



Pima Environmental Services, LLC
 1601 N. Turner Ste 500
 Hobbs, NM 88240
 575-964-7740

Request For Incident Closure

December 17, 2020

Re: Liner Inspection and Closure Report
Nermal 4 St. #1H
API No. 30-015-41239
GPS: Latitude 32.16584 Longitude -104.09453
UL "C", Sec. 4, T25S, R28E
Eddy County, NM
NMOCD Ref. No. 2RP-4560

Pima Environmental Services, LLC (Pima) has conducted a liner inspection and has prepared this Closure Report on behalf of Devon Energy Production Company (Devon) for the Nermal 4 St #1H (Nermal). This incident was assigned 2RP-4560, Incident ID NAB1801657157, by the New Mexico Oil Conservation Division (NMOCD).

Site Information and Site Characterization

The Nermal is located approximately thirty (5) miles southwest of Malaga, NM. This spill site is in Unit C, Section 4, Township 25S, Range 28E, Latitude 32.16584, Longitude -104.09453, Eddy County, NM.

Based upon New Mexico Office of the State Engineer well water data, depth to the nearest groundwater in this area is 35-feet below grade surface (BGS). See Appendix A for referenced water survey. This well is located in a sensitive High Karst area.

Table 1 NMAC and Closure Criteria 19.15.29					
Depth to Groundwater (Appendix A)	Constituent & Limits				
	Chlorides	Total TPH	GRO+DRO	BTEX	Benzene
<50	600 mg/kg	100 mg/kg	100 mg/kg	50 mg/kg	10mg/kg
If the release occurred within any of the following areas, the responsible party would treat the release as if the groundwater was less than 50 feet per Rule 19.15.29					
Water Issues				Yes	No
Within 300 feet of any continuously flowing watercourse or any other significant watercourse					x
Within 200 feet of any lakebed, sinkhole or playa lake (measures from the ordinary high-water mark					x
Within 300 feet from an occupied permanent residence, school, hospital, institution or church					x
Within 500 feet of a spring or a private, domestic freshwater well used by less than five households for domestic or stock water purposes					x
Within 1000 feet of any freshwater well or spring					x
Within incorporated municipal boundaries or within a defined municipal freshwater well field					x
Within 300 feet of a wetlands					x
Within the area overlying a subsurface mine					x
Within an unstable area (Karst)				x	
Within a 100-year floodplain					x

Release Information

2RP-4591: On January 16, 2018, the lease operator found the heater had a blown gasket, which allowed fluid to spill out of the opening onto the engineered steel and poly lined containment. The lost fluids were calculated to be approximately 8.7 barrels (bbls) of oil. The lease operator isolated the vessel and dispatched a vac truck that was able to recover 6 bbls.

Site Assessment and Soil Sampling Results

On December 9, 2020, Pima Environmental conducted a liner inspection. The inspection found no noticeable tears or loss of integrity. Photos of the liner are attached to Appendix C.

Closure Request

After careful review, Pima requests that this incident, NAB1803053553, be closed. Devon has complied with the approved work plan and applicable closure requirements.

Should you have any questions or need additional information, please feel free to contact Chris Jones at 575-964-7740 or chris@pimaoil.com.

Respectfully,



Chris Jones
Environmental Professional
Pima Environmental Services, LLC

Attachments

Figures:

1- Site Map

Appendices:

Appendix A- Referenced Water Survey

Appendix B- C-141's

Appendix C- Photographic Documentation



Pima Environmental Services

Figures:
I-Site Map

Devon Energy

Nermal 4 State #1H
API 30-015-41239
Eddy County, NM
Site Map

Nermal 4 St 1H



100 ft

Google Earth

Released to Imaging: 9/14/2022 1:17:28 PM



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Appendix A
Water Survey:
OSE



New Mexico Office of the State Engineer

Water Column/Average Depth to Water

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

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

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

(quarters are smallest to largest)

(NAD83 UTM in meters)

(In feet)

POD Number	Code	POD Sub-basin	County	Q 64	Q 16	Q 4	Sec	Tws	Rng	X	Y	Distance	DepthWell	DepthWater	Water Column
C 01411	R	C	ED	4	4	2	04	25S	28E	586289	3558522*		1141	69	35 34
C 01411 POD2		C	ED	4	2	4	04	25S	28E	586374	3558036		1535	90	50 40
C 03989 POD1		CUB	ED	4	2	2	33	24S	28E	586342	3560573		1686	100	70 30
C 02668		C	ED	2	1	2	09	25S	28E	585890	3557525*		1751	150	
C 03988 POD1		CUB	ED	4	4	4	28	24S	28E	586303	3561087		2109	110	95 15
C 04025 POD1		CUB	ED	4	3	3	27	24S	28E	586700	3560964		2213	190	90 100
C 04222 POD1		CUB	ED	1	3	3	27	24S	28E	586406	3561228		2281	140	35 105

Average Depth to Water: **62 feet**

Minimum Depth: **35 feet**

Maximum Depth: **95 feet**

Record Count: 7

UTMNAD83 Radius Search (in meters):

Easting (X): 585368.362

Northing (Y): 3559196.77

Radius: 3000

*UTM location was derived from PLSS - see Help

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

12/16/20 9:06 AM

WATER COLUMN/ AVERAGE DEPTH TO WATER



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Appendix B

C-141's:

Initial

Final

Received on
10/19/17

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

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

Form C-141
Revised April 3, 2017
Submit 1 Copy to appropriate District Office in
accordance with 19.15.29 NMAC.

Release Notification and Corrective Action

Initial only

NAB1801457157 OPERATOR ☒ Initial Report ☒ Final Report

Name of Company Devon Energy Production Company 4137	Contact Wesley Ryan, Production Foreman
Address 6488 Seven Rivers Hwy, Artesia NM 88210	Telephone No. 575-390-5436
Facility Name Nermal 4 State 1H	Facility Type Oil
Surface Owner State	Mineral Owner State
API No. 30-015-41239	

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
C	4	25S	28E	207	North	1980	West	Eddy

Latitude 32.16584 Longitude -104.09453

NATURE OF RELEASE

Type of Release Oil	Volume of Release 210BBLS Oil	Volume Recovered 210BBLS Oil
Source of Release Thief Hatch	Date and Hour of Occurrence 10/5/2017 @ 9:30AM	Date and Hour of Discovery 10/5/2017 @ 9:30AM
Was Immediate Notice Given? ☒ Yes ☐ No ☐ Not Required	If YES, To Whom? OCD-Mike Bratcher	
By Whom? Wesley Ryan, Production Foreman	Date and Hour OCD-10/5/2017 @ 4:11PM	
Was a Watercourse Reached? ☐ Yes ☒ No	If YES, Volume Impacting the Watercourse. N/A	
If a Watercourse was Impacted, Describe Fully.* N/A		
Describe Cause of Problem and Remedial Action Taken.* Lease operator arrived on location and discovered one of the oil tanks over running through the thief hatch. All lines were shut in. Repairs were made.		
Describe Area Affected and Cleanup Action Taken.* Approximately 210BBLS of oil were released out of the thief hatch on an overflowing tank. All 210BBLS of oil were recovered by the dispatched vacuum truck. The release occurred inside the lined SPCC containment. Once fluids were removed the liner was visually inspected by Devon field staff for any pinholes or punctures and none were found. The liner was then placed back into service.		
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.		
Signature: Dana DeLaRosa	OIL CONSERVATION DIVISION	
Printed Name: Dana DeLaRosa	Approved by Environmental Specialist: <i>[Signature]</i>	
Title: Field Admin. Support	Approval Date: 11/16/18	Expiration Date: N/A
E-mail Address: dana.delarosa@devon.com	Conditions of Approval:	
Date: 10/19/17 Phone: 575-746-5594	see attached	Attached ☒ <i>[Signature]</i> 4560

* Attach Additional Sheets If Necessary

11/16/18 AB

Operator/Responsible Party,

The OCD has received the form C-141 you provided on **10/19/17** regarding an unauthorized release. The information contained on that form has been entered into our incident database and remediation case number 28P-45100 has been assigned. **Please refer to this case number in all future correspondence.**

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

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

Release characterization is the first phase of corrective action unless the release is ongoing or is of limited volume and all impacts can be immediately addressed. Proper and cost-effective remediation typically cannot occur without adequate characterization of the impacts of any release. Furthermore, the Division has the ability to impose reasonable conditions upon the efforts it oversees. **As such, the Division is requiring a workplan for the characterization of impacts associated with this release be submitted to the OCD District II office in Artesia on or before 11/19/17. If and when the release characterization workplan is approved, there will be an associated deadline for submittal of the resultant investigation report. Modest extensions of time to these deadlines may be granted, but only with acceptable justification.**

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

- Horizontal delineation of soil impacts in each of the four cardinal compass directions. Adsorbed soil contamination must be characterized for the following constituents using the associated laboratory methods: benzene, toluene, ethylbenzene, and total xylenes by either Method 8260 or 8021, total petroleum hydrocarbons by Method 8015 extended range (GRO+DRO+MRO; C₆ thru C₃₆), and for chloride by Method 300. This is not an exclusive list of potential contaminants. Analyzed parameters should be modified based on the nature of the released substance(s). Soil sampling must be both within the impacted area and beyond.
- Vertical delineation of soil impacts. Adsorbed soil contamination must be characterized for the following constituents using the associated laboratory methods: benzene, toluene, ethylbenzene, and total xylenes by either Method 8260 or 8021, total petroleum hydrocarbons by Method 8015 extended range (GRO+DRO+MRO; C₆ thru C₃₆), and for chloride by Method 300. As above, this is not an exclusive list of potential contaminants and can be modified. Vertical characterization samples should be taken at depth intervals no greater than five feet apart. Lithologic description of encountered soils must also be provided. At least ten vertical feet of soils with contaminant concentrations at or below these values must be demonstrated as existing above the water table.
- Nominal detection limits for field and laboratory analyses must be provided.
- Composite sampling is not generally allowed.
- Field screening and assessment techniques are acceptable (headspace, titration, EC [include algorithm for validation purposes], EM, etc.), but the sampling and assay procedures must be clearly defined. Copies of field notes are highly desirable. A statistically significant set of split samples must be submitted for confirmatory laboratory analysis, including the laterally farthest and vertically deepest sets of soil samples. Make sure there are at least two soil samples submitted

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

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

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

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

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

Jim Griswold

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

Site Assessment/Characterization

This information must be provided to the appropriate district office no later than 90 days after the release discovery date.

What is the shallowest depth to groundwater beneath the area affected by the release?	____ 35 ____ (ft bgs)
Did this release impact groundwater or surface water?	☐ Yes ☒ No
Are the lateral extents of the release within 300 feet of a continuously flowing watercourse or any other significant watercourse?	☐ Yes ☒ No
Are the lateral extents of the release within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)?	☐ Yes ☒ No
Are the lateral extents of the release within 300 feet of an occupied permanent residence, school, hospital, institution, or church?	☐ Yes ☒ No
Are the lateral extents of the release within 500 horizontal feet of a spring or a private domestic fresh water well used by less than five households for domestic or stock watering purposes?	☐ Yes ☒ No
Are the lateral extents of the release within 1000 feet of any other fresh water well or spring?	☐ Yes ☒ No
Are the lateral extents of the release within incorporated municipal boundaries or within a defined municipal fresh water well field?	☐ Yes ☒ No
Are the lateral extents of the release within 300 feet of a wetland?	☐ Yes ☒ No
Are the lateral extents of the release overlying a subsurface mine?	☐ Yes ☒ No
Are the lateral extents of the release overlying an unstable area such as karst geology?	☒ Yes ☐ No
Are the lateral extents of the release within a 100-year floodplain?	☐ Yes ☒ No
Did the release impact areas not on an exploration, development, production, or storage site?	☐ Yes ☒ No

Attach a comprehensive report (electronic submittals in .pdf format are preferred) demonstrating the lateral and vertical extents of soil contamination associated with the release have been determined. Refer to 19.15.29.11 NMAC for specifics.

Characterization Report Checklist: Each of the following items must be included in the report.

- ☒ Scaled site map showing impacted area, surface features, subsurface features, delineation points, and monitoring wells.
- ☒ Field data
- ☒ Data table of soil contaminant concentration data
- ☒ Depth to water determination
- ☒ Determination of water sources and significant watercourses within ½-mile of the lateral extents of the release
- ☐ Boring or excavation logs
- ☒ Photographs including date and GIS information
- ☒ Topographic/Aerial maps
- ☒ Laboratory data including chain of custody

If the site characterization report does not include completed efforts at remediation of the release, the report must include a proposed remediation plan. That plan must include the estimated volume of material to be remediated, the proposed remediation technique, proposed sampling plan and methods, anticipated timelines for beginning and completing the remediation. The closure criteria for a release are contained in Table 1 of 19.15.29.12 NMAC, however, use of the table is modified by site- and release-specific parameters.

State of New Mexico
Oil Conservation Division

Page 2

Incident ID	NAB1801657157
District RP	2RP-4560
Facility ID	
Application ID	

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Printed Name: Wes Mathews Title: EHS Professional
Signature: *Wes Mathews* Date: 12/17/2020
email: wesley.mathews@dvn.com Telephone: 575-748-2663

OCD Only

Received by: _____ Date: _____

Incident ID	NAB1801657157
District RP	2RP-4560
Facility ID	
Application ID	

Closure

The responsible party must attach information demonstrating they have complied with all applicable closure requirements and any conditions or directives of the OCD. This demonstration should be in the form of a comprehensive report (electronic submittals in .pdf format are preferred) including a scaled site map, sampling diagrams, relevant field notes, photographs of any excavation prior to backfilling, laboratory data including chain of custody documents of final sampling, and a narrative of the remedial activities. Refer to 19.15.29.12 NMAC.

Closure Report Attachment Checklist: *Each of the following items must be included in the closure report.*

- ☒ A scaled site and sampling diagram as described in 19.15.29.11 NMAC
- ☒ Photographs of the remediated site prior to backfill or photos of the liner integrity if applicable (Note: appropriate OCD District office must be notified 2 days prior to liner inspection)
- ☒ Laboratory analyses of final sampling (Note: appropriate ODC District office must be notified 2 days prior to final sampling)
- ☒ Description of remediation activities

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations. The responsible party acknowledges they must substantially restore, reclaim, and re-vegetate the impacted surface area to the conditions that existed prior to the release or their final land use in accordance with 19.15.29.13 NMAC including notification to the OCD when reclamation and re-vegetation are complete.

Printed Name: Wes Mathews Title: EHS Professional
Signature: *Wes Mathews* Date: 12/17/2020
email: wesley.mathews@dvn.com Telephone: 575-748-2663

OCD Only

Received by: OCD Date: 12/17/2020

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

Closure Approved by: *Ashley Maxwell* Date: 9/14/2022
Printed Name: Ashley Maxwell Title: Environmental Specialist



Pima Environmental Services

Appendix C:
Photographic Documentation

Photographs







District I

1625 N. French Dr., Hobbs, NM 88240
Phone:(575) 393-6161 Fax:(575) 393-0720

District II

811 S. First St., Artesia, NM 88210
Phone:(575) 748-1283 Fax:(575) 748-9720

District III

1000 Rio Brazos Rd., Aztec, NM 87410
Phone:(505) 334-6178 Fax:(505) 334-6170

District IV

1220 S. St Francis Dr., Santa Fe, NM 87505
Phone:(505) 476-3470 Fax:(505) 476-3462

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

CONDITIONS

Action 12518

CONDITIONS

Operator: Pima Environmental Services, LLC 5614 N Lovington Hwy Hobbs, NM 88240	OGRID: 329999
	Action Number: 12518
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
amaxwell	None	9/14/2022