

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

Received on  
10/19/17  
OCD District II

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*  
 Initial Report  Final Report

NAB1801457157

**OPERATOR**

Name of Company	Devon Energy Production Company	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
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**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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> 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?	<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.\*

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	<b>OIL CONSERVATION DIVISION</b>	
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@dvn.com	Conditions of Approval:	Attached <input checked="" type="checkbox"/>
Date: 10/19/17 Phone: 575-746-5594	see attached	APP. 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 20P-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; C<sub>6</sub> thru C<sub>36</sub>), 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; C<sub>6</sub> thru C<sub>36</sub>), 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

## Weaver, Crystal, EMNRD

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**From:** Weaver, Crystal, EMNRD  
**Sent:** Friday, January 12, 2018 9:12 AM  
**To:** 'Reyna, Jennifer'; Bratcher, Mike, EMNRD; 'Shelly Tucker (stucker@blm.gov)'; NMSLO (Hobbs/Amber Groves); Montoya, Kenda  
**Cc:** Fulks, Brett; Shoemaker, Mike; Aguilar, Leonard; Ryan, Wesley  
**Subject:** RE: Strawberry 7 Fed Com 4H\_11 bbls pw\_12-27-17

Hello all,

OCD started out as holding on to Initial/Final C-141 until the requested statements and photos were provided by the operators for cases when total volume recovery is mentioned due to having secondary containment that was said to have contained all fluids. Since holding on to the forms and waiting for the requested items above was not working out to be the best way to do things, OCD has decided to now to mark any Initial/Final C-141 that comes in, and is of the above mentioned nature, as an Initial C-141 only and upon receipt of the requested pictures and statements a Final C-141 can be submitted and then reviewed for processing of closure of said release case.

So for this C-141 along with the ones submitted in the recent past for Nermal 4 State 1H (DOR 10/5/17), Beetlejuice 19 Federal (DOR 11/4/17), Grandi 22 2H (DOR 11/14/17), and Lone Tree Draw 13 State COM 8H (DOR 10/24/17) I will go ahead and mark them as Initial C-141 only and process them that way so we get them in the system and off my desk.

If you have any questions or concerns about this change please let either myself or Mike Bratcher know here in the OCD District II Office.

Thank you,

### Crystal Weaver

Environmental Specialist  
OCD – Artesia District II  
811 S. 1<sup>st</sup> Street  
Artesia, NM 88210  
Office: 575-748-1283 ext. 101  
Cell: 575-840-5963  
Fax: 575-748-9720

**From:** Reyna, Jennifer [mailto:Jennifer.Reyna@dvn.com]  
**Sent:** Wednesday, January 10, 2018 9:36 AM  
**To:** Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Weaver, Crystal, EMNRD <Crystal.Weaver@state.nm.us>; 'Shelly Tucker (stucker@blm.gov)' <stucker@blm.gov>  
**Cc:** Fulks, Brett <Brett.Fulks@dvn.com>; Shoemaker, Mike <Mike.Shoemaker@dvn.com>; Aguilar, Leonard <Leonard.Aguilar@dvn.com>; Ryan, Wesley <Wesley.Ryan@dvn.com>  
**Subject:** Strawberry 7 Fed Com 4H\_11 bbls pw\_12-27-17

## Weaver, Crystal, EMNRD

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**From:** Shoemaker, Mike <Mike.Shoemaker@dvn.com>  
**Sent:** Tuesday, October 31, 2017 1:00 PM  
**To:** Weaver, Crystal, EMNRD; Bratcher, Mike, EMNRD  
**Cc:** Fulks, Brett  
**Subject:** RE: [EXTERNAL] RE: Nermal 4 State 1H\_210 bbls Oil\_ 10.5.17.

Crystal,

I have addressed the e-mail notifications with my operations group and believe all notifications are now being submitted via the requested e-mail process. If you are receiving any phone notifications please follow back up with me and I will work to immediately address and correct this process with those individuals.

Regarding your request for photo documentation moving forward in C-141 submittals, can you please provide me with documentation of the regulatory statute for this requirement?

Thanks,

**Mike Shoemaker**  
EHS Representative

**Devon Energy Corporation**  
6488 Seven Rivers Highway  
Artesia, New Mexico 88210  
575-746-5566 Office  
575-513-5035 Mobile



**From:** Weaver, Crystal, EMNRD [mailto:Crystal.Weaver@state.nm.us]  
**Sent:** Tuesday, October 24, 2017 10:00 AM  
**To:** Shoemaker, Mike <Mike.Shoemaker@dvn.com>; Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Groves, Amber <agroves@slo.state.nm.us>  
**Cc:** DeLaRosa, Dana <Dana.DeLaRosa@dvn.com>; Fulks, Brett <Brett.Fulks@dvn.com>  
**Subject:** [EXTERNAL] RE: Nermal 4 State 1H\_210 bbls Oil\_ 10.5.17.

Mike Shoemaker,

Hope your short trip with the family went well.

Aside from asking for immediate response reporting to be in email form we now also wanted to impose another little request regarding initial/final C-141 reporting of spills.

So all looks well on what Devon has written on the C-141 form. However, we are asking that all operators include two or 3 photos in the body of the email they send to us showing the condition of the battery after it was remediated/inspected. So what I mean by that is take the photos and drop them straight into the body of the email (just paste it right after where you have your signature block with your name and your title description). We want to ask all operators to include those since we have asked some of them to do so. So please if you could just drop us a few photos

for this location, not as attachments but straight into the email, that would be awesome. One shot of the location sign and then like I said 2 or so more to represent how the battery looks currently.

Thank you kindly,

**Crystal Weaver**

Environmental Specialist  
OCD – Artesia District II  
811 S. 1<sup>st</sup> Street  
Artesia, NM 88210  
Office: 575-748-1283 ext. 101  
Cell: 575-840-5963  
Fax: 575-748-9720

**From:** Shoemaker, Mike [<mailto:Mike.Shoemaker@dvn.com>]  
**Sent:** Thursday, October 19, 2017 10:03 PM  
**To:** Weaver, Crystal, EMNRD <[Crystal.Weaver@state.nm.us](mailto:Crystal.Weaver@state.nm.us)>; Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; Groves, Amber <[agroves@slo.state.nm.us](mailto:agroves@slo.state.nm.us)>  
**Cc:** DeLaRosa, Dana <[Dana.DeLaRosa@dvn.com](mailto:Dana.DeLaRosa@dvn.com)>; Fulks, Brett <[Brett.Fulks@dvn.com](mailto:Brett.Fulks@dvn.com)>  
**Subject:** Nermal 4 State 1H\_210 bbls Oil \_ 10.5.17.

Good Evening,

Attached please find the Initial/Final C-141 and GIS Image for the 210bbls oil released at the Nermal 4 State 1H on 10.5.17.

If you have any questions please feel free to contact me.

Thank you,

**Mike Shoemaker**  
EHS Representative

**Devon Energy Corporation**  
6488 Seven Rivers Highway  
Artesia, New Mexico 88210  
575-746-5566 Office  
575-513-5035 Mobile



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