

Incident ID	
District RP	
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: _____ Title: _____

Signature: _____ Date: _____

email: _____ Telephone: _____

OCD Only

Received by: Robert Hamlet Date: 10/26/2023

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: Robert Hamlet Date: 10/26/2023

Printed Name: Robert Hamlet Title: Environmental Specialist - Advanced



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

RE: Closure Request Letter
WPX Energy Permian, LLC
North Brushy Draw Federal 35 #009H
Incident Number NRM2020657799
Eddy County, New Mexico

To Whom It May Concern:

Etech Environmental & Safety Solutions, Inc. (Etech), on behalf of WPX Energy Permian, LLC (WPX), presents the following Closure Request Letter (CRL) requested by New Mexico Oil Conservation Division (NMOCD) to document that No Further Action is warranted for an inadvertent release of produced water at the North Brushy Draw Federal 35 #009H (Site), based recent remediation and confirmation laboratory analytical results from soil sampling events at the Site. It was determined by the NMOCD and confirmed by WPX that there is no residual impacted soil to defer for Incident Number NRM2020657799.

WPX believes the timely initial response and other completed remedial actions have mitigated impacts at the Site and the requirements set forth in New Mexico Administrative Code guidelines and be protective of human health, the environment and groundwater.

If you have any questions or comments, please do not hesitate to contact Joseph Hernandez at (281) 702-2329 or joseph@etechenv.com or Anna Byers at (575) 200-6754 or anna@etechenv.com. Documentation of communication with NMOCD regarding Incident Number NRM2020657799 is presented as **Attachment A**.

Sincerely,

Etech Environmental and Safety Solutions, Inc.

A handwritten signature in cursive script that reads "Anna Byers".

Anna Byers
Senior Geologist

A handwritten signature in cursive script that reads "Joseph S. Hernandez".

Joseph S. Hernandez
Senior Managing Geologist

cc: Jim Raley, WPX
New Mexico Oil Conservation Division

Appendices:

Appendix A: Email Correspondence

APPENDIX A

Email Correspondence

From: OCDOnline@state.nm.us <OCDOnline@state.nm.us>
Sent: Tuesday, May 23, 2023 11:37 AM
To: Raley, Jim <Jim.Raley@dvn.com>
Subject: [EXTERNAL] The Oil Conservation Division (OCD) has rejected the application, Application ID: 179326

To whom it may concern (c/o James Raley for WPX Energy Permian, LLC),

The OCD has rejected the submitted *Application for administrative approval of a release notification and corrective action* (C-141), for incident ID (n#) nRM2020657799, for the following reasons:

- **The Deferral request is denied. Incident #NRM2020657799 has been included in the Deferral Request Report that includes Incident #NRM2014147987. It appears there is nothing to defer on Incident #NRM2020657799. If you are asking for closure on this particular release, please attach a signed/dated C-141 Page 6 Closure page in your resubmittal.**

The rejected C-141 can be found in the OCD Online: Permitting - Action Status, under the Application ID: 179326.

Please review and make the required correction(s) prior to resubmitting.

If you have any questions why this application was rejected or believe it was rejected in error, please contact me prior to submitting an additional C-141.

Thank you,
Robert Hamlet
575-748-1283
Robert.Hamlet@emnrd.nm.gov

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

Confidentiality Warning: This message and any attachments are intended only for the use of the intended recipient(s), are confidential, and may be privileged. If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of all or any portion of this message and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender immediately by return e-mail, and delete this message and any attachments from your system.

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	NRM2020657799
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Release Notification

Responsible Party

Responsible Party: WPX Energy Permian, LLC.	OGRID: 246289
Contact Name: Jim Raley	Contact Telephone: 575-689-7597
Contact email: james.ralej@wpxenergy.com	Incident # (assigned by OCD)
Contact mailing address: 5315 Buena Vista Dr., Carlsbad, NM 88220	

Location of Release Source

Latitude 32.09270 _____ Longitude -103.94731 _____
(NAD 83 in decimal degrees to 5 decimal places)

Site Name: NORTH BRUSHY DRAW FEDERAL 35 #009H	Site Type: Production Facility
Date Release Discovered: 7/13/2020	API# (if applicable): 30-015-42220

Unit Letter	Section	Township	Range	County
A	35	25S	29E	Eddy

Surface Owner: State Federal Tribal Private

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) 8	Volume Recovered (bbls) 0
	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: Produced water transfer line developed leak, allowing approx. 8 bbls of produced water to impact soils along edge of pad.

$$bbl\ estimate = \frac{saturated\ soil\ volume\ (ft^3)}{4.21(\frac{ft^3}{bbl\ equivalent})} * estimated\ soil\ porosity(\%) + recovered\ fluids\ (bbl)$$

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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?	>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 checked="" type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> Yes <input 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.

Oil Conservation Division

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Printed Name: _____ Title: _____

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 1625 N. French Dr., Hobbs, NM 88240
 Phone:(575) 393-6161 Fax:(575) 393-0720
District II
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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 222269

CONDITIONS

Operator: WPX Energy Permian, LLC Devon Energy - Regulatory Oklahoma City, OK 73102	OGRID: 246289
	Action Number: 222269
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
rhamlet	We have received your closure report and final C-141 for Incident #NRM2020657799 NORTH BRUSHY DRAW FEDERAL 35 #009H, thank you. This closure is approved.	10/26/2023