

OCD Rec'd:08/22/18

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

OPERATOR

☒ Initial Report ☐ Final Report

Name of Company: XTO Energy OGRID: BOPCO:260737	Contact: Kyle Littrell
Address: 522 W. Mermod, Suite 704 Carlsbad, N.M. 88220	Telephone No: 432-221-7331
Facility Name: PLU 387 Battery	Facility Type: Exploration and Production
Surface Owner: Federal	Mineral Owner: Federal
API No: 30-015-41185	

LOCATION OF RELEASE

Unit Letter D	Section 13	Township 25S	Range 30E	Feet from the 30	North/South Line North	Feet from the 321	East/West Line West	County Eddy
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Latitude 32.137664 Longitude -103.841930 NAD83

NATURE OF RELEASE

Type of Release Produced water	Volume of Release 631 bbl	Volume Recovered 600 bbl
Source of Release Riser	Date and Hour of Occurrence 8/9/2018, AM	Date and Hour of Discovery 8/9/2018, 1:00 PM
Was Immediate Notice Given? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? Mike Bratcher and Maria Pruett (NMOCD), Jim Amos and Shelly Tucker (BLM)	
By Whom? Amy Ruth	Date and Hour: 8/10/2018, 10:10 AM	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.*

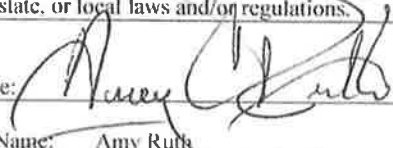

Release occurred because of corrosion in SWD riser. Lease operator was able to stop flow of water to pipeline. Riser was repaired and tested before returning to service.

Describe Area Affected and Cleanup Action Taken.*

Release occurred at SWD riser near lease road. The area around the riser had been excavated for upgrades, and the majority of fluid stayed within this excavation. Vacuum trucks were dispatched and recovered 540bbl from the excavation, and 60bbl from the surface. An environmental contractor has been retained to assist with remediation efforts.

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.

OIL CONSERVATION DIVISION

Signature: 	Approved by Environmental Specialist: 	
Printed Name: Amy Ruth	Approval Date: 08/22/18	Expiration Date: N/A
Title: Environmental Coordinator	Conditions of Approval:	
E-mail Address: Amy.Ruth@xtoenergy.com	N/A	Attached <input type="checkbox"/> 2RP-4946
Date: 8/22/2018	Phone: 432-661-0571	

* Attach Additional Sheets If Necessary

A#: pMAP1823448718

I#: pMAP1823448718

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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	NMAP1823448856
District RP	2RP-4946
Facility ID	
Application ID	

Release Notification

Responsible Party

Responsible Party: XTO Energy, Inc	OGRID: 5380
Contact Name: Kyle Littrell	Contact Telephone: (432)-221-7331
Contact email: Kyle_Littrell@xtoenergy.com	Incident #: 2RP-4946
Contact mailing address 522 W. Mermod, Suite 704 Carlsbad, NM 88220	

Location of Release Source

Latitude 32.137664

Longitude -103.841930

(NAD 83 in decimal degrees to 5 decimal places)

Site Name PLU 387 Battery	Site Type Exploration and Production
Date Release Discovered 8-9-2018	API# (if applicable) 30-015-41185

Unit Letter	Section	Township	Range	County
D	13	25S	30E	Eddy

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

Nature and Volume of Release

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

<input type="checkbox"/> Crude Oil	Volume Released (bbls)	Volume Recovered (bbls)
<input checked="" type="checkbox"/> Produced Water	Volume Released (bbls) 631	Volume Recovered (bbls) 600
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	<input type="checkbox"/> Yes <input checked="" 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:

Release occurred because of corrosion in SWD riser. Lease operator was able to stop flow of water to pipeline. Riser was repaired and tested before returning to service.
Release occurred at SWD riser near lease road. The area around the riser had been excavated for upgrades, and the majority of fluid stayed within this excavation. Vacuum trucks were dispatched and recovered 540 bbl from the excavation, and 60 bbl from the surface. An environmental contractor has been retained to assist with remediation efforts.

Form C-141

State of New Mexico
Oil Conservation Division

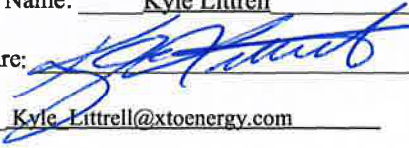
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Was this a major release as defined by 19.15.29.7(A) NMAC? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If YES, for what reason(s) does the responsible party consider this a major release? An unauthorized release of a volume, excluding gases, of 25 barrels or more
If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)? Amy Ruth notified Mike Bratcher and Maria Pruett (NMOCD), Jim Amos and Shelly Tucker (BLM) at 10:10 am on 8/10/2018.	

Initial Response

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

<input checked="" type="checkbox"/> The source of the release has been stopped. <input checked="" type="checkbox"/> The impacted area has been secured to protect human health and the environment. <input checked="" type="checkbox"/> Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices. <input checked="" type="checkbox"/> All free liquids and recoverable materials have been removed and managed appropriately.	
If all the actions described above have <u>not</u> been undertaken, explain why: 	
Per 19.15.29.8 B. (4) NMAC the responsible party may commence remediation immediately after discovery of a release. If remediation has begun, please attach a narrative of actions to date. If remedial efforts have been successfully completed or if the release occurred within a lined containment area (see 19.15.29.11(A)(5)(a) NMAC), please attach all information needed for closure evaluation.	
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to OCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the OCD does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to groundwater, surface water, human health or the environment. In addition, OCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.	
Printed Name: <u>Kyle Littrell</u>	Title: <u>SH&E Coordinator</u>
Signature: 	Date: <u>April 11, 2019</u>
email: <u>Kyle.Littrell@xtoenergy.com</u>	Telephone: <u>432-221-7331</u>
<u>OCD Only</u> Received by: _____ Date: _____	

Incident ID	NMAP1823448856
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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 checked="" type="checkbox"/> Yes <input 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

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Incident ID	NMAP1823448856
District RP	2RP-4946
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Printed Name: Garrett Green Title: SSHE CoordinatorSignature:  Date: 9/29/23email: garrett.green@exxonmobil.com Telephone: 575-200-0729**OCD Only**

Received by: _____ Date: _____

Form C-141

State of New Mexico
Oil Conservation Division

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Incident ID	NMAP1823448856
District RP	
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Remediation Plan

Remediation Plan Checklist: *Each of the following items must be included in the plan.*

- ☒ Detailed description of proposed remediation technique
- ☒ Scaled sitemap with GPS coordinates showing delineation points
- ☒ Estimated volume of material to be remediated
- ☒ Closure criteria is to Table 1 specifications subject to 19.15.29.12(C)(4) NMAC
- ☒ Proposed schedule for remediation (note if remediation plan timeline is more than 90 days OCD approval is required)

Deferral Requests Only: *Each of the following items must be confirmed as part of any request for deferral of remediation.*

- ☐ Contamination must be in areas immediately under or around production equipment where remediation could cause a major facility deconstruction.
- ☐ Extents of contamination must be fully delineated.
- ☐ Contamination does not cause an imminent risk to human health, the environment, or groundwater.

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: Garrett GreenTitle: SSHE CoordinatorSignature: Date: 9/29/23email: garrett.green@exxonmobil.comTelephone: 575-200-0729**OCD Only**

Received by: _____ Date: _____

☒ Approved ☐ Approved with Attached Conditions of Approval ☐ Denied ☐ Deferral ApprovedSignature: Date: 10/17/2023



September 27, 2023

New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

**Re: Remediation Work Plan
Poker Lake Unit 387 Battery
Incident Number NMAP1823448856
Eddy County, New Mexico**

To Whom It May Concern:

Ensolum, LLC (Ensolum), on behalf of XTO Energy, Inc. (XTO), has prepared the following *Remediation Work Plan (Work Plan)* as a follow up to the *Closure Request* dated June 15, 2023. This *Work Plan* proposes to complete additional depth to groundwater determination activities at the Poker Lake Unit 387 Battery (Site) in response to the New Mexico Oil Conservation Division (NMOCD) denial of the June 15, 2023, *Closure Request*. In the denial, NMOCD expressed concern that depth to groundwater was not adequately determined. The following *Work Plan* proposes to install a soil boring within 0.5 miles of the Site to investigate depth to groundwater and confirm the Closure Criteria at the Site.

SITE DESCRIPTION AND RELEASE SUMMARY

The Site is located in Unit D, Section 13, Township 25 South, Range 30 East, in Eddy County, New Mexico (32.137664°, -103.841930°) and is associated with oil and gas exploration and production operations on Federal land managed by the Bureau of Land Management (BLM).

On August 9, 2018, corrosion in the saltwater disposal (SWD) riser caused the release of 631 barrels (bbls) of produced water onto the adjacent pasture and lease road. The area around the riser had been previously excavated for upgrades. The majority of the released fluid was contained within the open excavation; however, some of the fluid flowed east along the lease road. Vacuum trucks were dispatched to the Site and recovered 540 bbls of produced water from the open excavation and 60 bbls from the ground surface. XTO reported the release to the NMOCD on a Release Notification and Corrective Action Form C-141 on August 22, 2018. The release was assigned Remediation Permit Number (RP) Number 2RP-4946 and Incident Number NMAP1823448856.

The release is included in the Compliance Agreement for Remediation for Historical Releases (Compliance Agreement) between XTO and the NMOCD effective November 13, 2018. The purpose of the Compliance Agreement is to ensure that reportable releases that occurred prior to or near August 14, 2018, where XTO is responsible for the corrective action, comply with Title 19, Chapter 15, Part 29 (19.15.29) of the New Mexico Administrative Code (NMAC) as amended on August 14, 2018.

XTO Energy, Inc
Remediation Work Plan
Poker Lake Unit 387 Battery

BACKGROUND

The *Closure Request* detailed site characterization according to Table 1, Closure Criteria for Soils Impacted by a Release, of 19.15.29 of the NMAC. Results from the site characterization are presented on page 3 of the Form C-141, Site Assessment/Characterization.

Based on the results of the Site Characterization, the following NMOCD Table I Closure Criteria (Closure Criteria) were applied:

- Benzene: 10 milligrams per kilogram (mg/kg)
- Benzene, toluene, ethylbenzene, and total xylenes (BTEX): 50 mg/kg
- Total petroleum hydrocarbons (TPH)-gasoline range organics (GRO) and TPH-diesel range organics (DRO): 1,000 mg/kg
- TPH: 2,500 mg/kg
- Chloride: 20,000 mg/kg

A reclamation requirement of 600 mg/kg chloride was applied to the top 4 feet of the pasture areas that were impacted by the release, per 19.15.29.13.D (1) NMAC for the top 4 feet of areas that will be reclaimed following remediation.

During October and November 2018, delineation and excavation activities were conducted at the Site to address the impacted soil resulting from the August 9, 2018, produced water release. Impacted soil was excavated to the extent possible; however, an estimated 90 cubic yards of impacted soil were left in place for compliance with XTO safety policy regarding earth-moving activities within two feet of active production equipment and pipelines. This policy was enforced where impacted soil was identified within two feet of the active SWD riser and pipelines. The impacted soil left in-place was laterally and vertically delineated to below the Site Closure Criteria. Additional details regarding the delineation and excavation activities can be referenced in the *Deferral Request*, submitted to NMOCD on April 11, 2019.

On March 16, 2023, NMOCD denied the *Deferral Request* for Incident Number NMAP1823448856 for the following reasons:

- Deferral request denied. Per 19.15.29.12 C. (3) The responsible party shall remediate the impacted surface area of a release not occurring on a lined, bermed or otherwise contained exploration, development, production or storage site to meet the standards of Table I of 19.15.29.12 NMAC or other applicable remediation standards and restore and reclaim the area pursuant to 19.15.29.13 NMAC.
- Samples SW03, SW05, SS01, and SS05 returned results above the reclamation standards of 600 mg/kg for chloride and/or 100 mg/kg for TPH.

In April 2023 additional soil sampling activities were conducted at the Site to confirm the presence or absence of waste containing soil in the top four feet. Closure was requested on June 15, 2023, based on laboratory analytical results for the confirmation and delineation soil samples indicating benzene, BTEX, GRO/DRO, TPH, and chloride concentrations were compliant with the reclamation requirement. Additional details regarding the delineation and excavation activities can be referenced in the June 15, 2023, *Closure Request*.

On June 26, 2023, NMOCD denied the *Closure Request* for Incident Number NMAP1823448856 for following reasons:

- *Closure denied. Inadequate depth to groundwater data.*

XTO Energy, Inc
Remediation Work Plan
Poker Lake Unit 387 Battery

- A deferral cannot be granted on a release if the depth to water is <50' depth to groundwater. At that point, a hydrovac/shovel would need to be used to safely remove the contaminated soil around equipment and pipelines. The release will need to be remediated to the strictest closure criteria limits (600 mg/kg, Chlorides, 100 mg/kg TPH, etc.). If you feel the depth to groundwater is >50', a shallow borehole can be drilled to 51' allowing for verification of the depth. If water is not visible after reaching bottom-hole and waiting 72 hours, the OCD will accept this as evidence. A driller's log must be provided in the report to the OCD.
- Samples FS01-FS05 and BH03 exceed closure criteria for depth to groundwater <50 feet.
- Submit a report via the OCD permitting portal by September 29, 2023.

Based on the lack of any verbiage regarding the Closure Criteria NMOCD's denial of the April 19, 2019 *Deferral Request*, it appeared the Closure Criteria had been accepted. The *Deferral Request* was denied due to several soil samples not meeting the reclamation requirement, not that the strictest Table I Closure Criteria needed to be applied to the entire Site. However, to ensure closure of the release and no further action required for Incident Number NMAP1823448856, XTO will address Closure Criteria by advancing a soil boring to confirm depth to groundwater is greater than 100 feet bgs at the Site.

PROPOSED REMEDIATION WORKPLAN

In order to confirm depth to groundwater is greater than 100 feet bgs at the Site, XTO proposes to advance a soil boring to a depth of 105 feet bgs within 0.5 miles of the Site. A field geologist will log and describe soils continuously. The soil boring will be left open for over 72 hours to allow for equilibration of groundwater levels within the temporary boring casing. After the 72-hour waiting period, depth to groundwater will be assessed and the soil boring will be backfilled following New Mexico Office of the State Engineer (NMOSE) approved procedures. A well record or soil boring log will be included in the follow up Closure Report.

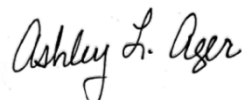
XTO will complete the soil boring within 90 days of the date of approval of this *Work Plan* by the NMOCD and submit a *Closure Request Addendum* within 30 days of completing the soil boring. XTO believes this *Work Plan* is protective of human health, the environment, and groundwater and respectfully requests approval of this *Work Plan* for Incident Number NMAP1823448856.

If you have any questions or comments, please contact Ms. Tacoma Morrissey at (337) 257-8307 or tmorrissey@ensolum.com.

Sincerely,
Ensolum, LLC



Aimee Cole
Senior Managing Geologist



Ashley Ager, P.G.
Program Director

cc: Garrett Green, XTO
Tomme Lambert, XTO
Bureau of Land Management

Appendices:

Figure 1 Site Receptor Map



FIGURES

Site Receptor Map

XTO Energy, Inc.
Poker Lake Unit 387H Battery
Incident Number: NMAP1823448856.
Section 13, Township 25 South, Range 30
East Eddy County, New Mexico

FIGURE

1

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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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 270734

CONDITIONS

Operator: XTO ENERGY, INC 6401 Holiday Hill Road Midland, TX 79707	OGRID: 5380
	Action Number: 270734
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
amaxwell	Submit a report via the OCD permitting portal by February 20, 2024.	10/17/2023