

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 Department

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

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

Incident ID	NAPP2301228975
District RP	
Facility ID	fAPP2204043727
Application ID	

Release Notification

Responsible Party

Responsible Party	COG Operating, LLC	OGRID	229137
Contact Name	Charles Beauvais	Contact Telephone	(575) 988-2043
Contact email	Charles.R.Beauvais@ConocoPhillips.com	Incident # (assigned by OCD)	NAPP2301228975
Contact mailing address	600 West Illinois Avenue, Midland, Texas 79701		

Location of Release Source

Latitude 32.0776 Longitude -103.4966
(NAD 83 in decimal degrees to 5 decimal places)

Site Name	Gunner Federal 5D	Site Type	Tank Battery
Date Release Discovered	December 23, 2022	API# (if applicable)	

Unit Letter	Section	Township	Range	County
D	05	26S	34E	Lea

Surface Owner: ☐ State ☐ Federal ☐ Tribal ☒ Private (Name: Intrepid Potash - New Mexico, LLC.)

Nature and Volume of Release

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

<input type="checkbox"/> Crude Oil	Volume Released (bbls)	Volume Recovered (bbls)
<input checked="" type="checkbox"/> Produced Water	Volume Released (bbls) 540	Volume Recovered (bbls) 540
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Condensate	Volume Released (bbls)	Volume Recovered (bbls)
<input type="checkbox"/> Natural Gas	Volume Released (Mcf)	Volume Recovered (Mcf)
<input type="checkbox"/> Other (describe)	Volume/Weight Released (provide units)	Volume/Weight Recovered (provide units)

Cause of Release

The release was caused by a broken brass valve due to freezing weather. This release occurred within a falcon lined facility. Multiple vacuum trucks were dispatched to remove all freestanding fluids. Evaluation will be made of the spill area for any impact from release. A 48-hour advanced notification was sent to the NMOCD District 1 office via email on 01/16/2023. The liner was visually inspected with experience and training in pad operations and visual liner inspection on 01/18/2023. The liner was visually inspected and no rips, holes, tears, or damage was observed. The liner was determined to be in good condition (see attached photos).

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Was this a major release as defined by 19.15.29.7(A) NMAC? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If YES, for what reason(s) does the responsible party consider this a major release? The volume released was greater than 25 barrels.
If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)? Immediate notice was given by Charles Beauvais via email on December 24, 2022 at 10:09 AM to ocd.enviro@state.nm.us.	

Initial Response

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

<input checked="" type="checkbox"/> The source of the release has been stopped. <input checked="" type="checkbox"/> The impacted area has been secured to protect human health and the environment. <input checked="" type="checkbox"/> Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices. <input checked="" type="checkbox"/> All free liquids and recoverable materials have been removed and managed appropriately.	
If all the actions described above have <u>not</u> been undertaken, explain why: 	
Per 19.15.29.8 B. (4) NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please attach a narrative of actions to date. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see 19.15.29.11(A)(5)(a) NMAC), please attach all information needed for closure evaluation.	
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.	
Printed Name: Brittany N. Esparza	Title: Environmental Technician
Signature: 	Date: 01/05/2023
email: Brittany.Esparza@ConocoPhillips.com	Telephone: (432) 221-0398
<u>OCD Only</u> Received by: Jocelyn Harimon Date: 01/12/2023	

L48 Spill Volume Estimate Form - Fill In Gray Cells

Received by OCD: 1/12/2023 9:09:12 AM				Facility Name & Well Number(s):		Guner 5D		Release Discovery Date & Time:		12/22/2022 2:30		NAPP2301228975			
Provide any known details about the event:				The night pumper first checked the Gunner 5D at around 5 pm on December 22, 2022, and he did not notice anything wrong with the wells or the battery. At around 2:30 am December 23, 2022, the night pumper saw 3 or 4 inches of water in the battery's containment. After walking through the battery, the night pumper saw that a 4" brass valve had frozen and broken on water tank load line due the night below freezing weather.											
				Was the Release to Soil / Caliche (dropdown):		Release On/Off Pad (dropdown):		Recovered Volume (bbl.) (if available, not included in volume calculations)		Release Type (dropdown):		Method of Determination (dropdown):			
BU:		Permian		Asset Area: DBE - Asset Avg.		No		On-Pad		540		Produced Water		Other	
Known Volume (dropdown):				Yes				Known Volume of Spill (bbl.)							
Released to Imaging: 1/12/2023 10:36:18 AM								540							

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Phone:(505) 334-6178 Fax:(505) 334-6170
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Phone:(505) 476-3470 Fax:(505) 476-3462

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

CONDITIONS

Action 175411

CONDITIONS

Operator: COG OPERATING LLC 600 W Illinois Ave Midland, TX 79701	OGRID: 229137
	Action Number: 175411
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
jharimon	None	1/12/2023

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

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

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

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

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

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Printed Name: __Charles Beauvais__

Title: __Senior Environmental Engineer__

Signature: Charles R. BeauvaisDate: 01/30/2023

email: __Charles.R.Beauvais@ConocoPhillips.com__

Telephone: __575-988-2043__

OCD OnlyReceived by: Jocelyn HarimonDate: 01/30/2023

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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: Charles Beauvais Title: Senior Environmental Engineer

Signature: Charles R. Beauvais II Date: 01/30/2023

email: Charles.R.Beauvais@ConocoPhillips.com Telephone: 575-988-2043

OCD Only

Received by: Jocelyn Harimon Date: 01/30/2023

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

Closure Approved by: Jennifer Nobui Date: 02/17/2023

Printed Name: Jennifer Nobui Title: Environmental Specialist A

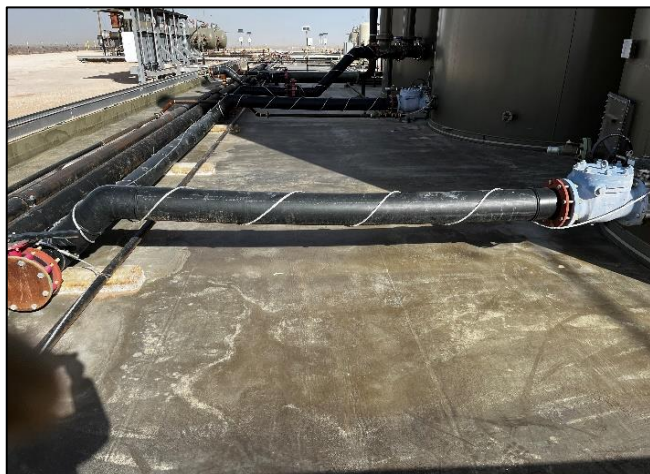


APPENDIX A

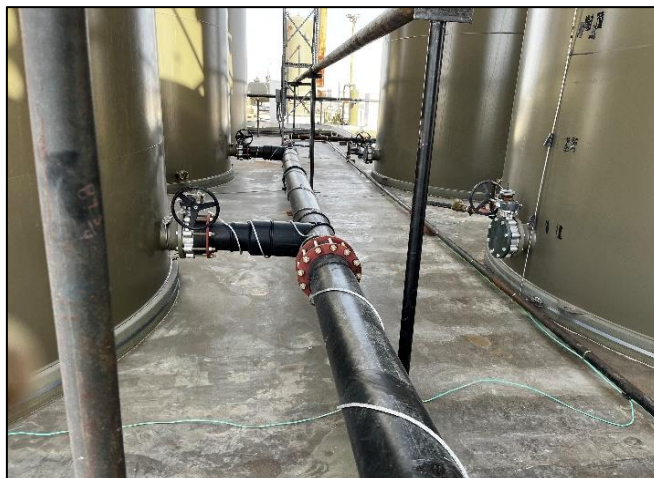
Photographic Log



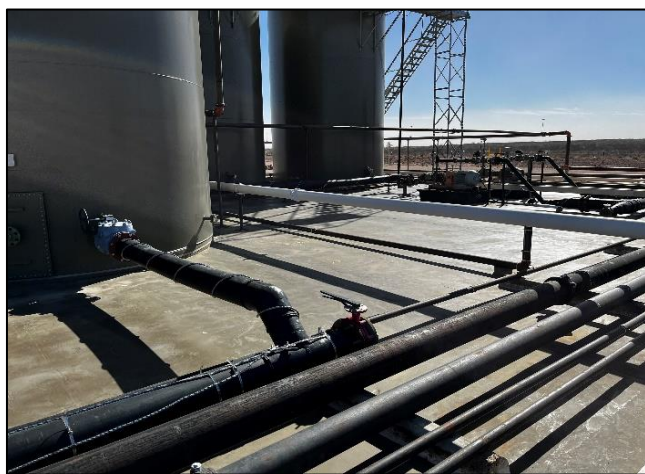
Photographic Log
COG Operating, LLC
Gunner Federal 5D
Incident Number NAPP2301228975



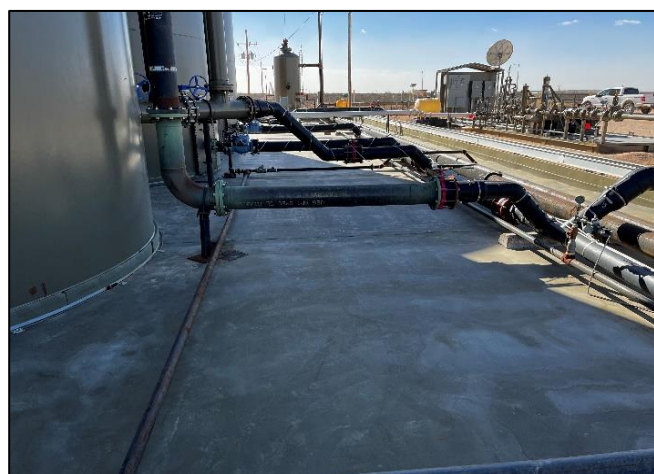
Photograph: 1 Date: 1/18/2023
Description: View of liner during integrity inspection.
Liner determined to be in good condition.



Photograph: 2 Date: 1/18/2023
Description: View of liner during integrity inspection.
Liner determined to be in good condition.



Photograph: 3 Date: 1/18/2023
Description: View of liner during integrity inspection.
Liner determined to be in good condition.



Photograph: 4 Date: 1/18/2023
Description: View of liner during integrity inspection.
Liner determined to be in good condition.



APPENDIX B

NMOCD Notifications

From: [Enviro, OCD, EMNRD](#)
To: [Kalei Jennings](#)
Cc: [Bratcher, Michael, EMNRD](#); [Nobui, Jennifer, EMNRD](#)
Subject: RE: [EXTERNAL] COP - Containment Inspection - Gunner Federal 5D / NAPP2301228975
Date: Tuesday, January 17, 2023 9:21:06 AM
Attachments: [image005.jpg](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

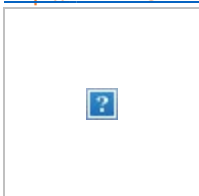
[**EXTERNAL EMAIL**]

Kalei,

Thank you for the notification. Please include a copy of this and all notifications in the remedial and/or closure reports to ensure the notifications are documented in the project file.

JH

Jocelyn Harimon • Environmental Specialist
Environmental Bureau
EMNRD - Oil Conservation Division
1220 South St. Francis Drive | Santa Fe, NM 87505
(505)469-2821 | Jocelyn.Harimon@emnrd.nm.gov
[http:// www.emnrd.nm.gov](http://www.emnrd.nm.gov)



From: Kalei Jennings <kjennings@ensolum.com>
Sent: Monday, January 16, 2023 7:10 AM
To: Enviro, OCD, EMNRD <OCD.Enviro@emnrd.nm.gov>
Cc: Hadlie Green <hgreen@ensolum.com>
Subject: [EXTERNAL] COP - Containment Inspection - Gunner Federal 5D / NAPP2301228975

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

To Whom It May Concern,

Below is a 48-hour email notification for liner inspection at ConocoPhillips (COP) Gunner Federal 5D / Spill Date 12/24/2022. This is a 48-hour notification that Ensolum is scheduled to inspect this lined containment on behalf of COP on Wednesday January 18, 2023, at 0900 MST. Please call with any questions or concerns.

GPS: 32.077607, -103.496674

Thank you,



Kalei Jennings

Senior Scientist

817-683-2503

Ensolum, LLC



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CONDITIONS

Action 180840

CONDITIONS

Operator: COG OPERATING LLC 600 W Illinois Ave Midland, TX 79701	OGRID: 229137
	Action Number: 180840
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
jnobui	Closure Approved. Going forward, please include a photo of the well name signage of the facility in report.	2/17/2023