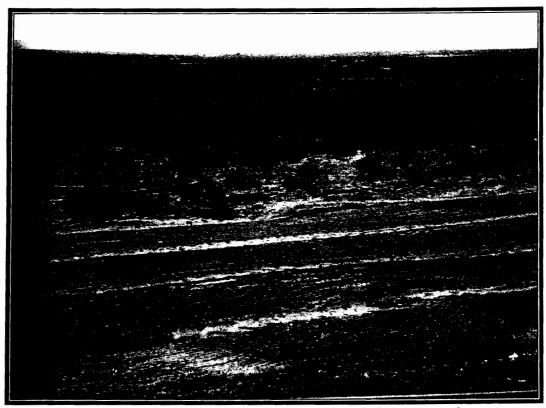


Photo 2: Excavated Area After Backfilling and Recontouring

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	Express Package Service Factor Phonty Departed Factor Phonty Committee Factor Phonty Package Package Factor Phonty Package Pac		Fedix Fedix Emolope Special Headling			The Periods Bear	Residential Delivery Signature Options   16 Spates   Pentral
40E5 2	44 1519-6147-9 1519-6147-9	49	01	716-3487 C	Days, Fluor (Bahal, Reen)	87505	
6693 BJ47	1919-6147-9 mm (XX) 632		See NM 2F B7401 しょ・で色色4/	minima Mr. Brad Jones mai 3051 4716-3487 minima Must Mexico Oil Corpervatio Division	Martin 1880 South St. Frances St.	Sun NM 21 87	COMP.
irbill MB 86	Account Number	IAY 64	0805	Commy Please Mexico Oil	ादीर डिम.	n, pris fedit adves hen.	Schwedilb a pickup at ledbyo
edex US Airbill	From newprendents  Date  Sender's CLMD.S. Name	Company ENVIROTECH Admin 3796 HIGHMAY 64	Cty F. ARM INGTON You letered Billing Reference	Dr. Bra	830 8	a Sarte Fe	Total Services



July 8, 2009

Project No. 03056-0241

Mr. Brad Jones
New Mexico Oil Conservation Division
1220 South St. Francis Street
Santa Fe, New Mexico 87505

Phone (505) 476-3487

RE: EARTH PIT CLOSURE DOCUMENTATION

Dear Mr. Jones,

Envirotech, Inc, on the behalf of Elm Ridge Exploration, would like to submit this notification to disregard the C-141 Forms concerning the Earthen Pit Release Notifications previously submitted to your office in May of 2009. These C-141 documents were submitted with contamination assessment sampling results, and do not reflect any closure activities occurring on site. To date, closure activities have not begun on any earthen pit owned by Elm Ridge Exploration. A list of the earthen pit C-141 soil assessment documents submitted to your office are as follows:

BISTI COAL 12 001	BISTI COAL 4 001 PIT 1	JETER COM 002
BISTI COAL 16 001	BISTI COAL 4 001 PIT 2	JICARILLA APACHE I 011
BISTI COAL 16 002	BISTI COAL 4 COM 002	NORTH BISTI COAL 31 001
BISTI COAL 17 COM 001	BISTI COAL 5 COM 001	NORTH BISTI COAL 32M COM 002
BISTI COAL 18 001	BISTI COAL 5K COM 002	PETE MORROW 001
BISTI COAL 18 002	BISTI COAL 6 001	PETE MORROW 002
BISTI COAL 19 001	BISTI COAL 6 002	SAM JACKSON STATE COM 001
BISTI COAL 2 001	BISTI COAL 7 001	SHEILA HIXON 001
BISTI COAL 2 002	BISTI COAL 7 COM 002	WEST BISTI COAL 10 002
BISTI COAL 20 001	BISTI COAL 8 COM 001	WEST BISTI COAL 11 002
BISTI COAL 20 002	BISTI COAL 8L COM 002	WEST BISTI COAL 11 COM F 001
BISTI COAL 21 001	BISTI COAL 9 001	WEST BISTI COAL 12 001
BISTI COAL 21 COM 002	BISTI COAL 9 COM 002	WEST BISTI COAL 13 001
BISTI COAL 22 002	<b>BUENA SUERTE 3 G COM 001</b>	WEST BISTI COAL 14 COM 001
BISTI COAL 28 001	BUENA SUERTE 3 L COM 001	WEST BISTI COAL 15 001
BISTI COAL 29 001	BUENA SUERTE 32 G COM 001	WEST BISTI COAL 15 002
BISTI COAL 29 002	BUENA SUERTE 4 L COM 001	WEST BISTI COAL 22 002
BISTI COAL 30 COM 001	CARSON 10 332	WEST BISTI COAL 22 COM 001
BISTI COAL 31 001	CARSON UNIT 15 COM 323	WEST BISTI COAL 23 001
WEST BISTI COAL 25 001	CARSON UNIT 206	WEST BISTI COAL 24 001
WEST BISTI COAL 25 002Y	EAST BISTI COAL 6 001	WEST BISTI COAL 24 COM 002
CARSON UNIT 313		

We appreciate the opportunity to be of service. Should you have any questions or require additional information, please contact our office at (505) 632-0615.

Respectfully Submitted,

ENVIROTECH, IN

**ELM RIDGE EXPLORATION** 

James McDaniel

**Project Scientist** 

imcdaniel@envirotech-inc.com

Amy Mackey Administrative Manager amackey!@elmridge.net



Home | Help | Sign in

Track & Confirm

FAQ<sub>5</sub>

# **Track & Confirm**

## Search Results

Label/Receipt Number: 7007 1490 0000 5398 9282 Service(s): Certified Mail™ Status: Delivered

Your Item was delivered at 9:58 AM on August 6, 2009 in FARMINGTON, NM 87401.

Track & Confirm

Enter Label/Receipt Number.

60 > )

## **Notification Options**

Track & Confirm by email

Get current event information or updates for your

Site Map Customer Service Forms Gov't Services

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Bloti Coal 21-1 03056-0169

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August 3, 2009

Project No. 03056-0171

Phone: (505) 599-8900

Mr. Mark Kelly Bureau of Land Management 1235 La Plata Highway, Suite A Farmington, New Mexico 87401

BISTI COAL 22-2 EARTH PIT CLOSURE NOTIFICATION

Dear Mr. Kelly,

RE:

Please accept this letter and attached Sundry Notice as the necessary surface owner notification for closure activities at the Bisti Coal 22-2 well site, owned and operated by Elm Ridge Exploration. The Bisti Coal 22-2 well site is located in Unit L, Section 22, Township 25N, Range 12W, San Juan County, New Mexico. Closure activities are scheduled to begin on August 10, 2009 and continue through August 14, 2009.

We appreciate the opportunity to be of service. If you have any questions or require additional information, please contact our office at (505) 632-0615.

Respectfully Submitted,

Environech, Inc

James McDaniel Project Scientist

imcdaniel@envirotech-inc.com

Enclosure:

**Sundry Notice** 

Cc:

Client File No. 03056

Form 3160-5 (August 2007)

# UNITED STATES DEPARTMENT OF THE INTERIOR **BUREAU OF LAND MANAGEMENT**

FORM APPROV	ŒD
OMB No. 1004-0	1137
Danisson Inter 21	201

5. Lease Serial No.

Do not use this f	orm for proposals to Use Form 3160-3 (Al	o drill or to re-	enter an		). If Indian, Allottee	or Tribe Name
SUBMIT	IN TRIPLICATE - Other I	instructions on pag	ne 2.	7	. If Unit of CA/Agr	eement, Name and/or No.
1. Type of Well						
Oil Well  Gas W	ell Other				. Well Name and No Bisti Coal 22-2	0.
Name of Operator     Elm Ridge Exploration				9	API Well No. 10-045-28243	
3a. Address PO Box 158		3b. Phone No. (incl	ude area code)	1	0. Field and Pool or	Exploratory Area
Bloomfield, NM 87413		(505) 632-3476		—- ,	1. Country or Parish	State
4. Location of Well (Footage, Sec., T., k 2310 FSL 790 FWL, L-22-25N-12W, Lat. 36.385	771 long106.10516			1.	San Juan County,	
12. CHEC	K THE APPROPRIATE BOX	K(ES) TO INDICAT	E NATURE OF N	OTICE	, REPORT OR OTH	TER DATA
TYPE OF SUBMISSION			TYPE OF	ACTIO	N	
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Subsequent Report	Casing Repair	New Const	ruction	Recom	plete	Other Closure of an Earth
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determined that the site is ready for Elm Ridge Exploration plans to begin Closure activities are scheduled to be 14. I hereby certify that the foregoing is true.	closure activities for an ea aing on Monday, August 10	0, 2009 and lest th				otifications have been made.
Ms. Army Mackey			Administrative	Manag	er	·
Signature	<u> </u>		08/03/2009		Name of the state	
	THIS SPACE F	OR FEDERAL	OR STATE	OFFI	CE USE	
Approved by			Title			Date
Conditions of approval, if any, are attached that the applicant holds legal or equitable titl entitle the applicant to conduct operations the	e to those rights in the subject		Office			
Title 18 U.S.C. Section 1001 and Title 43 U fictitious or fraudulent statements or representations.			mowingly and willf	fully to r	nake to any departme	ent or agency of the United States any false,

#### GENERAL INSTRUCTIONS

This form is designed for submitting proposals to perform certain well operations and reports of such operations when completed as indicated on Federal and Indian lands pursuant to applicable Federal law and regulations. Any necessary special instructions concerning the use of this form and the number of copies to be submitted, particularly with regard to local area or regional procedures and practices, are either shown below, will be issued by or may be obtained from the local Federal office.

#### SPECIFIC INSTRUCTIONS

Item 4 - Locations on Federal or Indian land should be described in accordance with Federal requirements. Consult the local Federal office for specific instructions.

Item 13 - Proposals to abandon a well and subsequent reports of abandonment should include such special information as is required by the local Federal office. In addition, such proposals and reports should include reasons for the abandonment; data on any former or present productive zones or other zones with present significant fluid contents not sealed off by cement or otherwise; depths (top and bottom) and method of placement of cement plugs; mud or other material placed below, between and above plugs; amount, size, method of parting of any casing, liner or tubing pulled and the depth to the top of any tubing left in the hole; method of closing top of well and date well site conditioned for final inspection looking for approval of the abandonment.

#### NOTICES

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 30 U.S.C. 181 et seq., 351 et seq., 25 U.S.C. 396; 43 CFR 3160.

PRINCIPAL PURPOSE: The information is used to: (1) Evaluate, when appropriate, approve applications, and report completion of subsequent well operations, on a Federal or Indian lease; and (2) document for administrative use, information for the management, disposal and use of National Resource lands and resources, such as: (a) evaluating the equipment and procedures to be used during a proposed subsequent well operation and reviewing the completed well operations for compliance with the approved plan; (b) requesting and grantingapproval to perform those actions covered by 43 CFR 3162.3-2, 3162.3-3, and 3162.3-4; (c) reporting the beginning or resumption of production, as required by 43 CFR 3162.4-1(c) and (d) analyzing future applications to drill or modify operations in light of data obtained and methods used.

ROUTINE USES: Information from the record and/or the record will be transferred to appropriate Federal, State, local or foreign agencies, when relevant to civil, criminal or regulatory investigations or prosecutions in connection with congressional inquiries or to consumer reporting agencies to facilitate collection of debts owed the Government.

EFFECT OF NOT PROVIDING THE INFORMATION: Filing of this notice and report and disclosure of the information is mandatory for those subsequent well operations specified in 43 CFR 3162.3-2, 3162.3-3, 3162.3-4.

The Paperwork Reduction Act of 1995 requires us to inform you that:

The BLM collects this information to evaluate proposed and/or completed subsequent well operations on Federal or Indian oil and gas leases.

Response to this request is mandatory.

The BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

BURDEN HOURS STATEMENT: Public reporting burden for this form is estimated to average 8 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0137), Bureau Information Collection Clearance Officer (WO-630), 1849 C St., N.W., Mail Stop 401 LS, Washington, D.C. 20240

# Earthen Pit Closure Checklist

- Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close all former earthen pits prior to the closure date agreed upon by the New Mexico Oil Conservation Division of December 31, 2009.
   Closure date for the earth pit located at Bisti Coal 22-2 well site is August 11, 2009.
- 2) In accordance with of Subsection A of 19.15.17.13 NMAC, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close any earthen pits at a date the division requires because of imminent danger to fresh water, public health or the environment.
  - None of the earthen pits to be closed by Elm Ridge Exploration are deemed an imminent risk to the environment, public health, or to fresh or public water.
- 3) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close earthen pits first which seem to pose a greater risk to fresh water, public health, or the environment. This will be determined by the locations proximately to surface water sources and distance to groundwater.

  None of the earther pits to be closed by Flm Bidge Exploration are deemed an
  - None of the earthen pits to be closed by Elm Ridge Exploration are deemed an imminent risk to the environment, public health, or to fresh or public water.
- 4) No less than 60 days prior to any earthen pit closure activities, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the Santa Fe NMOCD office as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (3) NMAC. Notification was provided to Mr. Brad Jones of the NMOCD Santa Fe Office on July 15, 2009 along with a schedule of on-site activities; see attached Notification Letter.
- 5) No less than 24 hours and no greater than one (1) week prior to earthen pit removal, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the appropriate surface owner as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the surface owner by certified mail, return receipt requested, that the operator plans to close an earthen pit. The return receipt will be used to ensure that the surface owner has received written notification no less than 24 hours and no greater than one (1) week prior to the beginning of BGT closure activities. Evidence of mailing of the notice to the address of the surface owner shown in the county tax records is sufficient to demonstrate compliance with this Closure activities that will take place on tribal land will have requirement. notifications sent by certified mail, return receipt requested, to the appropriate tribal office. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the Bureau of Land Management (BLM) of closure activities for wells located on federal land per a Sundry Notice, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. All notices will be sent in such a way that the surface owner received notice at least 24 hours prior to the beginning of closure activities.

Notification was provided to the Bureau of Land Management on August 6,

# 2009; see attached Sundry Notice and Return Receipt.

- 6) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all liquids and/or sludge, to visual extents, prior to closure sampling. Material will be disposed of at Envirotech's Landfarm #2, Permit # NM-01-0011, TNT Environmental Inc. Landfarm, Permit # NM-01-0008, Industrial Ecosystems Inc. (IEI) Landfarm, Permit # NM-01-0010B or Basin Disposal, Permit # NM-01-0005, depending on the consistence of the material removed, as in accordance with 19.15.17.13 Subsection C Paragraph (1) NMAC.
  - On August 11, 2009, approximately six (6) cubic yards of production sludge was removed from the earthen pit and disposed of at Envirotech's NMOCD permitted soil remediation facility, Landfarm #2, Permit # NM-01-0011; see attached *Bill of Lading*.
- 7) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all on-site equipment associated with this earthen pit unless it is required for some other purpose, as in accordance with 19.15.17.13 Subsection C Paragraph (2) NMAC. The equipment that meets the requirements of 19.15.9.712 Subsection A NMAC and 19.15.9.712 Subsection D Paragraph (1) will be disposed of at San Juan County Regional Landfill. Waste that is classified by 19.15.9.712 Subsection D Paragraph (2) will be sampled accordingly to determine acceptance of this material at the San Juan County Regional Landfill. Waste that is unable to be accepted at the San Juan County Regional Landfill will be submitted to the OCD on a case-by-case basis in accordance with Paragraph (3) of Subsection D of 19.15.9.712.

All on-site equipment will be used for the continued operation of the Bisti Coal 22-2 well site; see *Field Sheet* and *Site Photos*.

8) Once the earthen pit is removed to visual extents of contamination, a five (5)-point composite sample will be collected from directly below the liner(s) or at native soil. Additional discrete samples will be collected from any area that is wet, discolored or show other evidence of a release. All samples being collected will be analyzed for benzene and total BTEX via USEPA Method 8021B, TPH via USEPA Method 418.1, and chlorides via USEPA 300.1, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.

A 5-point composite sample was collected of native soil beneath the earthen pit and analyzed in the field for total petroleum hydrocarbons (TPH) via USEPA Method 418.1, and analyzed in the laboratory for benzene and BTEX via USEPA Method 8021B and for total chlorides via USEPA Method 4500B. The sample returned results below the 100 mg/kg TPH standard, the 0.2 mg/kg benzene standard, the 50 mg/kg BTEX standard and the 250 mg/kg total chloride standard, confirming that a release did NOT occur.

NAME	Benzene	BTEX	Chlorides	ТРН
Pit Rule	0.2 mg/kg	50 mg/kg	250 mg/kg	100 mg/kg
Standard				
Earth Pit Comp 1'	< 0.0009 mg/kg	0.0108 mg/kg	227 mg/kg	56 mg/kg
Deep				

9) Depending on soil sample results the area will be either backfilled or the area will be excavated.

Elm Ridge Exploration
Bisti Coal 22-2
Earth Pit Closure
03056-0171
Closure Date: 8/11/09

- 1) If soil samples do not exceed the regulatory standards of 0.2 mg/kg benzene, 50 mg/kg BTEX, 100 mg/kg TPH, and 250 mg/kg or background concentration of chlorides, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.
  - i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.

Completed Form C-141 is attached for your review.

ii. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will backfill the excavation or impacted area with non-waste containing, earthen material, in accordance with 19.15.17.13 Subsection E Paragraph (6) NMAC. A soil cover shall be installed for all backfilled excavations consisting of the background thickness of topsoil or one (1) foot of suitable material to establish vegetation at the site, whichever is greater in accordance with Subsections H of 19.15.17.13 NMAC. The operator shall construct the soil cover to the site's existing grade and prevent ponding of water and erosion of the cover material.

Elm Ridge Exploration has backfilled the excavated area with non-waste containing earthen material, and installed a soil cover of at least one (1) foot thick of suitable material to establish vegetation at this site. The soil cover has been graded in such a way that it conforms to the grade of the natural surroundings, and will prevent ponding of water and erosion of the cover material; see Site Photos.

iii. All areas of the well site that are no longer utilized on a day to day basis for the production of oil and/or gas, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will substantially restore, recontour and re-vegetate the areas, in accordance with 19.15.17.13 Subsections G and I NMAC. The operator shall notify the division when it has re-seed and when it has achieved successful re-vegetation.

Elm Ridge Exploration has restored, recontoured and re-seeded the excavated area in accordance with BLM standards as outlined in the Memorandum of Understanding (MOU).

2) If soil samples exceed the regulatory standards stated above.

i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.

The five (5)-point composite sample of native soil beneath the earthen pit returned results below the 100 mg/kg TPH standard, the 0.2 mg/kg benzene standard, the 50 mg/kg BTEX standard and the 250 mg/kg total chloride standard, confirming that a release did NOT occur.

Elm Ridge Exploration
Bisti Coal 22-2
Earth Pit Closure
03056-0171
Closure Date: 8/11/09

10) Elm Ridge Exploration will submit a closure report within 60 days following the earthen pit closure. The closure report will consist of a form C-144 with all supporting data and a form C-141 with all supporting data. The supporting data will include proof of closure notice to the surface owner and the OCD, confirmation sampling analytical results, a site diagram, soil backfilling and cover installation, revegetation rates, re-seeding techniques, and site reclamation photo documentation if applicable, along with all other information related to the onsite activities.

See attached C-144 Closure Form and attached Form C-141 Release Notification Form. Closure report has been submitted prior-to October 11, 2009.



# EPA METHOD 418.1 TOTAL PETROLEUM HYDROCARBONS

Client:

Elm Ridge Exploration

Project #:

03056-0171

Sample No.:

1

Date Reported:

9/9/2009

Sample ID:

Earth Pit Composite

Date Sampled:

8/11/2009

Sample Matrix:

Soil

Date Sampled.

8/11/2009

Preservative:

Cool

Date Analyzed:
Analysis Needed:

TPH-418.1

Condition:

Cool and Intact

		Det.
	Concentration	Limit
Parameter	(mg/kg)	(mg/kg)

# **Total Petroleum Hydrocarbons**

56

5.0

ND = Parameter not detected at the stated detection limit.

References:

Method 418.1, Petroleum Hydrocarbons, Total Recoverable, Chemical Analysis

of Water and Waste, USEPA Storet No. 4551, 1978.

Comments:

**Bisti Coal 22-2** 

Instrument calibrated to 200 ppm standard. Zeroed before each sample

Analyst

Robyn Jonesl

Printed

James McDaniel

**Printed** 



# CONTINUOUS CALIBRATION EPA METHOD 418.1 TOTAL PETROLEUM HYDROCARBONS

Cal. Date:

11-Aug-09

Parameter	Standard Concentration mg/L	Concentration Reading mg/L	
TPH	100		
	200	200	
	500		
	1000		

The accepted percent relative deviation (%RSD) of the calibration factor is less than 20% over the working range.

Robyn Jones

Print Name

Review

9/9/09

James McDaniel

**Print Name** 



# EPA METHOD 8021 AROMATIC VOLATILE ORGANICS

lient:	Elmridge	Project #:	03056-0171
ample ID:	4'FEW, 2'FSW Comp	Date Reported:	08-20-09
aboratory Number:	51310	Date Sampled:	08-11-09
hain of Custody:	7753	Date Received:	08-17-09
ample Matrix:	Soil	Date Analyzed:	08-19-09
reservative:	Cool	Date Extracted:	08-18-09
ondition:	Intact	Analysis Requested:	BTEX
aboratory Number: hain of Custody: ample Matrix: reservative:	51310 7753 Soil Cool	Date Sampled: Date Received: Date Analyzed: Date Extracted:	08-11-09 08-17-09 08-19-09 08-18-09

Parameter	Concentration (ug/Kg)	Det. Limit (ug/Kg)	
Benzene	ND	0.0	
Toluene	ND 3.8	0.9 1.0	
Ethylbenzene	3.8 1.1	1.0	
p,m-Xylene	2.9	1.2	
o-Xylene	3.0	0.9	
Total BTEX	10.8		

ND - Parameter not detected at the stated detection limit.

Surrogate Recoveries:	Parameter	Percent Recovery
	Fluorobenzene	97.0 %
	1,4-difluorobenzene	97.0 %
	Bromochlorobenzene	97.0 %

References:

Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA,

December 1996.

Method 8021B, Aromatic Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846,

USEPA, December 1996.

Comments:

Bisti Coal 22-2



Mostly Welter Review

ph /FOE) 622 0615 Fo (800) 262 1970 Fo (FOE) 622 1965 Jah@anvirotech-inc com envirotech-inc co



# EPA METHOD 8021 AROMATIC VOLATILE ORGANICS

Client: Sample ID:

08-19-BT QA/QC 51287 Project #: Date Reported: N/A 08-20-09

Laboratory Number: Sample Matrix: Preservative:

51287 Soil N/A

N/A

Date Sampled: Date Received: Date Analyzed: N/A N/A

Condition:

N/A

Analysis:

08-19-09 BTEX

Benzene	4.0036E+006	4.0116E+006	0.2%	ND	0.1
Toluene	3.7371E+006	3.7446E+006	0.2%	ND	0.1
Ethylbenzene	3.3158E+006	3.3224E+006	0.2%	ND	0.1
p,m-Xylene	8.5339E+006	8.5510E+006	0.2%	ND	0.1
o-Xylene	3.1635E+006	3.1698E+006	0.2%	ND	0.1

Benzene	4.9	4.7	4.1%	0 - 30%	0.9
Toluene	11.4	11.9	4.4%	0 - 30%	1.0
Ethylbenzene	9.4	8.3	11.7%	0 - 30%	1.0
p,m-Xylene	24.0	22.8	5.0%	0 - 30%	1.2
o-Xylene	14.2	14.0	1.4%	0 - 30%	0.9

Benzene	4.9	50.0	53.8	98.0%	39 - 150
Toluene	11.4	50.0	59.2	96.4%	46 - 148
Ethylbenzene	9.4	50.0	56.2	94.6%	32 - 160
p,m-Xylene	24.0	100	113	91.0%	46 - 148
o-Xylene	14.2	50.0	61.7	96.1%	46 - 148

ND - Parameter not detected at the stated detection limit.

References:

Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA,

December 1996.

Method 8021B, Aromatic and Halogenated Volatiles by Gas Chromatography Using

Photoionization and/or Electrolytic Conductivity Detectors, SW-846, USEPA December 1996.

**Comments:** 

QA/QC for Samples 51287 - 51290, 51308, 51310 - 51312, and 51314 - 51315.

Revie

Analyst



## Chloride

Client:

Elm Ridge

Project #:

03056-0171

Sample ID:

4' FEW, 2' FSW Comp

Date Reported:

08-20-09

Lab ID#:

51310

Sample Matrix:

Date Sampled:

08-11-09

Preservative:

Soil

Date Received:

08-17-09

Cool

Date Analyzed:

08-19-09

Condition:

Intact

Chain of Custody:

7753

**Parameter** 

Concentration (mg/Kg)

**Total Chloride** 

227

Reference:

U.S.E.P.A., 4500B, "Methods for Chemical Analysis of Water and Wastes", 1983.

Standard Methods For The Examination of Water And Waste Water", 18th ed., 1992.

Comments:

Bisti Coal 22-2.

Analyst

Keview Worker

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																					51310	Lab No.	03056-	Client No.:	2. Janes	Sampler Name:	Project Name / Location:	
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envirotech-inc.com

Analytical Laboratory

5796 US Highway 64 • Farmington, NM 87401 • 505-632-0615 • lab@envirotech-inc.com

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LAND OWNER:	Fro		API:			BGT / PIT	VOLUME:	
CONSTRUCTION MATERIA		th	DOUBLE-	WALLED,	WITH LEAK		l:	
LOCATION APPROXIMATI			FT.		FROM WELL	LHEAD		
DEPTH TO GROUNDWATE		TED 50 100 TH	TEM SEES			· · · · · · · · · · · · · · · · · · ·		
TEMPORARY PIT - GF BENZENE ≤ 0.2 mg/kg, B				N (9015) < 5	00 mg/kg TDH	(418 1) < 2500	ma/ka CHI	ORIDES < 500 mg/kg
1				14 (6013) \$ 3	oo mg/kg, iiii	(416.1) 3 2300	mg/kg, CIIL	OKIDES 3 300 mg kg
TEMPORARY PIT - GR BENZENE ≤ 0.2 mg/kg, B7				N (0015) ~ 50	))/  TDU (	410 1\ ~ 2500		DDDES < 1000 ma/ka
I X		kg, GRO & DR	OFRACIO	N (8012) Z 20	oo mg/kg, 1Pri (	410.1) \$ 2300	mg/kg, CHL	OKIDES Z 1000 nig/kg
PENZENE 102		7 mpr. (440 4						
BENZENE ≤ 0.2 mg/kg, B	1EX ≤ 50 mg/	kg, 1PH (418.1	) ≤ 100 mg/kį	g, CHLORID	ES ≤ 250 mg/kg			
	TDÆ	Igasorero	Lyapara		D 418.1 ANAL		DE L DOIG	CALC (
	TIME	SAMPLE I.D. 200 STD	LAB NO.	WEIGHT (g	mL FREON	DILUTION	200	CALC. (mg/kg)
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		EP (cmp)	2		20	4	96	392
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PERIME	ETER		FIELD C	HLORIDE	S RESULTS		PRO	OFILE
			SAMPLE	READING	CALC.			
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	····	. 1						,
LAB SAMPLES		NOTES:						
SAMPLE ID ANALYSIS BENZENE	RESULTS							
BTEX								
GRO & DRO								
CHLORIDES								

WHO ORDERED

WORKORDER #

**Senvirotech** 

# Bill of Lading

PHONE: (505) 632-0615 • 5796 U.S. HIGHWAY 64 • FARMINGTON, NEW MEXICO 87401

34003

MANIFEST #

DATE 8-12-0308# 03056-0

I certify the material hauled from the above location has not been added to or mixed with, and is the same material received from the above mentioned Generator, and TRK# | TIME | DRIVER SIGNATURE 178 130 por 2 PANSPORTING COMPANY ENTERED AUG 18 288 COMPANY 5-4 NOTES: BBLS (00) YDS 0 9 5 GRID COMPLETE DESCRIPTION OF SHIPMENT MATERIAL 400 LANDFARM EMPLOYEE: DESTINATION IJ7 POINT OF ORIGIN PAINT FILTER TEST CHLORIDE TEST RESULTS AJI LOAD Š.

hat no additional materials have been added."

COMPANY LALL

PHONE 327 27/1

DATE

SIGNATURE

COMPANY CONTACT DARK

WAME TOAM DOOK , AME !

\$C /1

District I 1625 N. French Dr., Hobbs, NM 88240 District II
1301 W. Grand Avenue, Artesia, NM 88210
District III 1000 Rio Brazos Road, Aztec, NM 87410 District IV 1220 S. St. Francis Dr., Santa Fe, NM 87505

# State of New Mexico **Energy Minerals and Natural Resources** Department Oil Conservation Division 1220 South St. Francis Dr.

For temporary pits, closed-loop systems, and below-grade tanks, submit to the appropriate NMOCD District Office.

For permanent pits and exceptions submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.

Dit Closed I con System Relays Grade Tonk or

Santa Fe, NM 87505

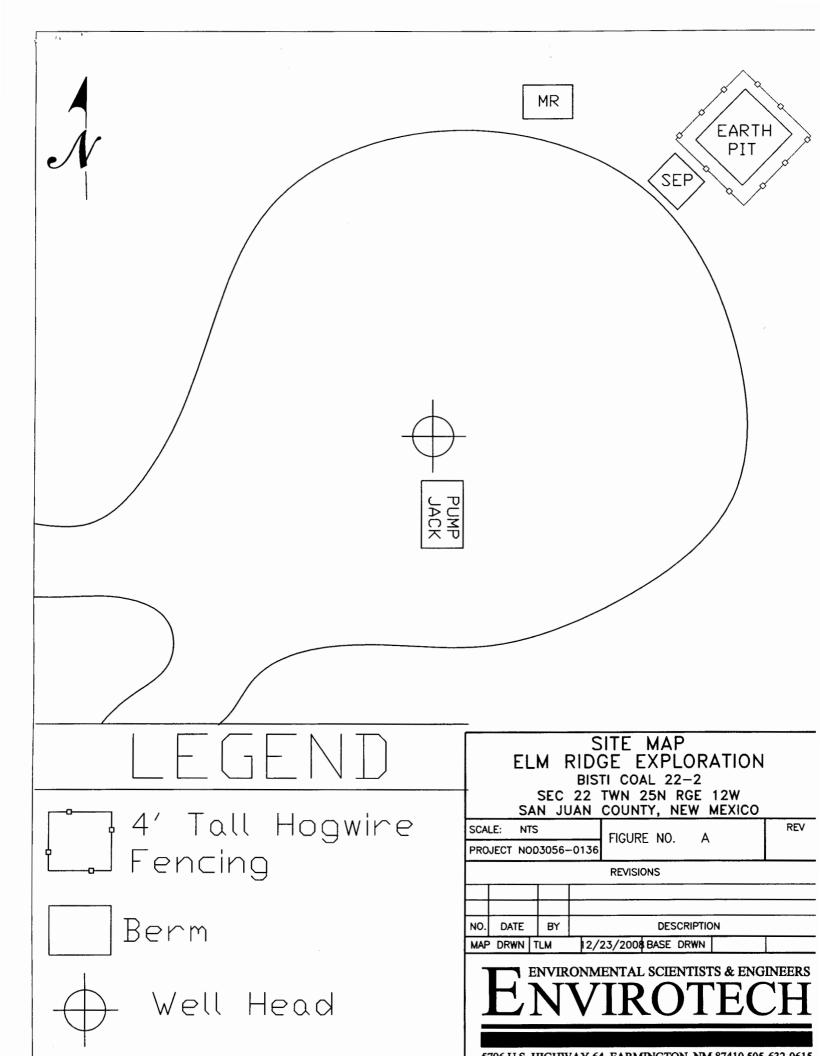
Proposed Alternative Method Permit or Closure Plan Application
Type of action:  Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method  Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method  Modification to an existing permit  Closure plan only submitted for an existing permitted or non-permitted pit, closed-loop system, below-grade tank, or proposed alternative method
Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, below-grade tank or alternative request
Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances
Operator: Elm Ridge Exploration OGRID #: 149052
Address: P.O. Box 156; Bloomfield, NM 87413
Facility or well name: Bisti Coal 22-2
API Number: 3004528243 OCD Permit Number:
U/L or Qtr/Qtr L Section 22 Township 25N Range 12W County: San Juan
Center of Proposed Design: Latitude <u>36.385804</u> Longitude <u>-108.105113</u> NAD: □1927 ⋈ 1983
Surface Owner:  Federal  State  Private  Tribal Trust or Indian Allotment
2.
∑ Pit: Subsection F or G of 19.15.17.11 NMAC     Ceased operation prior to June 16 <sup>th</sup> 2008
Temporary:  Drilling  Workover
☑ Permanent ☐ Emergency ☐ Cavitation ☐ P&A
☐ Lined ☑ Unlined Liner type: Thickness mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other ♡ ☐ ☐
String-Reinforced
Liner Seams: Welded Factory Other Volume: bbl Dimensions: L 10 x W 19 x D 2
3.  Closed-loop System: Subsection H of 19.15.17.11 NMAC
Type of Operation: P&A Drilling a new well Workover or Drilling (Applies to activities which require prior approval of a permit or notice of intent)
☐ Drying Pad ☐ Above Ground Steel Tanks ☐ Haul-off Bins ☐ Other
☐ Lined ☐ Unlined Liner type: Thicknessmil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other
Liner Seams:  Welded Factory Other
4.
Below-grade tank: Subsection I of 19.15.17.11 NMAC
Volume:bbl Type of fluid:
Tank Construction material:
☐ Secondary containment with leak detection ☐ Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off
☐ Visible sidewalls and liner ☐ Visible sidewalls only ☐ Other
Liner type: Thicknessmil
5.
Alternative Method:
Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

6. Fencing: Subsection D of 19.15.17.11 NMAC (Applies to permanent pits, temporary pits, and below-grade tanks)	
Chain link, six feet in height, two strands of barbed wire at top (Required if located within 1000 feet of a permanent residence, school, institution on shared)	hospital,
institution or church)  Four foot height, four strands of barbed wire evenly spaced between one and four feet	
Alternate. Please specify 4' tall hogwire fencing with pipe railing	
7.	
Netting: Subsection E of 19.15.17.11 NMAC (Applies to permanent pits and permanent open top tanks)	
☐ Screen ⊠ Netting ☐ Other	
☐ Monthly inspections (If netting or screening is not physically feasible)	
8.	
Signs: Subsection C of 19.15.17.11 NMAC	
12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers	
Signed in compliance with 19.15.3.103 NMAC	
9.	
Administrative Approvals and Exceptions:  Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17 NMAC for guidance.	
Please check a box if one or more of the following is requested, if not leave blank:	
Administrative approval(s): Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau consideration of approval.	office for
Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.	
10. Siting Criteria (regarding permitting): 19.15.17.10 NMAC	
Instructions: The applicant must demonstrate compliance for each siting criteria below in the application. Recommendations of accep	
material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate of fice or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of a	
Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. Siting criteria does not apply to dryi	
above-grade tanks associated with a closed-loop system.	☐ Yes ☐ No
Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank.  - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ 163 ☐ NO
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa	☐ Yes ☐ No
lake (measured from the ordinary high-water mark).0.  - Topographic map; Visual inspection (certification) of the proposed site	
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.  - (Applies to temporary, emergency, or cavitation pits and below-grade tanks) (	☐ Yes ☐ No☐ NA
	NA
Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. (Applies to permanent pits)	☐ Yes ☐ No
- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	□ NA □
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock	☐ Yes ☐ No
watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application.	☐ res ☐ No
NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site	
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance	☐ Yes ☐ No
adopted pursuant to NMSA 1978, Section 3-27-3, as amended.	
Within 500 feet of a wetland.	☐ Yes ☐ No
Within the area overlying a subsurface mine.	☐ Yes ☐ No
Within an unstable area.	
<ul> <li>Engineering measures incorporated into the design; NM Bureau of Geology &amp; Mineral Resources; USGS; NM Geological Society; Topographic map</li> </ul>	☐ Yes ☐ No
Within a 100-year floodplain FEMA map	☐ Yes ☐ No

Temporary Pits, Emergency Pits, and Below-E, ade Tanks Permit Application Attachment Checklist Instructions: Each of the following items must be attached to the application. Please indicate, by a che attached.  Hydrogeologic Report (Below-grade Tanks) - based upon the requirements of Paragraph (4) of Subset Hydrogeologic Data (Temporary and Emergency Pits) - based upon the requirements of Paragraph (5) Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of 19.15.17.13 NMAC	eck mark in the box, that the documents are ection B of 19.15.17.9 NMAC 2) of Subsection B of 19.15.17.9 NMAC 0 NMAC
Previously Approved Design (attach copy of design) API Number: or	Permit Number:
Closed-loop Systems Permit Application Attachment Checklist: Subsection B of 19.15.17.9 NMAC  Instructions: Each of the following items must be attached to the application. Please indicate, by a checattached.  Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragricus Siting Criteria Compliance Demonstrations (only for on-site closure) - based upon the appropriate requirements of 19.15.17.11 NMAC  Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC  Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of 19.15.17.13 NMAC	raph (3) of Subsection B of 19.15.17.9 equirements of 19.15.17.10 NMAC
Previously Approved Design (attach copy of design)  API Number:	
☐ Previously Approved Operating and Maintenance Plan API Number:	(Applies only to closed-loop system that use
above ground steel tanks or haul-off bins and propose to implement waste removal for closure)	
Permanent Pits Permit Application Checklist: Subsection B of 19.15.17.9 NMAC  Instructions: Each of the following items must be attached to the application. Please indicate, by a checattached.  Hydrogeologic Report - based upon the requirements of Paragraph (1) of Subsection B of 19.15.17.19  Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.19  Climatological Factors Assessment  Certified Engineering Design Plans - based upon the appropriate requirements of 19.15.17.11 NMAC  Dike Protection and Structural Integrity Design - based upon the appropriate requirements of 19.15.17.11 NMAC  Leak Detection Design - based upon the appropriate requirements of 19.15.17.11 NMAC  Liner Specifications and Compatibility Assessment - based upon the appropriate requirements of 19.15.17.11 NMAC  Quality Control/Quality Assurance Construction and Installation Plan  Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC  Freeboard and Overtopping Prevention Plan - based upon the appropriate requirements of 19.15.17.12 NMAC  Emergency Response Plan  Oil Field Waste Stream Characterization  Monitoring and Inspection Plan  Erosion Control Plan  Closure Plan - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.14.	O NMAC 0 NMAC C 17.11 NMAC .15.17.11 NMAC
Proposed Closure: 19.15.17.13 NMAC  Instructions: Please complete the applicable boxes, Boxes 14 through 18, in regards to the proposed clo  Type: □ Drilling □ Workover □ Emergency □ Cavitation □ P&A ☑ Permanent Pit □ Below- □ Alternative  Proposed Closure Method: ☒ Waste Excavation and Removal □ Waste Removal (Closed-loop systems only) □ On-site Closure Method (Only for temporary pits and closed-loop systems) □ In-place Burial □ On-site Trench Burial □ Alternative Closure Method (Exceptions must be submitted to the Santa Fe	grade Tank
Waste Excavation and Removal Closure Plan Checklist: (19.15.17.13 NMAC) Instructions: Each of a closure plan. Please indicate, by a check mark in the box, that the documents are attached.  ☐ Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC  ☐ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection  ☐ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings)  ☐ Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection  ☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC  ☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC	i F of 19.15.17.13 NMAC ion H of 19.15.17.13 NMAC

Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only: (19.15.17 Instructions: Please indentify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment facilities are required.		
Disposal Facility Name: Disposal Facility Permit Number:		
Will any of the proposed closed-loop system operations and associated activities occur on or in areas that will not be used for futur  Yes (If yes, please provide the information below) No		
Required for impacted areas which will not be used for future service and operations:  Soil Backfill and Cover Design Specifications based upon the appropriate requirements of Subsection H of 19.15.17.13 N  Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19.15.17.13 NMAC  Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC	MAC	
Siting Criteria (regarding on-site closure methods only): 19.15.17.10 NMAC Instructions: Each siting criteria requires a demonstration of compliance in the closure plan. Recommendations of acceptable provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for guidance.	district office or may be	
Ground water is less than 50 feet below the bottom of the buried waste.  - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA	
Ground water is between 50 and 100 feet below the bottom of the buried waste  - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA	
Ground water is more than 100 feet below the bottom of the buried waste.  - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA	
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or pla lake (measured from the ordinary high-water mark).  - Topographic map; Visual inspection (certification) of the proposed site	ya Yes No	
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.  - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	☐ Yes ☐ No	
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial applicati  NM Office of the State Engineer - iWATERS database; Visual inspection (certification) of the proposed site	on. Yes No	
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinanc adopted pursuant to NMSA 1978, Section 3-27-3, as amended.  - Written confirmation or verification from the municipality; Written approval obtained from the municipality	Yes No	
Within 500 feet of a wetland.  - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No	
Within the area overlying a subsurface mine.  - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	☐ Yes ☐ No	
<ul> <li>Within an unstable area.</li> <li>Engineering measures incorporated into the design; NM Bureau of Geology &amp; Mineral Resources; USGS; NM Geological Society; Topographic map</li> </ul>	☐ Yes ☐ No	
Within a 100-year floodplain FEMA map	☐ Yes ☐ No	
On-Site Closure Plan Checklist: (19.15.17.13 NMAC) Instructions: Each of the following items must be attached to the closure by a check mark in the box, that the documents are attached.  Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC Proof of Surface Owner Notice - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of 19.15.17.11 NMAC Construction/Design Plan of Temporary Pit (for in-place burial of a drying pad) - based upon the appropriate requirements of Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC Waste Material Sampling Plan - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC Soil Cover Design - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC Re-vegetation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC	19.15.17.11 NMAC	

Operator Application Certification:  I hereby certify that the information submitted with this application is true, accur	ate and complete to the best of my knowledge and belief.		
	Title: Administrative		
Signature:	Date: 3-2-09		
E-mail address: amackey1@elmridge.net	Telephone:505-632-3476 Ext. 201		
OCD Approval: Permit Application (including closure plan) Closure Plan (only) OCD Conditions (see attachment)			
OCD Representative Signature: Approval Date: 2/10/10			
Title: Environmental Essence	OCD Permit Number:		
Closure Report (required within 60 days of closure completion): Subsection K of 19.15.17.13 NMAC Instructions: Operators are required to obtain an approved closure plan prior to implementing any closure activities and submitting the closure report. The closure report is required to be submitted to the division within 60 days of the completion of the closure activities. Please do not complete this section of the form until an approved closure plan has been obtained and the closure activities have been completed.			
	Closure Completion Date:		
Closure Method:  Waste Excavation and Removal On-Site Closure Method Alterna If different from approved plan, please explain.	tive Closure Method		
23. Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only: Instructions: Please indentify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized.			
Disposal Facility Name:	Disposal Facility Permit Number:		
Disposal Facility Name:	Disposal Facility Permit Number:		
Were the closed-loop system operations and associated activities performed on or in areas that will not be used for future service and operations?  Yes (If yes, please demonstrate compliance to the items below) \square No			
Required for impacted areas which will not be used for future service and operation  Site Reclamation (Photo Documentation)  Boil Backfilling and Cover Installation  Re-vegetation Application Rates and Seeding Technique	ons:		
Closure Report Attachment Checklist: Instructions: Each of the following items must be attached to the closure report. Please indicate, by a check mark in the box, that the documents are attached.  Proof of Closure Notice (surface owner and division)  Proof of Deed Notice (required for on-site closure)  Plot Plan (for on-site closures and temporary pits)  Confirmation Sampling Analytical Results (if applicable)  Waste Material Sampling Analytical Results (required for on-site closure)  Disposal Facility Name and Permit Number  Soil Backfilling and Cover Installation  Re-vegetation Application Rates and Seeding Technique  Site Reclamation (Photo Documentation)  On-site Closure Location: Latitude  Longitude  NAD: 1927 1983			
	NAD. 1327 1763		
Operator Closure Certification:  I hereby certify that the information and attachments submitted with this closure report is true, accurate and complete to the best of my knowledge and belief. I also certify that the closure complies with all applicable closure requirements and conditions specified in the approved closure plan.			
Name (Print):	Title:		
Signature:	Date:		
E-mail address:	Telephone:		



# EARTHEN PIT CLOSURE PLAN

# SITE NAME:

BISTI COAL 22-2
UNIT LETTER L, SECTION 22, TOWNSHIP 25N, RANGE 12W
SAN JUAN COUNTY, NEW MEXICO
LATITUDE 36.385804 LONGITUDE -108.105113

# **SUBMITTED TO:**

MR. WAYNE PRICE
NEW MEXICO OIL CONSERVATION DIVISION
1220 SOUTH ST. FRANCIS DRIVE
SANTA FE, NEW MEXICO 87505
(505) 476-3490

# SUBMITTED BY:

Ms. Amy Mackey
ELM RIDGE EXPLORATION
P.O. Box 156
BLOOMFIELD, NEW MEXICO 87413
(505) 632-3476

FEBRUARY 2009

# EARTHEN PIT CLOSURE PLAN ELM RIDGE EXPLORATION BISTI COAL 22-2 SAN JUAN COUNTY, NEW MEXICO

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# Introduction

Elm Ridge Exploration would like to submit a closure plan for the earthen pit at the Bisti Coal 22-2 well site located in the NW ¼ SW ¼ of Section 22, Township 25N, Range 12W, San Juan County, New Mexico. This closure plan has been prepared in conformance with the closure requirements of 19.15.17.13 NMAC.

# **SCOPE OF CLOSURE ACTIVITIES**

The purpose of this closure plan is to provide the details of activities involved in the closure of the permanent unlined pit at the Bisti Coal 22-2 well site. The following scope of closure activities has been designed to meet this objective:

- 1) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close all former earthen pits prior to the closure date agreed upon by the New Mexico Oil Conservation Division of December 31, 2009.
- 2) In accordance with of Subsection A of 19.15.17.13 NMAC, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close any earthen pits at a date the division requires because of imminent danger to fresh water, public health, or the environment.
- 3) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close earthen pits first which seem to pose a greater risk to fresh water, public health, or the environment. This will be determined by the locations proximity to surface water sources and distance to groundwater.
- 4) No less than 60 days prior to any earthen pit closure activities, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the Santa Fe NMOCD office as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (3) NMAC.
- 5) No less than 24 hours and no greater than one (1) week prior to earthen pit removal Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the appropriate surface owner as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the surface owner by certified mail, return receipt requested, that the operator plans to close a earthen pit. The return receipt will be used to ensure that the surface owner has received written notification no less than 24 hours and no greater than one (1) week prior to the beginning of BGT closure activities. Evidence of mailing of the notice to the address of the surface owner shown in the county tax records is sufficient to demonstrate compliance with this requirement. Closure activities that will take place on tribal land will have notifications sent by certified mail, return receipt requested, to the appropriate tribal Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the Bureau of Land Management (BLM) of closure activities for wells located on federal land per a Sundry Notice, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. All notices will be sent in such a way that the surface owner received notice at least 24 hours prior to the beginning of

closure activities.

- 6) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all liquids, and/or sludge, to visual extents, prior to closure sampling. Material will be disposed of at Envirotech's Landfarm #2, Permit # NM-01-0011, TNT Environmental Inc. Landfarm, Permit # NM-01-0008, Industrial Ecosystems Inc. (IEI) Landfarm, Permit # NM-01-0010B or Basin Disposal, Permit # NM-01-0005, depending on the consistence of the material removed, as in accordance with 19.15.17.13 Subsection C Paragraph (1) NMAC.
- 7) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all on-site equipment associated with this earthen pit unless it is required for some other purpose, as in accordance with 19.15.17.13 Subsection C Paragraph (2) NMAC. The equipment that meets the requirements of 19.15.9.712 Subsection A NMAC and 19.15.9.712 Subsection D Paragraph (1) will be disposed of at San Juan County Regional Landfill. Waste that is classified by 19.15.9.712 Subsection D Paragraph (2) will be sampled accordingly to determine acceptance of this material at the San Juan County Regional Landfill. Waste that is unable to be accepted at the San Juan County Regional Landfill will be submitted to the OCD on a case-by-case basis in accordance with Paragraph (3) of Subsection D of 19.15.9.712.
- 8) Once the earthen pit is removed to visual extents of contamination, a five (5) -point composite sample will be collected from directly below the liner(s) or at native soil. Additional discrete samples will be collected from any area that is wet, discolored, or show other evidence of a release. All samples being collected will be analyzed for benzene, and total BTEX via USEPA Method 8021B, TPH via USEPA Method 418.1, and chlorides via USEPA 300.1, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.
- 9) Depending on soil sample results the area will be either backfilled or the area will be excavated.
  - a. If soil samples do not exceed the regulatory standards of 0.2 mg/kg benzene, 50 mg/kg BTEX, 100 mg/kg TPH, and 250 mg/kg or background concentration of chlorides, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.
    - i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.
    - ii. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will backfill the excavation or impacted area with non-waste containing, earthen material, in accordance with 19.15.17.13 Subsection E Paragraph (6) NMAC. A soil cover shall be installed for all backfilled excavations consisting of the background thickness of topsoil or one foot of suitable material to establish vegetation at the site, whichever is greater in accordance with Subsections H of 19.15.17.13 NMAC. The operator shall construct the soil cover to the site's existing grade and prevent ponding of water and erosion of the cover material.
    - iii. All areas of the well site that are no longer utilized on a day to day basis for the production of oil and/or gas, Elm Ridge Exploration, or a

contractor acting on behalf of Elm Ridge Exploration, will substantially restore, recontour and re-vegetate the areas, in accordance with 19.15.17.13 Subsections G and I NMAC. The operator shall notify the division when it has been re-seeded and when it has achieved successful re-vegetation. For re-vegetation methods, please see attached re-vegetation plan.

b. If soil samples exceed the regulatory standards stated above.

- i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.
- ii. Activities beyond this point will be in accordance with 19.15.3.116 NMAC and 19.15.11.19 NMAC.

# REPORTING

Elm Ridge Exploration will submit a closure report within 60 days following the earthen pit closure. The closure report will consist of a form C-144 with all supporting data and a form C-141 with all supporting data. The supporting data will include proof of closure notice to the surface owner and the OCD, confirmation sampling analytical results, a site diagram, soil backfilling and cover installation, re-vegetation rates, re-seeding techniques and site reclamation photo documentation if applicable, along with all other information related to the onsite activities.

We appreciate the opportunity to be of service. If you have any questions or require further information, please do not hesitate to contact our office at (505) 632-3476 Ext. 201.

Respectfully Submitted:

Elm Ridge Exploration

Arny Mackey

Ælm Ridge Exploration

### **Elm Ridge Exploration**

### Re-Seeding Techniques and Seed Mixture Ratios

These applied practices by Elm Ridge Exploration will at a minimum comply with the New Mexico Oil Conservation Divisions rule 19.15.17.13, Subsection I NMAC Elm Ridge Exploration has adopted these re-seeding application techniques, ratios and mixtures as their standard operating procedures.

- 1. The first growing season after closure of a below grade tank or pit, all areas of the well site not utilized for the production of oil and/or gas on a daily basis will be re-seeded with the specified seed mixture.
- 2. The seed mixture used will be certified with no primary or secondary noxious weeds in seed mixtures. The seed labels from each bag shall be available for inspection while seed is being sown.
- 3. The operator shall accomplish seeding by drilling on the contour whenever practical or by other division-approved methods. The operator shall obtain vegetative cover that equals 70% of the native perennial vegetative cover (un-impacted by overgrazing, fire or other intrusion damaging to native vegetation) consisting of at least three native plant species, including at least one grass, but not including noxious weeds, and maintain that cover through two successive growing seasons. During the two growing seasons that prove viability, there shall be no artificial irrigation of the vegetation.
- 4. Hand seeding with hydro-mulch, excelsior netting or mulch with netting is required on the cut/fill slopes. Mulch will be spread at a rate of 2,000-3,000 pounds per acre.
- 5. Compacted areas determined by visual inspection will be ripped to a depth of twelve (12) inches below ground surface and disked to a depth of six (6) inches before seeding. Seeding shall be done with a disk type drill with two (2) boxes for various seed sizes. The drill rows shall be eight (8) to ten (10) inches apart. Seed shall be planted at no less than one-half (1/2) inch deep or more than one (1) inch deep. The seeder shall be followed with a drag, packer, or roller to ensure uniform coverage of the seed and adequate compaction. Drilling shall be done on the contour where possible, but not up and down the slope.
- 6. Where slopes are too steep for contour drilling a hand seeder shall be used. Seed shall be covered to the depth stated above by whatever means is practical. If the seed is unable to be covered by the means listed above, the prescribed seed mixture amount will be doubled.

- 7. Elm Ridge Exploration shall repeat seeding or planting until it successfully achieves the required vegetative cover of 70% of the native perennial vegetation cover.
- 8. Upon abandonment of a well site, if the retention of the access road is not considered necessary for the management and multiple uses of the natural resources, or by the surface owner, it will be ripped a minimum of twelve (12) inches in depth. After ripping, water bars will be installed. All ripped surfaces are to be protected from vehicular travel by construction of a dead end ditch and earthen barricade at the entrance to these ripped areas. Re-seeding of areas affected by the ditch and barriers will be re-seeded if necessary.
- 9. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will inform the division once successful re-vegetation has occurred.

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

### State of New Mexico Energy Minerals and Natural Resources

Oil Conservation Division 1220 South St. Francis Dr. Santa Fe, NM 87505 Form C-141 Revised October 10, 2003

Submit 2 Copies to appropriate District Office in accordance with Rule 116 on back side of form

### **Release Notification and Corrective Action**

						OPERATOR Initial Report Fina					Final	l Report	
Name of Company: Elm Ridge Exploration						Contact: Amy Mackey							
Address: PC	Box 156	, Bloomfield	113	Telephone No.: (505) 632-3476 Ext 201									
Facility Nar	Facility Name: Bisti Coal 22-2						Facility Type: Gas Well						
Surface Ow	Surface Owner: Federal Mineral Owner												
													-
		,				N OF RE							
Unit Letter	Section Township Range Feet from the North/South Line Feet from the East/West I												
L 22 25N 12W 2310						FSL	790	F\	WL	San Juan			
	Latitude: 36.3857711794 Longitude: -108.105169664												
				NAT	URE	OF REL	EASE						
Type of Rele	ase: Produc	ced Water		-			Release: Unknow	vn	Volume R	lecovered:	Unkno	wn	
Source of Re						Date and I	Iour of Occurrenc	e:	Date and	Hour of Dis	covery	: NA	
						Historical							
Was Immedia	ate Notice (			_		If YES, To	Whom?			•			
			Yes _	No 🛛 Not Re	equired	1							
By Whom?						Date and I	lour						
Was a Water	course Read	ched?				If YES, Vo	olume Impacting t	the Water	course.				
			Yes 🗵	No									
If a Watercou	irse was Im	pacted, Descr	ibe Fully.*	,		<u> </u>							
Describe Are Blow sand w. composite sar petroleum hy chlorides via and 250 mg/k	a Affected as removed mple was codrocarbons USEPA Meg total chlor	and Cleanup A from the earth ollected from (TPH) via US ethod 4500B. orides, confirm	Action Tak hen pit, an approxima SEPA Met The samp ning that a	ten.* d approximately sately one (1) foot hod 418.1, and in ole returned result release had not o	six (6) below Environs below ccurrect	cubic yards of the earthen pit otech's laborate v the 'Pit Rule d. Analytical r	'production sludg once it was remo- ory for benzene ar 'standards of 100 esults are attached	ge' was reved. The nd BTEX mg/kg T	emoved from sample was used used to the work of the wo	om the earth as analyzed A Method & g/kg benzer	en pit. in the 8021 a. ne, 50 i	A 5-p field f nd for mg/kg	point for total total BTEX
regulations al public health should their or or the environ	I operators or the envir operations h nment. In a	are required to ronment. The lave failed to a	o report ar acceptance adequately OCD accep	nd/or file certain re te of a C-141 report investigate and r	elease of the control	notifications a he NMOCD mate contaminati	knowledge and u nd perform correct arked as "Final R on that pose a three the operator of the	etive action eport" do reat to gro responsib	ons for rele bes not reli bund water bility for co	eases which eve the open s, surface was compliance w	may entator of tator, hu	ndange f liabil: ıman h	er ity ealth
Signature:	OIL CONSERVATION DIVISION Signature:												
Printed Name	:: Ms. Amy	Mackey				Approved by	District Supervise	or:					
Title: Admini	strative Ma	nager				Approval Da	ate: Expiration Date:						
E-mail Addre	ss: amacke	y1@elmridge	.net_			Conditions of Approval:							
Date: 10	8-00	ì	Phone: 50	05-632-3476 Ext	201					Attached			
Attach Addit	tional Shee	ets If Necess	ary										

District I
1625 N. French Dr., Hobbs, NM 88240
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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

For temporary pits, closed-loop systems, and below-grade tanks, submit to the appropriate NMOCD District Office.

For permanent pits and exceptions submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.

Pit, Closed-Loop System, Below-Grade Tank, or Proposed Alternative Method Permit or Closure Plan Application

Proposed Alternative Method Permit or Closure Plan Application						
Type of action:  ☐ Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method ☐ Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method ☐ Modification to an existing permit ☐ Closure plan only submitted for an existing permitted or non-permitted pit, closed-loop system, below-grade tank, or proposed alternative method						
Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, below-grade tank, or alternative request						
Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations, or ordinances.						
Operator: Elm Ridge Exploration OGRID #: 149052						
Address: P.O. Box 156; Bloomfield, NM 87413						
Facility or well name: Bisti Coal 22-2						
API Number: 3004528243 OCD Permit Number:						
U/L or Qtr/Qtr L Section 22 Township 25N Range 12W County: San Juan						
Center of Proposed Design: Latitude <u>36.3857711794</u> Longitude <u>-108.105169664</u> NAD: □1927 ⊠ 1983						
Surface Owner:  ☐ Federal ☐ State ☐ Private ☐ Tribal Trust or Indian Allotment						
2.						
☑ <u>Pit</u> : Subsection F or G of 19.15.17.11 NMAC						
Temporary: Drilling Workover						
☑ Permanent ☐ Emergency ☐ Cavitation ☐ P&A						
☐ Lined ☑ Unlined Liner type: Thicknessmil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other						
☐ String-Reinforced						
Liner Seams: Welded Factory Other Volume: bbl Dimensions: L 4' x W 2' x D 2'						
3.						
Closed-loop System: Subsection H of 19.15.17.11 NMAC						
Type of Operation: P&A Drilling a new well Workover or Drilling (Applies to activities which require prior approval of a permit or notice of intent)						
☐ Drying Pad ☐ Above Ground Steel Tanks ☐ Haul-off Bins ☐ Other						
Lined Unlined Liner type: Thicknessmil LLDPE HDPE PVC Other						
Liner Seams:  Welded Factory Other						
4.						
Below-grade tank: Subsection I of 19.15.17.11 NMAC						
Volume:bbl Type of fluid:						
Tank Construction material:						
Secondary containment with leak detection   Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off						
☐ Visible sidewalls and liner ☐ Visible sidewalls only ☐ Not labeled						
Liner type: Thicknessmil						
5.						
Alternative Method:						
Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.						

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Fencing: Subsection D of 19.15.17.11 NMAC (Applies to permanent pits, temporary pits, and below-grade tanks)  Chain link, six feet in height, two strands of barbed wire at top (Required if located within 1000 feet of a permanent residence, school, he institution or church)  Four foot height, four strands of barbed wire evenly spaced between one and four feet  Alternate. Please specify	ospital,
Netting: Subsection E of 19.15.17.11 NMAC (Applies to permanent pits and permanent open top tanks)  Screen Netting Other  Monthly inspections (If netting or screening is not physically feasible)	
Signs: Subsection C of 19.15.17.11 NMAC  ☐ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers  ☐ Signed in compliance with 19.15.3.103 NMAC	
9.  Administrative Approvals and Exceptions: Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17 NMAC for guidance.  Please check a box if one or more of the following is requested, if not leave blank:  Administrative approval(s): Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau of consideration of approval.  Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.	ffice for
Siting Criteria (regarding permitting): 19.15.17.10 NMAC  Instructions: The applicant must demonstrate compliance for each siting criteria below in the application. Recommendations of accept material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. Siting criteria does not apply to drying above-grade tanks associated with a closed-loop system.	priate district proval.
Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank.  - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).  - Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.  (Applies to temporary, emergency, or cavitation pits and below-grade tanks)  - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	☐ Yes ☐ No ☐ NA
Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.  (Applies to permanent pits)  - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	☐ Yes ☐ No ☐ NA
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application.  - NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended.	☐ Yes ☐ No
Within 500 feet of a wetland.	☐ Yes ☐ No
Within the area overlying a subsurface mine.  - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	☐ Yes ☐ No
Within an unstable area.  - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map	☐ Yes ☐ No
Within a 100-year floodplain. FEMA map	☐ Yes ☐ No

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Temporary Pits, Emergency Pits, and Below-grade Tanks Permit Application Attachment Checklist: Subsection B of 19.15.17.9 NMAC  Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.  Hydrogeologic Report (Below-grade Tanks) - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC  Hydrogeologic Data (Temporary and Emergency Pits) - based upon the requirements of Paragraph (2) of Subsection B of 19.15.17.9 NMAC  Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC  Design Plan - based upon the appropriate requirements of 19.15.17.12 NMAC  Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC
☐ Previously Approved Design (attach copy of design) API Number: or Permit Number:
Closed-loop Systems Permit Application Attachment Checklist: Subsection B of 19.15.17.9 NMAC  Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.  Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19.15.17.9  Siting Criteria Compliance Demonstrations (only for on-site closure) - based upon the appropriate requirements of 19.15.17.10 NMAC  Design Plan - based upon the appropriate requirements of 19.15.17.11 NMAC  Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC  Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC  Previously Approved Design (attach copy of design) API Number:  Previously Approved Operating and Maintenance Plan API Number:  API Number:  (Applies only to closed-loop system that use above ground steel tanks or haul-off bins and propose to implement waste removal for closure)
above ground steet tanks or natio-off bits and propose to implement waste removal for closure)
Permanent Pits Permit Application Checklist: Subsection B of 19.15.17.9 NMAC  Instructions: Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.  Hydrogeologic Report - based upon the requirements of Paragraph (1) of Subsection B of 19.15.17.9 NMAC  Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC  Climatological Factors Assessment  Certified Engineering Design Plans - based upon the appropriate requirements of 19.15.17.11 NMAC  Dike Protection and Structural Integrity Design - based upon the appropriate requirements of 19.15.17.11 NMAC  Leak Detection Design - based upon the appropriate requirements of 19.15.17.11 NMAC  Liner Specifications and Compatibility Assessment - based upon the appropriate requirements of 19.15.17.11 NMAC  Quality Control/Quality Assurance Construction and Installation Plan  Operating and Maintenance Plan - based upon the appropriate requirements of 19.15.17.12 NMAC  Freeboard and Overtopping Prevention Plan - based upon the appropriate requirements of 19.15.17.11 NMAC  Nuisance or Hazardous Odors, including H <sub>2</sub> S, Prevention Plan  Emergency Response Plan  Oil Field Waste Stream Characterization  Monitoring and Inspection Plan  Closure Plan - based upon the appropriate requirements of Subsection C of 19.15.17.9 NMAC and 19.15.17.13 NMAC
Proposed Closure: 19.15.17.13 NMAC  Instructions: Please complete the applicable boxes, Boxes 14 through 18, in regards to the proposed closure plan.  Type: Drilling Workover Emergency Cavitation P&A Permanent Pit Below-grade Tank Closed-loop System Alternative  Proposed Closure Method: Waste Excavation and Removal  Waste Removal (Closed-loop systems only)  On-site Closure Method (Only for temporary pits and closed-loop systems)  In-place Burial On-site Trench Burial  Alternative Closure Method (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)
Waste Excavation and Removal Closure Plan Checklist: (19.15.17.13 NMAC) Instructions: Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.  Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC  Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC  Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings)  Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC  Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19.15.17.13 NMAC  Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only: (19.15.17.13.I Instructions: Please indentify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if facilities are required.	
Disposal Facility Name: Disposal Facility Permit Number:	
Disposal Facility Name: Disposal Facility Permit Number:	
Will any of the proposed closed-loop system operations and associated activities occur on or in areas that will not be used for future services (If yes, please provide the information below) \( \subseteq \) No	
Required for impacted areas which will not be used for future service and operations:  Soil Backfill and Cover Design Specifications based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC  Re-vegetation Plan - based upon the appropriate requirements of Subsection 1 of 19.15.17.13 NMAC  Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC	С
Siting Criteria (regarding on-site closure methods only): 19.15.17.10 NMAC Instructions: Each siting criteria requires a demonstration of compliance in the closure plan. Recommendations of acceptable sour provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate dist considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Justi demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for guidance.	rict office or may be
Ground water is less than 50 feet below the bottom of the buried waste.  - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
Ground water is between 50 and 100 feet below the bottom of the buried waste  - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
Ground water is more than 100 feet below the bottom of the buried waste.  - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☐ No ☐ NA
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).  - Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.  - Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	☐ Yes ☐ No
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application.  - NM Office of the State Engineer - iWATERS database; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended.  - Written confirmation or verification from the municipality; Written approval obtained from the municipality	☐ Yes ☐ No
Within 500 feet of a wetland.  - US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	☐ Yes ☐ No
Within the area overlying a subsurface mine.  - Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	☐ Yes ☐ No
Within an unstable area.  - Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map	☐ Yes ☐ No
Within a 100-year floodplain FEMA map	Yes No
On-Site Closure Plan Checklist: (19.15.17.13 NMAC) Instructions: Each of the following items must be attached to the closure plan by a check mark in the box, that the documents are attached.  Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC  Proof of Surface Owner Notice - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC  Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of 19.15.17.11 NMAC  Construction/Design Plan of Temporary Pit (for in-place burial of a drying pad) - based upon the appropriate requirements of 19.15.17.13 NMAC  Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC  Waste Material Sampling Plan - based upon the appropriate requirements of Subsection F of 19.15.17.13 NMAC  Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings or in case on-site closure standards cann Soil Cover Design - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC  Re-vegetation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC	15.17.11 NMAC

Form C-144 Oil Conservation Division Page 4 of 5

7	
Operator Application Certification:  I hereby certify that the information submitted with this application is true, accur	rate and complete to the best of my knowledge and belief.
Name (Print):	Title:
Signature:	Date:
E-mail address:	Telephone:
20.  OCD Approval: ☐ Permit Application (including closure plan) ☐ Closure P	Plan (only) OCD Conditions (see attachment)
OCD Representative Signature:	Approval Date:
Title:	OCD Permit Number:
Closure Report (required within 60 days of closure completion): Subsection Instructions: Operators are required to obtain an approved closure plan prior The closure report is required to be submitted to the division within 60 days of section of the form until an approved closure plan has been obtained and the complete.	to implementing any closure activities and submitting the closure report. the completion of the closure activities. Please do not complete this losure activities have been completed.
	☑ Closure Completion Date: 8/11/09
22.  Closure Method:  ☐ Waste Excavation and Removal ☐ On-Site Closure Method ☐ Altern ☐ If different from approved plan, please explain.	ative Closure Method   Waste Removal (Closed-loop systems only)
Closure Report Regarding Waste Removal Closure For Closed-loop Systems Instructions: Please indentify the facility or facilities for where the liquids, dri two facilities were utilized.  Disposal Facility Name: Envirotech Landfarm #2  Disposal Facility Name: Were the closed-loop system operations and associated activities performed on o  Yes (If yes, please demonstrate compliance to the items below) No  Required for impacted areas which will not be used for future service and operat Site Reclamation (Photo Documentation) Soil Backfilling and Cover Installation Re-vegetation Application Rates and Seeding Technique	Disposal Facility Permit Number: NM-01-0011 Disposal Facility Permit Number: Nm-o1-0011 r in areas that will not be used for future service and operations?
Closure Report Attachment Checklist: Instructions: Each of the following it mark in the box, that the documents are attached.  Proof of Closure Notice (surface owner and division) see attached Proof of Deed Notice (required for on-site closure) Plot Plan (for on-site closures and temporary pits) Confirmation Sampling Analytical Results (if applicable) see attached Waste Material Sampling Analytical Results (required for on-site closure) Disposal Facility Name and Permit Number Envirotech Landfarm #2, N Soil Backfilling and Cover Installation see attached Re-vegetation Application Rates and Seeding Technique pursuant to the Site Reclamation (Photo Documentation) see attached On-site Closure Location: Latitude Longi	MM-01-0011 BLM MOU
Operator Closure Certification:  I hereby certify that the information and attachments submitted with this closure belief. I also certify that the closure complies with all applicable closure required Name (Print):  Ms. Any Mackey  Signature:  E-mail address  amackey1@elmridge.net	report is true, accurate and complete to the best of my knowledge and ments and conditions specified in the approved closure plan.  Title: Administrative Manager  Date: 10-8-09  Telephone:

Elm Ridge Exploration Bisti Coal 22-2 Sec. 22, Twn 25N, Rge 12W Project No. 03056-0171



Photo 1: Bisti Coal 22-2 Well Site Overview



Photo 2: Excavated Area After Backfilling and Recontouring

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July 8, 2009

Project No. 03056-0241

Mr. Brad Jones
New Mexico Oil Conservation Division
1220 South St. Francis Street
Santa Fe, New Mexico 87505

Phone (505) 476-3487

RE: EARTH PIT CLOSURE DOCUMENTATION

Dear Mr. Jones,

Envirotech, Inc, on the behalf of Elm Ridge Exploration, would like to submit this notification to disregard the C-141 Forms concerning the Earthen Pit Release Notifications previously submitted to your office in May of 2009. These C-141 documents were submitted with contamination assessment sampling results, and do not reflect any closure activities occurring on site. To date, closure activities have not begun on any earthen pit owned by Elm Ridge Exploration. A list of the earthen pit C-141 soil assessment documents submitted to your office are as follows:

BISTI COAL 12 001	BISTI COAL 4 001 PIT 1	JETER COM 002
BISTI COAL 16 001	BISTI COAL 4 001 PIT 2	JICARILLA APACHE I 011
BISTI COAL 16 002	BISTI COAL 4 COM 002	NORTH BISTI COAL 31 001
BISTI COAL 17 COM 001	BISTI COAL 5 COM 001	NORTH BISTI COAL 32M COM 002
BISTI COAL 18 001	BISTI COAL 5K COM 002	PETE MORROW 001
BISTI COAL 18 002	BISTI COAL 6 001	PETE MORROW 002
BISTI COAL 19 001	BISTI COAL 6 002	SAM JACKSON STATE COM 001
BISTI COAL 2 001	BISTI COAL 7 001	SHEILA HIXON 001
BISTI COAL 2 002	BISTI COAL 7 COM 002	WEST BISTI COAL 10 002
BISTI COAL 20 001	BISTI COAL 8 COM 001	WEST BISTI COAL 11 002
BISTI COAL 20 002	BISTI COAL 8L COM 002	WEST BISTI COAL 11 COM F 001
BISTI COAL 21 001	BISTI COAL 9 001	WEST BISTI COAL 12 001
BISTI COAL 21 COM 002	BISTI COAL 9 COM 002	WEST BISTI COAL 13 001
BISTI COAL 22 002	BUENA SUERTE 3 G COM 001	WEST BISTI COAL 14 COM 001
BISTI COAL 28 001	BUENA SUERTE 3 L COM 001	WEST BISTI COAL 15 001
BISTI COAL 29 001	BUENA SUERTE 32 G COM 001	WEST BISTI COAL 15 002
BISTI COAL 29 002	BUENA SUERTE 4 L COM 001	WEST BISTI COAL 22 002
BISTI COAL 30 COM 001	CARSON 10 332	WEST BISTI COAL 22 COM 001
BISTI COAL 31 001	CARSON UNIT 15 COM 323	WEST BISTI COAL 23 001
WEST BISTI COAL 25 001	CARSON UNIT 206	WEST BISTI COAL 24 001
WEST BISTI COAL 25 002Y	EAST BISTI COAL 6 001	WEST BISTI COAL 24 COM 002
CARSON UNIT 313		

We appreciate the opportunity to be of service. Should you have any questions or require additional information, please contact our office at (505) 632-0615.

Respectfully Submitted,

ENVIROTECH, INC

**ELM RIDGE EXPLORATION** 

James McDaniel

Project Scientist

imedaniel@envirotech-inc.com

Amy Mackey Administrative Manager amackey i (deshpridge age)



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Track & Confirm

**FAQs** 

### Track & Confirm

### Search Results

Label/Receipt Number: 7007 1490 0000 5398 9282

Service(s): Certified Mail™

Status: Delivered

Track & Confirm

Enter Label/Receipt Number.

Your item was delivered at 9:58 AM on August 6, 2009 in

FARMINGTON, NM 87401.

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**Forms** 

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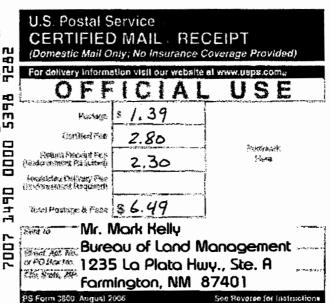
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Blati Coal 21-1 03056-0169

Rist coal DICOMPL 03086 -0170

Bisti Coal Ba-2 030510-011

Bisti Coal 28-1 03086-0178





August 3, 2009

Project No. 03056-0171

Mr. Mark Kelly Bureau of Land Management 1235 La Plata Highway, Suite A Farmington, New Mexico 87401

Phone: (505) 599-8900

RE: BISTI COAL 22-2 EARTH PIT CLOSURE NOTIFICATION

Dear Mr. Kelly,

Please accept this letter and attached Sundry Notice as the necessary surface owner notification for closure activities at the Bisti Coal 22-2 well site, owned and operated by Elm Ridge Exploration. The Bisti Coal 22-2 well site is located in Unit L, Section 22, Township 25N, Range 12W, San Juan County, New Mexico. Closure activities are scheduled to begin on August 10, 2009 and continue through August 14, 2009.

We appreciate the opportunity to be of service. If you have any questions or require additional information, please contact our office at (505) 632-0615.

Respectfully Submitted,

ENVIROTECH: INC.

James McDaniel
Project Scientist

jmcdaniel@envirotech-inc.com

Enclosure:

**Sundry Notice** 

Cc:

Client File No. 03056

Form 3160-5 (August 2007)

### UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT

FORM APPRO	VED
OMB No. 1004-	0137
Eunines Inly 21	2017

5. Lease Serial No.

SUNDRY NOTICES AND REPORTS ON WELLS

Do not use this form for proposals to drill or to re-enter an abandoned well. Use Form 3160-3 (APD) for such proposals.

SUNDRY NOTICES AND REPORTS ON WELLS

6. If Indian, Allottee or Tribe Name

asandones train (		. 2, .o. dad., p.	- <del></del>			
	IN TRIPLICATE - Other	instructions on page	2.		7. If Unit of CA/Agreen	nent, Name and/or No.
1. Type of Well						
Oil Well	cli Other				8. Well Name and No. Bisti Coal 22-2	
Name of Operator     Elm Ridge Exploration					9. API Well No. 30-045-28243	
3a. Address		3b. Phone No. (include	e area code)		10. Field and Pool or Ex	cploratory Area
PO Box 156 Bloomfield, NM 87413		(505) 632-3476				
4. Location of Well (Footage, Sec., T. J 2310 FSL 790 FWL, L-22-25N-12W, Lat. 38.385	R.M., or Survey Description, 171 long108.10516	)			11. Country or Parish, S San Juan County, NA	
12. CHEC	K THE APPROPRIATE BO	X(ES) TO INDICATE	NATURE OF N	OLTO	CE, REPORT OR OTHE	R DATA
TYPE OF SUBMISSION			TYPE OF	ACT	TION	
Notice of Intent	Acidize	Deepen Deepen		Prod	luction (Start/Resume)	Water Shut-Off
✓ Notice of Intent	Alter Casing	Fracture Tree	ıt 🔲	Recl	amation	Well Integrity
	Casing Repair	New Constru	ction	Reco	omplete	Other Closure of an Earth
Subsequent Report	= ' '	=	_		porarily Abandon	Pit
□ <b>-</b>	Change Plans	Plug and Ab			•	
13. Describe Proposed or Completed On	Convert to Injection	Plug Back	نــا		er Disposal	
testing has been completed. Final determined that the site is ready for Elm Ridge Exploration plans to begin Closure activities are scheduled to be	final inspection.) n closure activities for an	earthen pit located a	the above me	ntion	ed site. All formal notif	
14. I hereby certify that the foregoing is t	nie and dorrect Name (Printe	ed/T\med)				
Ms. Army Mackey			Administrative	Mar	nager	
<del></del>	//			_		
Signature	/	Date	08/03/2009			
	THIS SPACE	FOR FEDERAL	OR STATE	OF	FICE USE	
Approved by						
						N-4-
Conditions of approval, if any, are attache that the applicant holds legal or equitable entitle the applicant to conduct operations	title to those rights in the subjethereon.	ect lease which would	Title Office			)ate
Title 18 U.S.C. Section 1001 and Title 43 fectitious or fraudulent statements or repr			nowingly and wi	lfully	to make to any departmen	t or agency of the United States any false,

### GENERAL INSTRUCTIONS

This form is designed for submitting proposals to perform certain well operations and reports of such operations when completed as indicated on Federal and Indian lands pursuant to applicable Federal law and regulations. Any necessary special instructions concerning the use of this form and the number of copies to be submitted, particularly with regard to local area or regional procedures and practices, are either shown below, will be issued by or may be obtained from the local Federal office.

### SPECIFIC INSTRUCTIONS

Item 4 - Locations on Federal or Indian land should be described in accordance with Federal requirements. Consult the local Federal office for specific instructions.

Item 13 - Proposals to abandon a well and subsequent reports of abandonment should include such special information as is required by the local Federal office. In addition, such proposals and reports should include reasons for the abandonment; data on any former or present productive zones or other zones with present significant fluid contents not sealed off by cement or otherwise; depths (top and bottom) and method of placement of cement plugs; mud or other material placed below, between and above plugs; amount, size, method of parting of any casing, liner or tubing pulled and the depth to the top of any tubing left in the hole; method of closing top of well and date well site conditioned for final inspection looking for approval of the abandonment.

### **NOTICES**

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 30 U.S.C. 181 et seq., 351 et seq., 25 U.S.C. 396; 43 CFR 3160.

PRINCIPAL PURPOSE: The information is used to: (1) Evaluate, when appropriate, approve applications, and report completion of subsequent well operations, on a Federal or Indian lease; and (2) document for administrative use, information for the management, disposal and use of National Resource lands and resources, such as: (a) evaluating the equipment and procedures to be used during a proposed subsequent well operation and reviewing the completed well operations for compliance with the approved plan; (b) requesting and grantingapproval to perform those actions covered by 43 CFR 3162.3-2, 3162.3-3, and 3162.3-4; (c) reporting the beginning or resumption of production, as required by 43 CFR 3162.4-1(c)and (d) analyzing future applications to drill or modify operations in light of data obtained and methods used.

ROUTINE USES: Information from the record and/or the record will be transferred to appropriate Federal, State, local or foreign agencies, when relevant to civil, criminal or regulatory investigations or prosecutions in connection with congressional inquiries or to consumer reporting agencies to facilitate collection of debts owed the Government.

EFFECT OF NOT PROVIDING THE INFORMATION: Filing of this notice and report and disclosure of the information is mandatory for those subsequent well operations specified in 43 CFR 3162.3-2, 3162.3-3, 3162.3-4.

The Paperwork Reduction Act of 1995 requires us to inform you that:

The BLM collects this information to evaluate proposed and/or completed subsequent well operations on Federal or Indian oil and gas leases.

Response to this request is mandatory.

The BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

BURDEN HOURS STATEMENT: Public reporting burden for this form is estimated to average 8 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0137), Bureau Information Collection Clearance Officer (WO-630), 1849 C St., N.W., Mail Stop 401 LS, Washington, D.C. 20240

### **Earthen Pit Closure Checklist**

- Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close all former earthen pits prior to the closure date agreed upon by the New Mexico Oil Conservation Division of December 31, 2009.
   Closure date for the earth pit located at Bisti Coal 22-2 well site is August 11, 2009.
- 2) In accordance with of Subsection A of 19.15.17.13 NMAC, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close any earthen pits at a date the division requires because of imminent danger to fresh water, public health or the environment.

  None of the conther pits to be closed by Elm Bidge Exploration are deemed as
  - None of the earthen pits to be closed by Elm Ridge Exploration are deemed an imminent risk to the environment, public health, or to fresh or public water.
- 3) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close earthen pits first which seem to pose a greater risk to fresh water, public health, or the environment. This will be determined by the locations proximately to surface water sources and distance to groundwater.
  - None of the earthen pits to be closed by Elm Ridge Exploration are deemed an imminent risk to the environment, public health, or to fresh or public water.
- 4) No less than 60 days prior to any earthen pit closure activities, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the Santa Fe NMOCD office as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (3) NMAC. Notification was provided to Mr. Brad Jones of the NMOCD Santa Fe Office on July 15, 2009 along with a schedule of on-site activities; see attached Notification Letter.
- 5) No less than 24 hours and no greater than one (1) week prior to earthen pit removal, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the appropriate surface owner as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the surface owner by certified mail, return receipt requested, that the operator plans to close an earthen pit. The return receipt will be used to ensure that the surface owner has received written notification no less than 24 hours and no greater than one (1) week prior to the beginning of BGT closure activities. Evidence of mailing of the notice to the address of the surface owner shown in the county tax records is sufficient to demonstrate compliance with this Closure activities that will take place on tribal land will have notifications sent by certified mail, return receipt requested, to the appropriate tribal Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the Bureau of Land Management (BLM) of closure activities for wells located on federal land per a Sundry Notice, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. All notices will be sent in such a way that the surface owner received notice at least 24 hours prior to the beginning of closure activities.

Notification was provided to the Bureau of Land Management on August 6,

### 2009; see attached Sundry Notice and Return Receipt.

6) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all liquids and/or sludge, to visual extents, prior to closure sampling. Material will be disposed of at Envirotech's Landfarm #2, Permit # NM-01-0011, TNT Environmental Inc. Landfarm, Permit # NM-01-0008, Industrial Ecosystems Inc. (IEI) Landfarm, Permit # NM-01-0010B or Basin Disposal, Permit # NM-01-0005, depending on the consistence of the material removed, as in accordance with 19.15.17.13 Subsection C Paragraph (1) NMAC.

On August 11, 2009, approximately six (6) cubic yards of production sludge was removed from the earthen pit and disposed of at Envirotech's NMOCD permitted soil remediation facility, Landfarm #2, Permit # NM-01-0011; see attached *Bill of Lading*.

7) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all on-site equipment associated with this earthen pit unless it is required for some other purpose, as in accordance with 19.15.17.13 Subsection C Paragraph (2) NMAC. The equipment that meets the requirements of 19.15.9.712 Subsection A NMAC and 19.15.9.712 Subsection D Paragraph (1) will be disposed of at San Juan County Regional Landfill. Waste that is classified by 19.15.9.712 Subsection D Paragraph (2) will be sampled accordingly to determine acceptance of this material at the San Juan County Regional Landfill. Waste that is unable to be accepted at the San Juan County Regional Landfill will be submitted to the OCD on a case-by-case basis in accordance with Paragraph (3) of Subsection D of 19.15.9.712.

All on-site equipment will be used for the continued operation of the Bisti Coal 22-2 well site; see *Field Sheet* and *Site Photos*.

8) Once the earthen pit is removed to visual extents of contamination, a five (5)-point composite sample will be collected from directly below the liner(s) or at native soil. Additional discrete samples will be collected from any area that is wet, discolored or show other evidence of a release. All samples being collected will be analyzed for benzene and total BTEX via USEPA Method 8021B, TPH via USEPA Method 418.1, and chlorides via USEPA 300.1, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.

A 5-point composite sample was collected of native soil beneath the earthen pit and analyzed in the field for total petroleum hydrocarbons (TPH) via USEPA Method 418.1, and analyzed in the laboratory for benzene and BTEX via USEPA Method 8021B and for total chlorides via USEPA Method 4500B. The sample returned results below the 100 mg/kg TPH standard, the 0.2 mg/kg benzene standard, the 50 mg/kg BTEX standard and the 250 mg/kg total chloride standard, confirming that a release did NOT occur.

NAME	Benzene	BTEX	Chlorides	TPH
Pit Rule	0.2 mg/kg	50 mg/kg	250 mg/kg	100 mg/kg
Standard				
Earth Pit Comp 1'	< 0.0009 mg/kg	0.0108 mg/kg	227 mg/kg	56 mg/kg
Deep			_	

9) Depending on soil sample results the area will be either backfilled or the area will be excavated.

Elm Ridge Exploration
Bisti Coal 22-2
Earth Pit Closure
03056-0171
Closure Date: 8/11/09

- 1) If soil samples do not exceed the regulatory standards of 0.2 mg/kg benzene, 50 mg/kg BTEX, 100 mg/kg TPH, and 250 mg/kg or background concentration of chlorides, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.
  - i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.

Completed Form C-141 is attached for your review.

ii. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will backfill the excavation or impacted area with non-waste containing, earthen material, in accordance with 19.15.17.13 Subsection E Paragraph (6) NMAC. A soil cover shall be installed for all backfilled excavations consisting of the background thickness of topsoil or one (1) foot of suitable material to establish vegetation at the site, whichever is greater in accordance with Subsections H of 19.15.17.13 NMAC. The operator shall construct the soil cover to the site's existing grade and prevent ponding of water and erosion of the cover material.

Elm Ridge Exploration has backfilled the excavated area with non-waste containing earthen material, and installed a soil cover of at least one (1) foot thick of suitable material to establish vegetation at this site. The soil cover has been graded in such a way that it conforms to the grade of the natural surroundings, and will prevent ponding of water and erosion of the cover material; see Site Photos.

iii. All areas of the well site that are no longer utilized on a day to day basis for the production of oil and/or gas, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will substantially restore, recontour and re-vegetate the areas, in accordance with 19.15.17.13 Subsections G and I NMAC. The operator shall notify the division when it has re-seed and when it has achieved successful re-vegetation.

Elm Ridge Exploration has restored, recontoured and re-seeded the excavated area in accordance with BLM standards as outlined in the Memorandum of Understanding (MOU).

- 2) If soil samples exceed the regulatory standards stated above.
  - i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.

The five (5)-point composite sample of native soil beneath the earthen pit returned results below the 100 mg/kg TPH standard, the 0.2 mg/kg benzene standard, the 50 mg/kg BTEX standard and the 250 mg/kg total chloride standard, confirming that a release did NOT occur.

Elm Ridge Exploration
Bisti Coal 22-2
Earth Pit Closure
03056-0171
Closure Date: 8/11/09

10) Elm Ridge Exploration will submit a closure report within 60 days following the earthen pit closure. The closure report will consist of a form C-144 with all supporting data and a form C-141 with all supporting data. The supporting data will include proof of closure notice to the surface owner and the OCD, confirmation sampling analytical results, a site diagram, soil backfilling and cover installation, revegetation rates, re-seeding techniques, and site reclamation photo documentation if applicable, along with all other information related to the onsite activities.

See attached C-144 Closure Form and attached Form C-141 Release Notification Form. Closure report has been submitted prior to October 11, 2009.



### **EPA METHOD 418.1** TOTAL PETROLEUM **HYDROCARBONS**

Client:

Elm Ridge Exploration

03056-0171

Sample No.:

Project #: Date Reported:

Sample ID:

Earth Pit Composite

9/9/2009

Sample Matrix:

Soil

Date Analyzed:

Date Sampled:

8/11/2009 8/11/2009

Preservative:

Cool

Analysis Needed:

TPH-418.1

Condition:

Cool and Intact

		Det.
	Concentration	Limit
Parameter	(mg/kg)	(mg/kg)

### **Total Petroleum Hydrocarbons**

56

5.0

ND = Parameter not detected at the stated detection limit.

References:

Method 418.1, Petroleum Hydrocarbons, Total Recoverable, Chemical Analysis

of Water and Waste, USEPA Storet No. 4551, 1978.

Comments:

**Bisti Coal 22-2** 

Instrument calibrated to 200 ppm standard. Zeroed before each sample

Robyn Jonesi

Printed

James McDaniel

Printed



### CONTINUOUS CALIBRATION EPA METHOD 418.1 TOTAL PETROLEUM HYDROCARBONS

Cal. Date:

11-Aug-09

Parameter	Standard Concentration mg/L	Concentration Reading mg/L	
ТРН	100		
	200	200	
	500		
	1000		

The accepted percent relative deviation (%RSD) of the calibration factor is less than 20% over the working range.

Analyst

Robyn Jone's

Print Name

Review

0/9/00

9/9/09

James McDaniel

**Print Name** 



### EPA METHOD 8021 AROMATIC VOLATILE ORGANICS

Client:	Elmridge	Project #:	03056-0171
Sample ID:	4'FEW, 2'FSW Comp	Date Reported:	08-20-09
Laboratory Number:	51310	Date Sampled:	08-11-09
Chain of Custody:	7753	Date Received:	08-17-09
Sample Matrix:	Soil	Date Analyzed:	08-19-09
Preservative:	Cool	Date Extracted:	08-18-09
Condition:	Intact	Analysis Requested:	BTEX

Parameter	Concentration (ug/Kg)	Det. Limit (ug/Kg)	
Benzene	ND	0.9	
Toluene	3.8	1.0	
Ethylbenzene	1.1	1.0	
p,m-Xylene	2.9	1.2	
o-Xylene	3.0	0.9	
Total BTEX	10.8		

ND - Parameter not detected at the stated detection limit.

Surrogate Recoveries:	Parameter	Percent Recovery
	Fluorobenzene	97.0 %
	1,4-difluorobenzene	97.0 %
	Bromochlorobenzene	97.0 %

References:

Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA,

December 1996.

Method 8021B, Aromatic Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846,

USEPA, December 1996.

Comments:

Bisti Coal 22-2

Analyst

Mistly Weeten Review



### EPA METHOD 8021 AROMATIC VOLATILE ORGANICS

Client:	N/A	Project #: Date Reported:	N/A
Sample ID:	08-19-BT QA/QC		08-20-09
Laboratory Number:	51287	Date Sampled:	N/A
Sample Matrix:	Soil	Date Received:	N/A
Preservative:	N/A	Date Analyzed:	08-19-09
Condition:	N/A	Analysis:	BTEX

	LOWRE TO THE RESERVE	Accept, Reng	%.DIII je 0 - 15%	Slank Cone	Defect Limit
Benzene	4.0036E+006	4.0116E+006	0.2%	ND	0.1
Toluene	3.7371E+006	3.7446E+006	0.2%	ND	0.1
Ethylbenzene	3.3158E+006	3.3224E+006	0.2%	ND	0.1
p,m-Xylene	8.5339E+006	8.5510E+006	0.2%	ND	0.1
o-Xylene	3.1635E+006	3.1698E+006	0.2%	ND	0.1

	Bengé Di	iplicate" )	%0H**	Accept Range	Detect. Limit
Benzene	4.9	4.7	4.1%	0 - 30%	0.9
Toluene	11.4	11.9	4.4%	0 - 30%	1.0
Ethylbenzene	9.4	8.3	11.7%	0 - 30%	1.0
p,m-Xylene	24.0	22.8	5.0%	0 - 30%	1.2
o-Xylene	14.2	14.0	1.4%	0 - 30%	0.9

Solke Conc. (ulp/Kg)	Sample - Amo	unt Solked Solk	ed Sample	% Recovery	Accept Range
Benzene	4.9	50.0	53.8	98.0%	39 - 150
Toluene	11.4	50.0	59.2	96.4%	46 - 148
Ethylbenzene	9.4	50.0	56.2	94.6%	32 - 160
p,m-Xylene	24.0	100	113	91.0%	46 - 148
o-Xylene	14.2	50.0	61.7	96.1%	46 - 148

ND - Parameter not detected at the stated detection limit.

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA,

December 1996

Method 8021B, Aromatic and Halogenated Volatiles by Gas Chromatography Using Photoionization and/or Electrolytic Conductivity Detectors, SW-846, USEPA December 1996.

Comments: QA/QC for Samples 51287 - 51290, 51308, 51310 - 51312, and 51314 - 51315.

Reviev

Analyst



### Chloride

03056-0171 Client: Elm Ridge Project #: 4' FEW, 2' FSW Comp Date Reported: 08-20-09 Sample ID: Lab ID#: 51310 Date Sampled: 08-11-09 Soil Date Received: 08-17-09 Sample Matrix: Preservative: Cool Date Analyzed: 08-19-09 Condition: Intact Chain of Custody: 7753

**Parameter** 

Concentration (mg/Kg)

**Total Chloride** 

227

Reference:

U.S.E.P.A., 4500B, "Methods for Chemical Analysis of Water and Wastes", 1983.

Standard Methods For The Examination of Water And Waste Water", 18th ed., 1992.

Comments:

Bisti Coal 22-2.

Analyst

# CHAIN OF CUSTODY RECORD

	Relinquished by: (Signature)	Refinduished by: (Signature)()	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Betinquisped by: (Signature)	Solid A	Soil Solid A	Solid A	Solid A	Solid A	Soil S	Solid A		Soil Solid	4'FEW 2'FSW Comp Stulon 1400 51310 Solla &	Sample No./ Sample Sample Lab No. Sample Identification Date Time	Client Phone No.: Client No.: (3056-0-	ress: ()	Elm Ricial Boti Coal 22	Client: Project Name / Location:
			17/09 9:05	Date Time F	Sludge Aqueous	Sludge 1-40E	No./Volumor of Containers	7		راح									
*	Received by: (Signature)	Received by: (Signature)	Your Monage											*	TPH (BTEX) VOC RCR/ Catio RCI TCLF PAH TPH	(Method (Method A 8 Meta n / Anion with H/ (418.1) ORIDE	od 8021) I 8260) als n		ANALYSIS / PARAMETERS
			17 101 4:05	Date Time										X		ole Cool			

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Analytical Laboratory

5796 US Highway 64 • Farmington, NM 87401 • 505-632-0615 • lab@envirotech-inc.com

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PAGE NO: OF  DATE STARTED: 8/109  DATE FINISHED: 8/11/0				05) 632-0615	OTEC (800) 362-18 armington, 1412 6	<b>1</b> 79	7 _	MENTAL SPECIALIST: Socres
	FIELD R	EPORT:	BGT / P	IT CLOS	SURE VE	RIFICAT	TION	
LOCATION: NAME: R			WELL #:		TEMP PIT:	PERMAN		× BGT:
LEGAL ADD: UNIT:	L	SEC: 23		TWP: 25	SN	RNG: 121	J	PM:
QTR/FOOTAGE <u>: 23(0`</u> F	SL 791	o' Fwc	CNTY: S	an Jua	0	ST: NA	1	
EXCAVATION APPROX:	4	FT. X	ス	FT. X	2	FT. DEEP	CUBIC YA	RDAGE:
DISPOSAL FACILITY:	Environ		70	REMEDIA	TION METHO			
LAND OWNER:	Fred		API:	WALLED	VITH LEAK D	BGT / PIT V		
CONSTRUCTION MATERIA							:	
LOCATION APPROXIMATE DEPTH TO GROUNDWATER			FT.		FROM WELL	HEAD		
TEMPORARY PIT - GR		ER 50-100 FE	ET DEEP	·			ж-	
BENZENE ≤ 0.2 mg/kg, B7				N (8015) ≤ 50	0 mg/kg, TPH (	418.1) ≤ 2500	mg/kg, CHL	ORIDES ≤ 500 mg/kg
TEMPORARY PIT - GR				(227)			<i>C C</i> ,	
BENZENE ≤ 0.2 mg/kg, BT				N (8015) ≤ 50	) mg/kg, TPH (4	<b>118.1) ≤ 2500</b> :	mg/kg, CHLC	ORIDES ≤ 1000 mg/kg
X		6,	110101	(0015) = 50	,			7.1.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.
PERMANENT PIT OR B BENZENE ≤ 0.2 mg/kg, B1		α <b>ΤΡΗ (</b> Δ10 1)	< 100 mg/kg	CHI ODIDI	S < 250 mg/kg			
DENZENE 3 0.2 mg/kg, D i	LA 3 JU Hig/K	.g, 1111 (+10.1)	1 ≥ 100 mg/kg			TOYO		
Г	TIME	SAMPLE I.D.	LARNO		mL FREON	YSIS DILUTION	PEADING	CALC. (mg/kg)
	THATC	200 STD	LAB NO.	WEIGHT (g)	IIL TREON	-	200	CALC. (Ilig/kg)
		EP (cm6"	1		20	4	33	132
		EP (cmp)	3	-	20	4	98	392 56
		ZI CIMPA	4		20			210
			5					
Į l			6					
PERIME	TER		FIELD C	HLORIDES	RESULTS		PRO	DFILE
			SAMPLE	READING	CALC.			
	3		ID		(mg/kg)			
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	XID	*	Walls 2		439			
	11(3)		ふ、		225			{I6"
OPS		*	]	PID RESUI		f -		770
	[8]	Marin 1	SAMI	PLE ID	RESULTS (ppm)			12
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						1	4 x 8	2 × 2 \
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V 18 2 11 22 2		2105						
LAB SAMPLES		NOTES:						
SAMPLE ID ANALYSIS BENZENE	RESULTS							
BTEX								
GRO & DRO								
CHLORIDES								
		WORKORDE	R#		WHO ORDER	ED		

## Senvirotech

### Bill of Lading

MANIFEST #\_

-0308# 03056-(

PHONE:	PHONE: (505) 632-0615 • 5796 U.S. HIGHWAY 64 • FARMINGTON, NEW MEXICO 87401	DA
LOAD	COMPLETE DESCRIPTION OF SHIPMENT	

~	쀭											and
TRANSPORTING COMPANY	DRIVER SIGNATURE											"I certify the material hauled from the above location has not been added to or mixed with, and is the same material received from the above mentioned Generator, and
LING CC	TIME	230								1 1	~	above r
NSPOR	TRK#	841								SED.		from the
TRAI	COMPANY	4-4					¥			NOTES: ENTERED ANS		e material received l
	BBLS										3	the sam
	YDS	9	\-	9							9	with, and is
MENT	GRID	9 9	1						7			to or mixed v
PTION OF SHIP	MATERIAL	1,05						-	,	Jank )		s not been added
COMPLETE DESCRIPTION OF SHIPMENT	DESTINATION	1237								LANDFARM	EIMPLOYEE	above location has
S O O	IGIN	,										d from the
	POINT OF ORIGIN	615410001	15 cm 7							S: CHLORIDE TEST	PAINT FILTER TEST	he material haule
LOAD	ON O	***	44.							RESULTS:		"I certify t

COMPANY NAME TOWN MYCKING

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COMPANY CONTACT.
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PHONE

SIGNATURE

DATE\_

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