



March 17, 2023

New Mexico Oil Conservation Division

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

**Re: Closure Request Addendum
Eider 35 Federal CTB
Incident Number NAPP2236141484
Lea County, New Mexico**

To Whom It May Concern:

Ensolum, LLC (Ensolum), on behalf of COG Operating, LLC (COG), has prepared this *Closure Request Addendum* to provide an update to the depth to groundwater determination investigation performed at the Eider 35 Federal CTB (Site, Figure 1). The purpose of groundwater determination investigation was to address a denial of the *Closure Request*, dated March 2, 2023, by the New Mexico Oil Conservation Division (NMOCD). In the denial, NMOCD expressed concern that the depth to groundwater assessment was inadequate and the release had not been adequately delineated. Based on additional investigation of depth to groundwater, COG is requesting closure for Incident Number NAPP2236141484.

All of the release details regarding the incident, Site characterization, and remediation conducted can be referenced in the original *Closure Request*. NMOCD denied the *Closure Request* on March 13, 2023, for the following reason:

Closure Report Denied. The depth to groundwater has not been adequately determined. When nearby wells are used to determine depth to groundwater, the wells should be no further than ½ mile away from the site, and data should be no more than 25 years old, and well construction information should be provided in the submission. The responsible party may choose to remediate to the most stringent levels listed in Table 1 of 19.15.29 NMAC in lieu of drilling to determine the depth to groundwater. Please address soils from BH-01 at 0.2'. Please resubmit a revised closure report to the OCD portal by April 14, 2023.

ADDITIONAL DATA

Depth to groundwater at the Site is confirmed to be greater than 100 feet below ground surface (bgs) based on additional depth to water data, located approximately 0.26 miles northwest of the Site, presented in the *Remediation Work Plan* for Incident Number nAPP2110931060 and approved by NMOCD on July 21, 2021. One boring (BH01) was drilled via air rotary in June of 2021 to a depth of 105 feet bgs, respectively. No groundwater was encountered while drilling and the boring was properly abandoned. The lithologic/soil sampling log is included in Appendix A.

COG Operating, LLC
Closure Request Addendum
Eider 35 Federal CTB

CLOSURE REQUEST

Based on a boring installed within ½-mile of the Site, depth to water has been reasonably estimated to be greater than 105 feet bgs beneath the Site, and as such, the Site-specific Closure Criteria presented in the original *Closure Request* is still applicable. Based on this new data, COG respectfully requests closure for Incident Number NAPP2236141484. The Final C-141 is included in Appendix B.

If you have any questions or comments, please contact Ms. Kalei Jennings at (817) 683-2503 or kjennings@ensolum.com.

Sincerely,
Ensolum, LLC



Hadlie Green
Project Manager



Daniel Moir, PG
Senior Managing Geologist

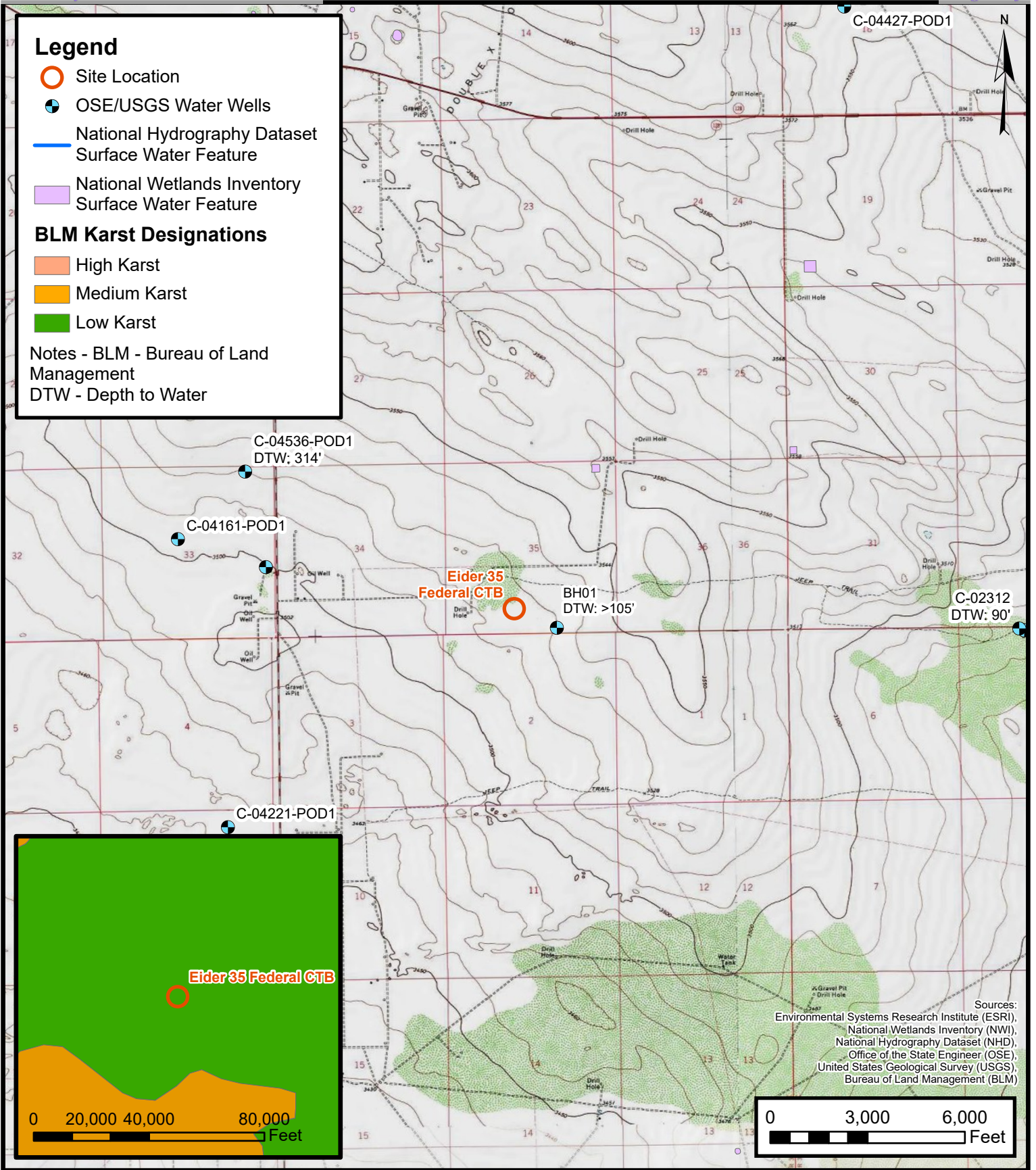
cc: Charles Beauvais, ConocoPhillips Company
Bureau of Land Management

Appendices:

Figure 1 Site Receptor Map
Appendix A Lithologic / Soil Sampling Logs
Appendix B Final C-141



FIGURES



Document Path: C:\Users\Peter.Rodriguez\OneDrive - ENSOLUM, LLC\Desktop\GIS\Map_Paths_Structure3 - Carlsbad\COG Operating, LLC\0302024133 - Eider Fed 35 CTB.aprx



Site Receptor Map

COG Operating, LLC
Eider 35 Federal CTB
Incident Number: NAPP2236141484
Unit N, Sec 35, T24S, 32E,
Lea County, New Mexico

FIGURE

1

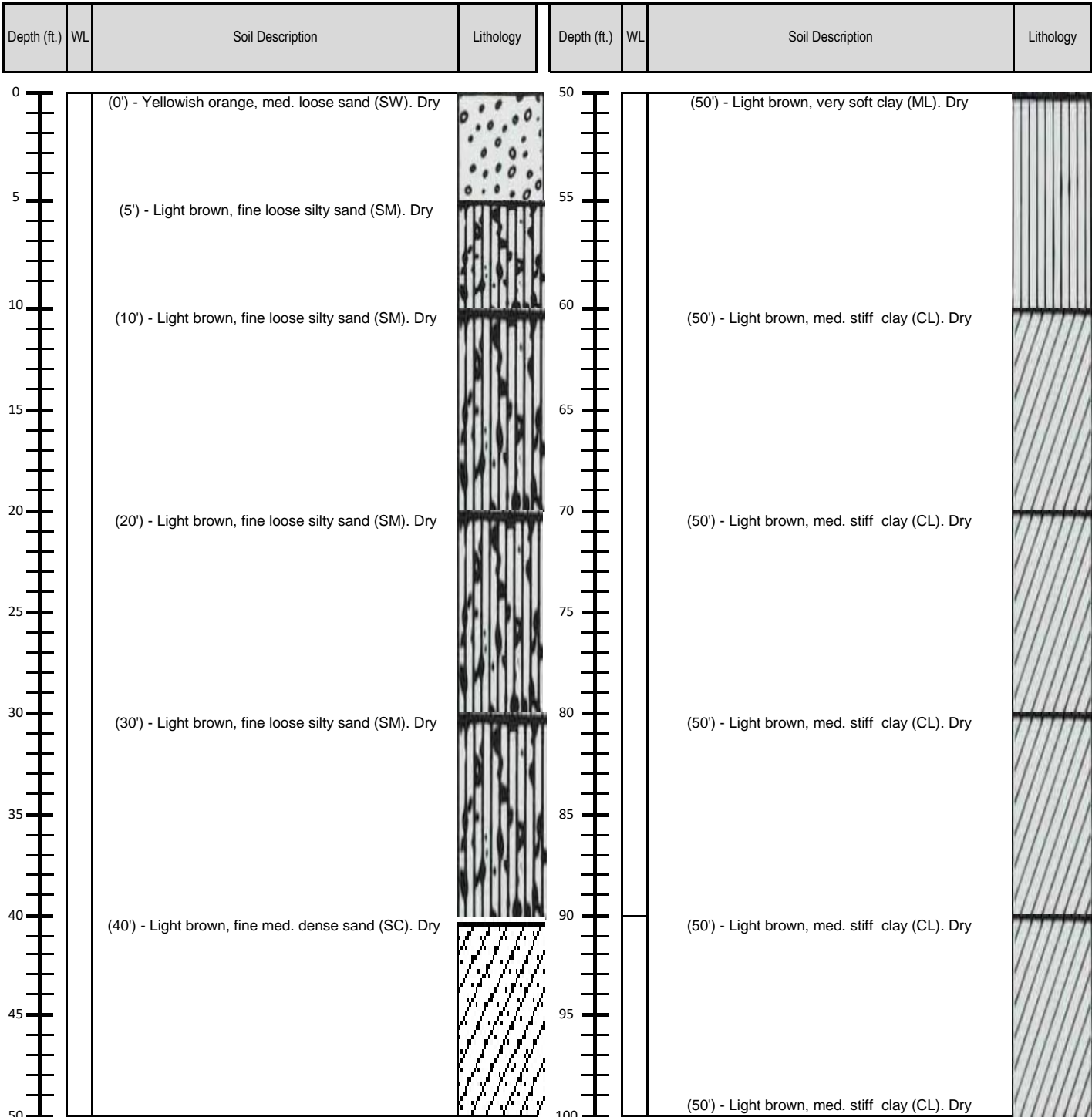


APPENDIX A

Lithologic Soil Sampling Logs



| | | | |
|-----------------------|-------------------------------|------------------|---------------------------------|
| Project Name : | Eider Fed 2H | Date : | Wednesday, June 16, 2021 |
| Project No. : | 214307 | Sampler : | Clint Merritt |
| Location : | Lea County, New Mexico | Driller : | Scarborough Drilling |
| Coordinates : | 32.16721, -103.64301 | Method : | Air Rotary |
| Elevation : | 3,544 | | |



Comments : Total Depth 105' bgs
 Drilling terminated @14:30 (CT) No Groundwater Present
 On 6/21/2021 No groundwater present



APPENDIX B

Final C-141

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 | |
| District RP | |
| Facility ID | |
| Application ID | |

Release Notification

Responsible Party

| | |
|-------------------------|------------------------------|
| Responsible Party | OGRID |
| Contact Name | Contact Telephone |
| Contact email | Incident # (assigned by OCD) |
| Contact mailing address | |

Location of Release Source

Latitude _____ Longitude _____
(NAD 83 in decimal degrees to 5 decimal places)

| | |
|-------------------------|----------------------|
| Site Name | Site Type |
| Date Release Discovered | API# (if applicable) |

| Unit Letter | Section | Township | Range | County |
|-------------|---------|----------|-------|--------|
| | | | | |

Surface Owner: State Federal Tribal Private (Name: _____)

Nature and Volume of Release

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

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

Cause of Release


State of New Mexico
Oil Conservation Division

| | |
|----------------|--|
| Incident ID | |
| District RP | |
| Facility ID | |
| Application ID | |

| | |
|--|--|
| Was this a major release as defined by 19.15.29.7(A) NMAC? <input type="checkbox"/> Yes <input type="checkbox"/> No | If YES, for what reason(s) does the responsible party consider this a major release? |
| If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)? | |

Initial Response

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

| |
|--|
| <input type="checkbox"/> The source of the release has been stopped. <input type="checkbox"/> The impacted area has been secured to protect human health and the environment. <input type="checkbox"/> Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices. <input 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: _____ Title: _____ Signature:  _____ Date: _____ email: _____ Telephone: _____ |
| <u>OCD Only</u> Received by: <u>Jocelyn Harimon</u> Date: <u>12/27/2022</u> |

Spill Calculation - On-Pad Surface Pool Spill

Received by OCD: 3/17/2023 12:23:16 PM

NAPP2236141484

Page 10 of 15

| Convert Irregular shape into a series of rectangles | Length (ft.) | Width (ft.) | Average Depth (in.) | Estimated <u>Pool</u> Area (sq. ft.) | Estimated volume of each pool area (bbl.) | Penetration allowance (ft.) | Total Estimated Volume of Spill (bbl.) |
|---|--------------|-------------|---------------------|--------------------------------------|---|-----------------------------|--|
| Rectangle A | 51.00 | 54.00 | 0.50 | 2754.00 | 20.43 | 0.00 | 20.47 |
| Rectangle B | 30.00 | 46.00 | 0.50 | 1380.00 | 10.24 | 0.00 | 10.26 |
| Rectangle C | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Rectangle D | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Rectangle E | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Rectangle F | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Rectangle G | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Rectangle H | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Rectangle I | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Rectangle J | | | | 0.00 | 0.00 | 0.00 | 0.00 |

Released to Imaging: 4/24/2023 4:10:52 PM

Total Volume Release, Soil not impacted:

29.19

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 170176

CONDITIONS

| | |
|---|---|
| Operator: COG OPERATING LLC 600 W Illinois Ave Midland, TX 79701 | OGRID: 229137 |
| | Action Number: 170176 |
| | Action Type: [C-141] Release Corrective Action (C-141) |

CONDITIONS

| Created By | Condition | Condition Date |
|------------|-----------|----------------|
| jharimon | None | 12/27/2022 |

| | |
|----------------|----------------|
| Incident ID | NAPP2236141484 |
| District RP | |
| Facility ID | fAPP2132634113 |
| Application ID | |

Site Assessment/Characterization

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

| | |
|---|---|
| What is the shallowest depth to groundwater beneath the area affected by the release? | >100 (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.

State of New Mexico
Oil Conservation Division

Page 4

| | |
|----------------|----------------|
| Incident ID | NAPP2236141484 |
| District RP | |
| Facility ID | fAPP2132634113 |
| 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: Charles Beauvais Title: Senior Environmental Engineer

Signature: Charles R. Beauvais 99 Date: 3/17/2023

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

OCD Only

Received by: Jocelyn Harimon Date: 03/20/2023

| | |
|----------------|----------------|
| Incident ID | NAPP2236141484 |
| District RP | |
| Facility ID | fAPP2132634113 |
| 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: Charles Beauvais Title: Senior Environmental Engineer
 Signature: Charles R. Beauvais 99 Date: 3/17/2023
 email: Charles.R.Beauvais@ConocoPhillips.com Telephone: 575-988-2043

OCD Only

Received by: Jocelyn Harimon Date: 03/20/2023

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: 04/24/2023
 Printed Name: Jennifer Nobui Title: Environmental Specialist A

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
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 1000 Rio Brazos Rd., Aztec, NM 87410
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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 198350

CONDITIONS

| | |
|---|---|
| Operator: COG OPERATING LLC 600 W Illinois Ave Midland, TX 79701 | OGRID: 229137 |
| | Action Number: 198350 |
| | Action Type: [C-141] Release Corrective Action (C-141) |

CONDITIONS

| Created By | Condition | Condition Date |
|------------|---|----------------|
| jnobui | Closure Report Approved. Please implement 19.15.29.13 NMAC when completing P&A. | 4/24/2023 |