

District I
1625 N French Dr, Hobbs, NM 88240
District II
1301 W Grand Avenue, 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-144
July 21, 2008

For temporary pits, closed-loop systems, and below-grade tanks, submit to the appropriate NMOCD District Office
For permanent pits and exceptions submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office

2907

Pit, Closed-Loop System, Below-Grade Tank, or
Proposed Alternative Method Permit or Closure Plan Application

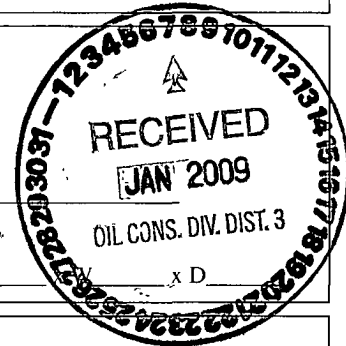
- Type of action ☐ Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method
☒ Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method
☐ Modification to an existing permit
☒ Closure plan only submitted for an existing permitted or non-permitted pit, closed-loop system, below-grade tank, or proposed alternative method

Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, below-grade tank or alternative request

Please be advised that approval of this request does not relieve the operator of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve the operator of its responsibility to comply with any other applicable governmental authority's rules, regulations or ordinances.

1
Operator DJ Simmons, Inc. OGRID # 005578
Address 1009 Ridgeway Place, Suite 200
Facility or well name Lybrook Federal No. 3
API Number 30-03923994 OCD Permit Number _____
U/L or Qtr/Qtr M Section 3 Township 23 North Range 7 West County Rio Arriba
Center of Proposed Design Latitude 36.250718 Longitude -107.568680 NAD ☐ 1927 ☐ 1983
Surface Owner ☐ Federal ☐ State ☐ Private ☐ Tribal Trust or Indian Allotment

2
☐ **Pit:** Subsection F or G of 19 15 17 11 NMAC
Temporary ☐ Drilling ☐ Workover
☐ Permanent ☐ Emergency ☐ Cavitation ☐ P&A
☐ Lined ☐ Unlined Liner type Thickness _____ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other _____
☐ String-Reinforced
Liner Seams ☐ Welded ☐ Factory ☐ Other _____ Volume _____ bbl Dimensions L _____ x D _____



3
☐ **Closed-loop System:** Subsection H of 19 15 17 11 NMAC
Type of Operation ☐ P&A ☐ Drilling a new well ☐ Workover or Drilling (Applies to activities which require prior approval of a permit or notice of intent)
☐ Drying Pad ☐ Above Ground Steel Tanks ☐ Haul-off Bins ☐ Other _____
☐ Lined ☐ Unlined Liner type Thickness _____ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other _____
Liner Seams ☐ Welded ☐ Factory ☐ Other _____

4
☐ **Below-grade tank:** Subsection I of 19 15 17 11 NMAC
Volume 210 bbl Type of fluid Produced Water
Tank Construction material Steel
☐ Secondary containment with leak detection ☐ Visible sidewalls, liner, 6-inch lift and automatic overflow shut-off
☒ Visible sidewalls and liner ☐ Visible sidewalls only ☐ Other _____
Liner type. Thickness 12 mil ☒ HDPE ☐ PVC ☐ Other _____

5
☐ **Alternative Method:**
Submittal of an exception request is required Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval

1/07/2009

6

Fencing: Subsection D of 19 15 17 11 NMAC (*Applies to permanent pits, temporary pits, and below-grade tanks*)

- ☐ Chain link, six feet in height, two strands of barbed wire at top (*Required if located within 1000 feet of a permanent residence, school, hospital, institution or church*)
- ☐ Four foot height, four strands of barbed wire evenly spaced between one and four feet
- ☐ Alternate Please specify _____

7

Netting: Subsection E of 19 15 17 11 NMAC (*Applies to permanent pits and permanent open top tanks*)

- ☐ Screen ☐ Netting ☐ Other _____
- ☐ Monthly inspections (If netting or screening is not physically feasible)

8

Signs: Subsection C of 19 15 17 11 NMAC

- ☐ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers
- ☐ Signed in compliance with 19 15 3 103 NMAC

9

Administrative Approvals and Exceptions:

Justifications and/or demonstrations of equivalency are required Please refer to 19 15 17 NMAC for guidance

Please check a box if one or more of the following is requested, if not leave blank:

- ☒ Administrative approval(s): Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau office for consideration of approval
- ☐ Exception(s) Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval

10

Siting Criteria (regarding permitting): 19 15 17 10 NMAC

Instructions: The applicant must demonstrate compliance for each siting criteria below in the application. Recommendations of acceptable source material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. Siting criteria does not apply to drying pads or above-grade tanks associated with a closed-loop system.

Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
- NM Office of the State Engineer - iWATERS database search, USGS, Data obtained from nearby wells	
Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
- Topographic map, Visual inspection (certification) of the proposed site	
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application (<i>Applies to temporary, emergency, or cavitation pits and below-grade tanks</i>)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
- Visual inspection (certification) of the proposed site, Aerial photo, Satellite image	<input type="checkbox"/> NA
Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application (<i>Applies to permanent pits</i>)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
- Visual inspection (certification) of the proposed site, Aerial photo, Satellite image	<input type="checkbox"/> NA
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
- NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site	
Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
- Written confirmation or verification from the municipality, Written approval obtained from the municipality	
Within 500 feet of a wetland	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
- US Fish and Wildlife Wetland Identification map, Topographic map, Visual inspection (certification) of the proposed site	
Within the area overlying a subsurface mine	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	
Within an unstable area	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
- Engineering measures incorporated into the design, NM Bureau of Geology & Mineral Resources, USGS, NM Geological Society; Topographic map	
Within a 100-year floodplain	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
- FEMA map	

11

Temporary Pits, Emergency Pits, and Below-grade Tanks Permit Application Attachment Checklist: Subsection B of 19 15 17 9 NMAC**Instructions:** Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Hydrogeologic Report (Below-grade Tanks) - based upon the requirements of Paragraph (4) of Subsection B of 19 15 17 9 NMAC
- ☐ Hydrogeologic Data (Temporary and Emergency Pits) - based upon the requirements of Paragraph (2) of Subsection B of 19 15 17 9 NMAC
- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19 15 17 10 NMAC
- ☐ Design Plan - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19 15 17 12 NMAC
- ☐ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19 15 17 9 NMAC and 19 15 17 13 NMAC

☐ Previously Approved Design (attach copy of design) API Number _____ or Permit Number _____

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Closed-loop Systems Permit Application Attachment Checklist: Subsection B of 19 15 17 9 NMAC**Instructions:** Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19 15 17 9
- ☐ Siting Criteria Compliance Demonstrations (only for on-site closure) - based upon the appropriate requirements of 19 15 17 10 NMAC
- ☐ Design Plan - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19 15 17 12 NMAC
- ☐ Closure Plan (Please complete Boxes 14 through 18, if applicable) - based upon the appropriate requirements of Subsection C of 19 15 17 9 NMAC and 19 15 17 13 NMAC

☐ Previously Approved Design (attach copy of design) API Number _____

☐ Previously Approved Operating and Maintenance Plan API Number _____ (Applies only to closed-loop system that use above ground steel tanks or haul-off bins and propose to implement waste removal for closure)

13

Permanent Pits Permit Application Checklist: Subsection B of 19 15 17 9 NMAC**Instructions:** Each of the following items must be attached to the application. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Hydrogeologic Report - based upon the requirements of Paragraph (1) of Subsection B of 19 15 17 9 NMAC
- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19 15 17 10 NMAC
- ☐ Climatological Factors Assessment
- ☐ Certified Engineering Design Plans - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Dike Protection and Structural Integrity Design - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Leak Detection Design - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Liner Specifications and Compatibility Assessment - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Quality Control/Quality Assurance Construction and Installation Plan
- ☐ Operating and Maintenance Plan - based upon the appropriate requirements of 19 15 17 12 NMAC
- ☐ Freeboard and Overtopping Prevention Plan - based upon the appropriate requirements of 19 15 17 11 NMAC
- ☐ Nuisance or Hazardous Odors, including H₂S, Prevention Plan
- ☐ Emergency Response Plan
- ☐ Oil Field Waste Stream Characterization
- ☐ Monitoring and Inspection Plan
- ☐ Erosion Control Plan
- ☐ Closure Plan - based upon the appropriate requirements of Subsection C of 19 15 17 9 NMAC and 19 15 17 13 NMAC

14

Proposed Closure: 19 15 17 13 NMAC**Instructions:** Please complete the applicable boxes, Boxes 14 through 18, in regards to the proposed closure plan.

Type ☐ Drilling ☐ Workover ☐ Emergency ☐ Cavitation ☐ P&A ☐ Permanent Pit ☒ Below-grade Tank ☐ Closed-loop System

☐ Alternative

Proposed Closure Method ☐ Waste Excavation and Removal

☐ Waste Removal (Closed-loop systems only)

☐ On-site Closure Method (Only for temporary pits and closed-loop systems)

☐ In-place Burial ☐ On-site Trench Burial

☐ Alternative Closure Method (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)

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Waste Excavation and Removal Closure Plan Checklist: (19.15 17 13 NMAC) **Instructions:** Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.

- ☒ Protocols and Procedures - based upon the appropriate requirements of 19.15.17.13 NMAC
- ☒ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19 15 17 13 NMAC
- ☒ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings)
- ☒ Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19 15 17 13 NMAC
- ☒ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19 15 17 13 NMAC
- ☒ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19 15 17 13 NMAC

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Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only: (19 15 17 13 D NMAC)

Instructions: Please identify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if more than two facilities are required.

Disposal Facility Name _____ Disposal Facility Permit Number _____
 Disposal Facility Name _____ Disposal Facility Permit Number _____

Will any of the proposed closed-loop system operations and associated activities occur on or in areas that *will not* be used for future service and operations?
☐ Yes (If yes, please provide the information below) ☐ No

Required for impacted areas which will not be used for future service and operations

- ☐ Soil Backfill and Cover Design Specifications - based upon the appropriate requirements of Subsection H of 19 15 17 13 NMAC
☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19 15 17 13 NMAC
☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19 15 17 13 NMAC

17

Siting Criteria (regarding on-site closure methods only): 19 15 17 10 NMAC

Instructions: Each siting criteria requires a demonstration of compliance in the closure plan. Recommendations of acceptable source material are provided below. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for guidance.

- | | |
|--|---|
| Ground water is less than 50 feet below the bottom of the buried waste
- NM Office of the State Engineer - iWATERS database search, USGS, Data obtained from nearby wells | <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> NA |
| Ground water is between 50 and 100 feet below the bottom of the buried waste
- NM Office of the State Engineer - iWATERS database search, USGS, Data obtained from nearby wells | <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> NA |
| Ground water is more than 100 feet below the bottom of the buried waste
- NM Office of the State Engineer - iWATERS database search, USGS, Data obtained from nearby wells | <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> NA |
| Within 300 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse or lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark)
- Topographic map, Visual inspection (certification) of the proposed site | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application
- Visual inspection (certification) of the proposed site, Aerial photo, Satellite image | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application
- NM Office of the State Engineer - iWATERS database, Visual inspection (certification) of the proposed site | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended
- Written confirmation or verification from the municipality, Written approval obtained from the municipality | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within 500 feet of a wetland
- US Fish and Wildlife Wetland Identification map, Topographic map, Visual inspection (certification) of the proposed site | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within the area overlying a subsurface mine
- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within an unstable area
- Engineering measures incorporated into the design, NM Bureau of Geology & Mineral Resources, USGS, NM Geological Society, Topographic map | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Within a 100-year floodplain
- FEMA map | <input type="checkbox"/> Yes <input type="checkbox"/> No |

18

On-Site Closure Plan Checklist: (19 15 17 13 NMAC) **Instructions:** Each of the following items must be attached to the closure plan. Please indicate, by a check mark in the box, that the documents are attached.

- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19 15 17 10 NMAC
☐ Proof of Surface Owner Notice - based upon the appropriate requirements of Subsection F of 19 15 17 13 NMAC
☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of 19 15 17 11 NMAC
☐ Construction/Design Plan of Temporary Pit (for in-place burial of a drying pad) - based upon the appropriate requirements of 19 15 17 11 NMAC
☐ Protocols and Procedures - based upon the appropriate requirements of 19 15 17 13 NMAC
☐ Confirmation Sampling Plan (if applicable) - based upon the appropriate requirements of Subsection F of 19.15 17 13 NMAC
☐ Waste Material Sampling Plan - based upon the appropriate requirements of Subsection F of 19 15 17 13 NMAC
☐ Disposal Facility Name and Permit Number (for liquids, drilling fluids and drill cuttings or in case on-site closure standards cannot be achieved)
☐ Soil Cover Design - based upon the appropriate requirements of Subsection H of 19 15 17 13 NMAC
☐ Re-vegetation Plan - based upon the appropriate requirements of Subsection I of 19 15 17 13 NMAC
☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19 15 17 13 NMAC

19

Operator Application Certification:

I hereby certify that the information submitted with this application is true, accurate and complete to the best of my knowledge and belief

Name (Print) Rodney L. Seale Title Engineering & Production Manager

Signature Rodney L. Seale Date 12/29/08

e-mail address rseale@djsimmons.com Telephone (505) 326-3753 Ext. 119

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OCD Approval: ☐ Permit Application (including closure plan) ☒ Closure Plan (only) ☐ OCD Conditions (see attachment)

OCD Representative Signature: Jonath D. Kelly Approval Date: 11/08/2011

Title: Compliance Officer OCD Permit Number: _____

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Closure Report (required within 60 days of closure completion): Subsection K of 19 15 17 13 NMAC

Instructions: Operators are required to obtain an approved closure plan prior to implementing any closure activities and submitting the closure report. The closure report is required to be submitted to the division within 60 days of the completion of the closure activities. Please do not complete this section of the form until an approved closure plan has been obtained and the closure activities have been completed.

☐ Closure Completion Date: _____

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Closure Method:

☐ Waste Excavation and Removal ☐ On-Site Closure Method ☐ Alternative Closure Method ☐ Waste Removal (Closed-loop systems only)
☐ If different from approved plan, please explain _____

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Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:

Instructions: Please indentify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized.

Disposal Facility Name _____ Disposal Facility Permit Number _____

Disposal Facility Name _____ Disposal Facility Permit Number _____

Were the closed-loop system operations and associated activities performed on or in areas that *will not* be used for future service and operations?

☐ Yes (If yes, please demonstrate compliance to the items below) ☐ No

Required for impacted areas which will not be used for future service and operations

- ☐ Site Reclamation (Photo Documentation)
☐ Soil Backfilling and Cover Installation
☐ Re-vegetation Application Rates and Seeding Technique

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Closure Report Attachment Checklist: *Instructions: Each of the following items must be attached to the closure report. Please indicate, by a check mark in the box, that the documents are attached.*

- ☐ Proof of Closure Notice (surface owner and division)
☐ Proof of Deed Notice (required for on-site closure)
☐ Plot Plan (for on-site closures and temporary pits)
☐ Confirmation Sampling Analytical Results (if applicable)
☐ Waste Material Sampling Analytical Results (required for on-site closure)
☐ Disposal Facility Name and Permit Number
☐ Soil Backfilling and Cover Installation
☐ Re-vegetation Application Rates and Seeding Technique
☐ Site Reclamation (Photo Documentation)

On-site Closure Location Latitude _____ Longitude _____ NAD ☐ 1927 ☐ 1983

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Operator Closure Certification:

I hereby certify that the information and attachments submitted with this closure report is true, accurate and complete to the best of my knowledge and belief I also certify that the closure complies with all applicable closure requirements and conditions specified in the approved closure plan

Name (Print) _____ Title _____

Signature _____ Date: _____

e-mail address _____ Telephone _____

**Hydrogeologic Report
DJ Simmons, Inc
Lybrook Federal No. 3
T23N, R7W, Sec. 03**

Regional Hydrological Context

Referenced Well Location:

The referenced well and pit is located on Federal Bureau of Land Management land in San Juan County, New Mexico. This site is positioned in the northeastern portion of the San Juan Basin, an asymmetrical syncline that extends from northwestern New Mexico into southwestern Colorado (Carson National Forest DEIS, 2007). Elevation of the referenced well is approximately 7025 feet MSL.

General Regional Groundwater Description:

As a portion of the San Juan Basin, this region is underlain by sandstone aquifers of the Colorado Plateau. The primary aquifer of potential concern at this location is the Unita-Animas Aquifer, composed primarily of Lower Tertiary rocks in the San Juan Basin. The aquifer consists of the San Jose Formation, the underlying Animas formation and its lateral equivalent, the Nacimiento formation; and the Ojo Alamo Sandstone. The thickness of the Unita-Animas aquifer generally increases toward the central part of the basin. In the northeastern part of the San Juan Basin, the maximum thickness of the aquifer is approximately 3500 feet (USGS, 2001). This aquifer contains fresh to moderately saline water.

Groundwater generally flows toward the San Juan River and its tributaries, where it becomes alluvial groundwater or is discharged to stream flow. Additional information regarding the Hydrogeologic setting can be found in the provided references.

Site Specific Information:

Surface Hydrology:

The pit is located on relatively even terrain on an upland bench associated with Johnson Canyon. The vault and well pad area is transected by a designated significant ephemeral drainage which is associated with the greater Largo wash watershed. The drainage is 140 feet from the Lybrook No. 3 vault.

from

1st Water Bearing Formation:

San Jose, Tertiary

Formation Thickness:

Approximately 1,900- feet

Underlying Formation:

Nacimiento, Tertiary

Depth to Groundwater:

Depth to groundwater is estimated at greater than 100 feet bgs. There are no iWATERS wells within a one-mile radius of this location. The closest Well with iWaters data is located 1.15 miles distance, T23N, R7W, Sec. 10, well No. SJ 01507 and is designated use is for the residence of Lybrook NM with an estimated depth to water of 900 feet bgs.

References:

Allen, Erin. Undated. Colorado Plateau Aquifers.

<http://academic.emporia.edu/schulmem/hydro/TERM%20PROJECTS/2007/Allen/Aquifer.html>

New Mexico Energy, Minerals and Natural Resources Department, Division of Mining and Minerals Database. 2008. Internet accessed August 2008.

New Mexico Office of the State Engineer. August 2008. iWaters database. Internet accessed August 2008.

New Mexico WQCC. 2005. State of New Mexico Water Quality Act and the Water Control Commission Regulations.

United States Department of Agriculture, Forest Service. 2007. Draft Environmental Impact Statement for Surface Management of Gas Leasing and Development. Jicarilla Ranger District, Carson National Forest, Rio Arriba County, New Mexico.

United States Department of the Interior. Bureau of Land Management. 2003. Final Farmington Resource Management Plan and Final Environmental Impact Statement. Farmington Field Office, Farmington, New Mexico.

United States Geological Survey. 2001. Groundwater Atlas of the United States: Arizona, Colorado, New Mexico and Utah. USGS Publication HA 730-C; <http://capp.water.usgs.gov>.

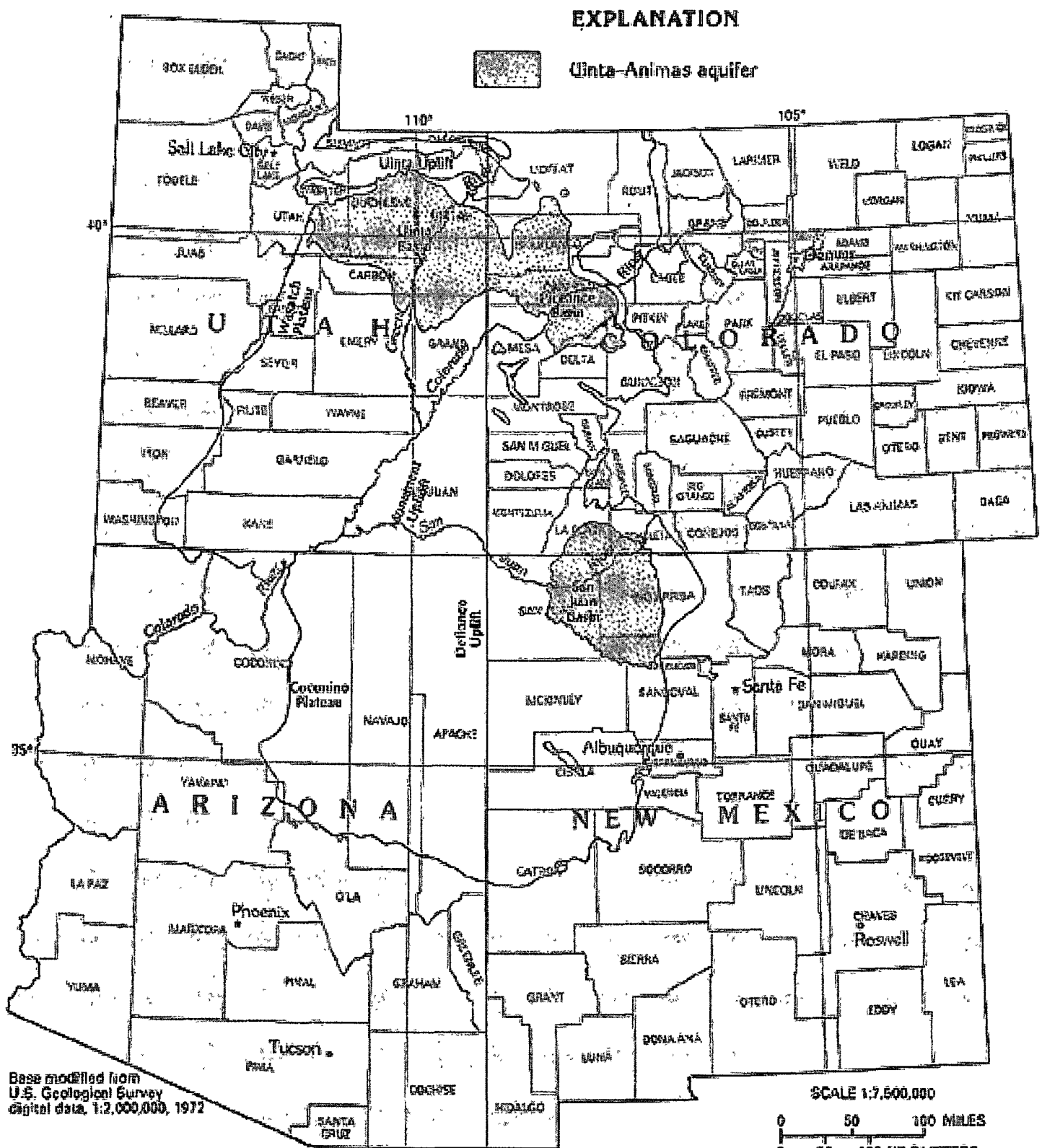


Figure 108. The Uinta-Animas aquifer is the shallowest of the Colorado Plateaus aquifers and is present in the Uinta, Piceance, and San Juan Basins.

New Mexico Office of the State Engineer
POD Reports and Downloads

Township: Range: Sections:

NAD27 X: Y: Zone: Search Radius:

County: Basin: Number: Suffix:

Owner Name: (First) (Last) ☐ Non-Domestic ☐ Domestic ☒ All

POD / Surface Data Report Avg Depth to Water Report Water Column Report

POD / SURFACE DATA REPORT 09/15/2008

are 1=NW 2=NE 3=SW 4=SE) (quarters
(acre ft per annum) (quarters
are biggest to smallest X Y are in Feet UTM are in Meters) Start
Finish Depth Depth (in feet)
DB File Nbr Use Diversion Owner POD Number
Source Tws Rng Sec q q q Zone X Y UTM_Zone Easting Northing Date
Date Well Water
SJ 01507 MDW 33.4 LYBROOK WATER USERS SJ 01507
Shallow 23N 07W 10 4 3 3 13 269889 4013098
01/09/1971 1709 900

Record Count: 1

New Mexico Office of the State Engineer
POD Reports and Downloads

Township: Range: Sections:

NAD27 X: Y: Zone: Search Radius:

County: Basin: Number: Suffix:

Owner Name: (First) (Last) ☐ Non-Domestic ☐ Domestic ☒ All

POD / Surface Data Report Avg Depth to Water Report Water Column Report

AVERAGE DEPTH OF WATER REPORT 09/15/2008

Bsn	Tws	Rng	Sec	Zone	X	Y	Wells	(Depth Water in Feet)		
								Min	Max	Avg

SJ 23N 07W 10

1 900 900 900

Record Count: 1

New Mexico Office of the State Engineer
POD Reports and Downloads

Township: Range: Sections:

NAD27 X: Y: Zone: Search Radius:

County: Basin: Number: Suffix:

Owner Name: (First) (Last) ☐ Non-Domestic ☐ Domestic ☒ All

POD / Surface Data Report Avg Depth to Water Report Water Column Report

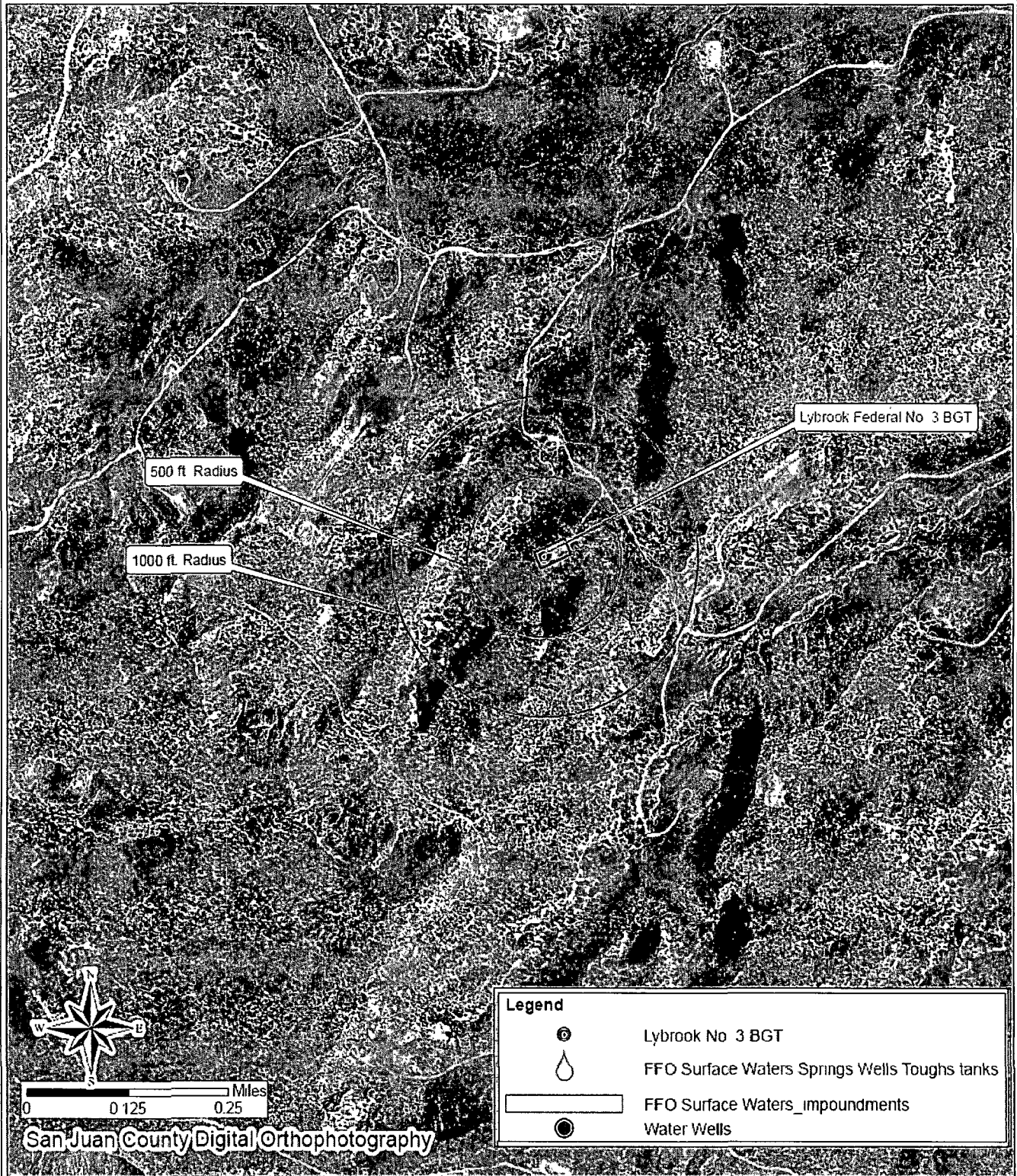
WATER COLUMN REPORT 09/15/2008

(quarters are 1=NW 2=NE 3=SW 4=SE)
(quarters are biggest to smallest)

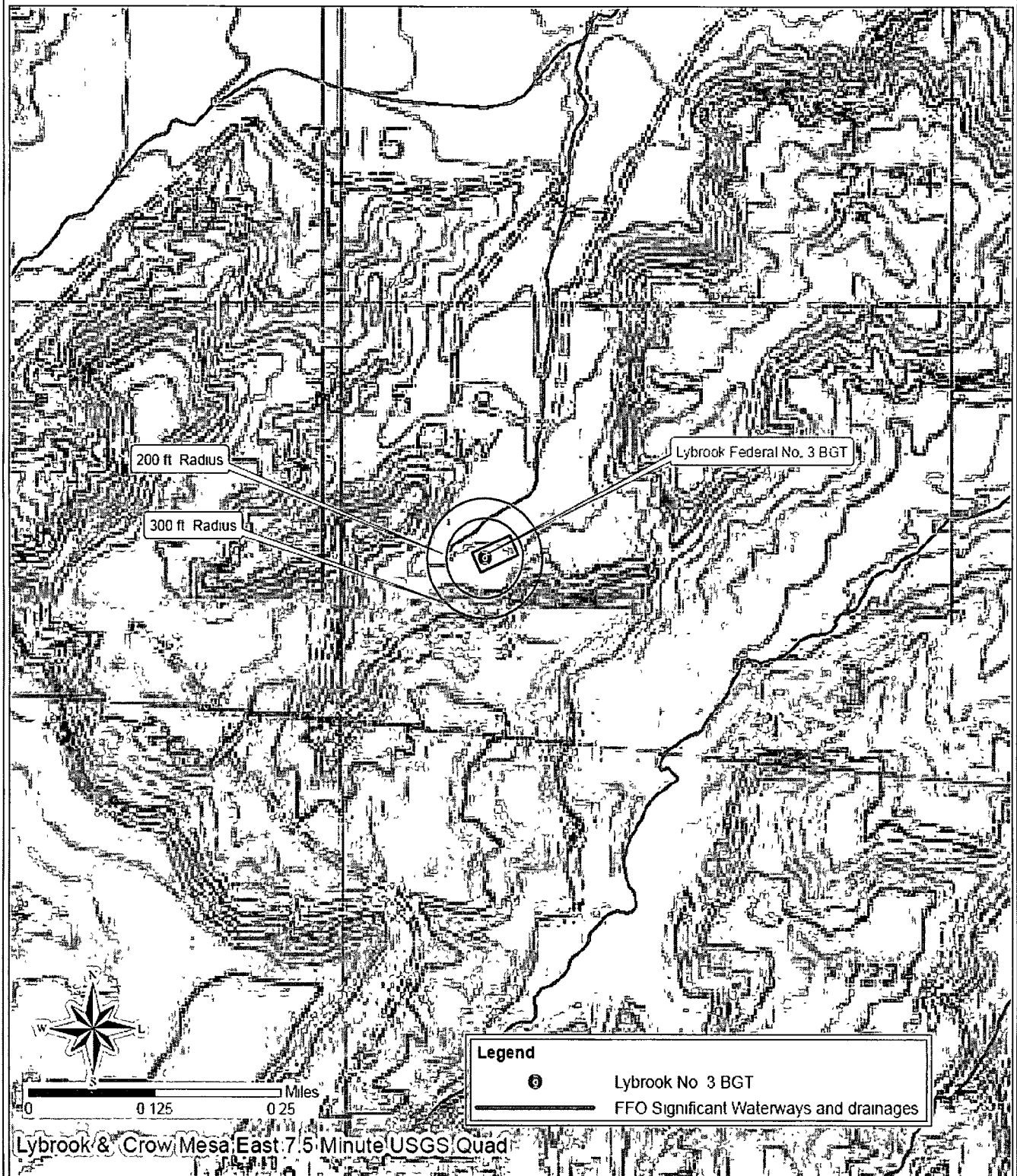
feet)										Depth	Depth	Water (in
POD Number	Tws	Rng	Sec	q	q	q	Zone	X	Y	Well	Water	Column
<u>SJ 01507</u>	23N	07W	10	4	3	3				1709	900	809

Record Count: 1

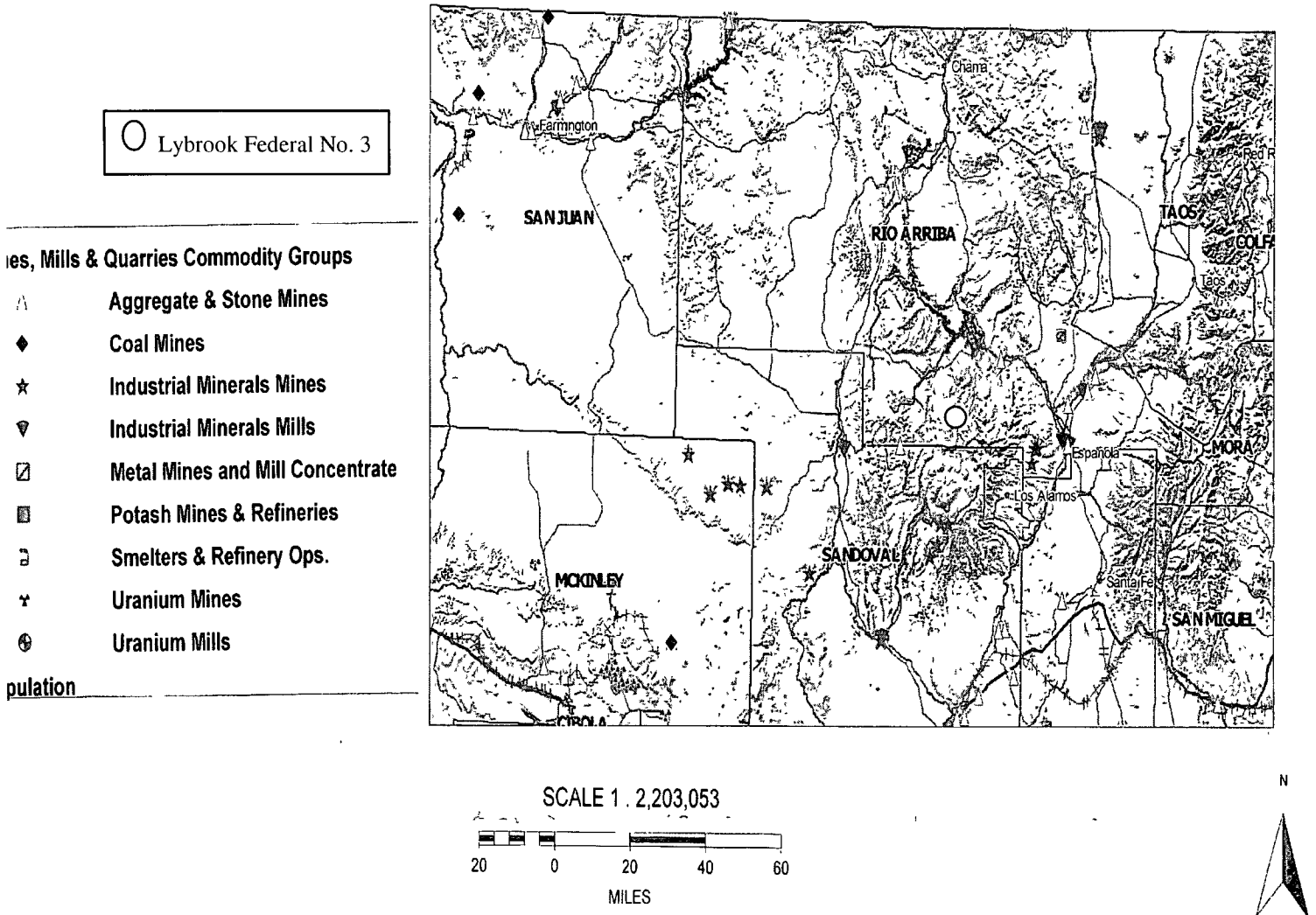
Siting Criteria Map I
Existing Known Water Wells and Springs
DJ Simmons, Inc
Lybrook Federal No. 3
T23N, R07W, Section 03, NMPM
Rio Arriba County, New Mexico



Siting Criteria Map II
Topographic Features
DJ Simmons, Inc
Lybrook Federal No. 3
T23N, R07W, Section 03, NMPM
Rio Arriba County, New Mexico



Lybrook Federal No. 3 Mines, Mills and Quarries Web Vicinity Map



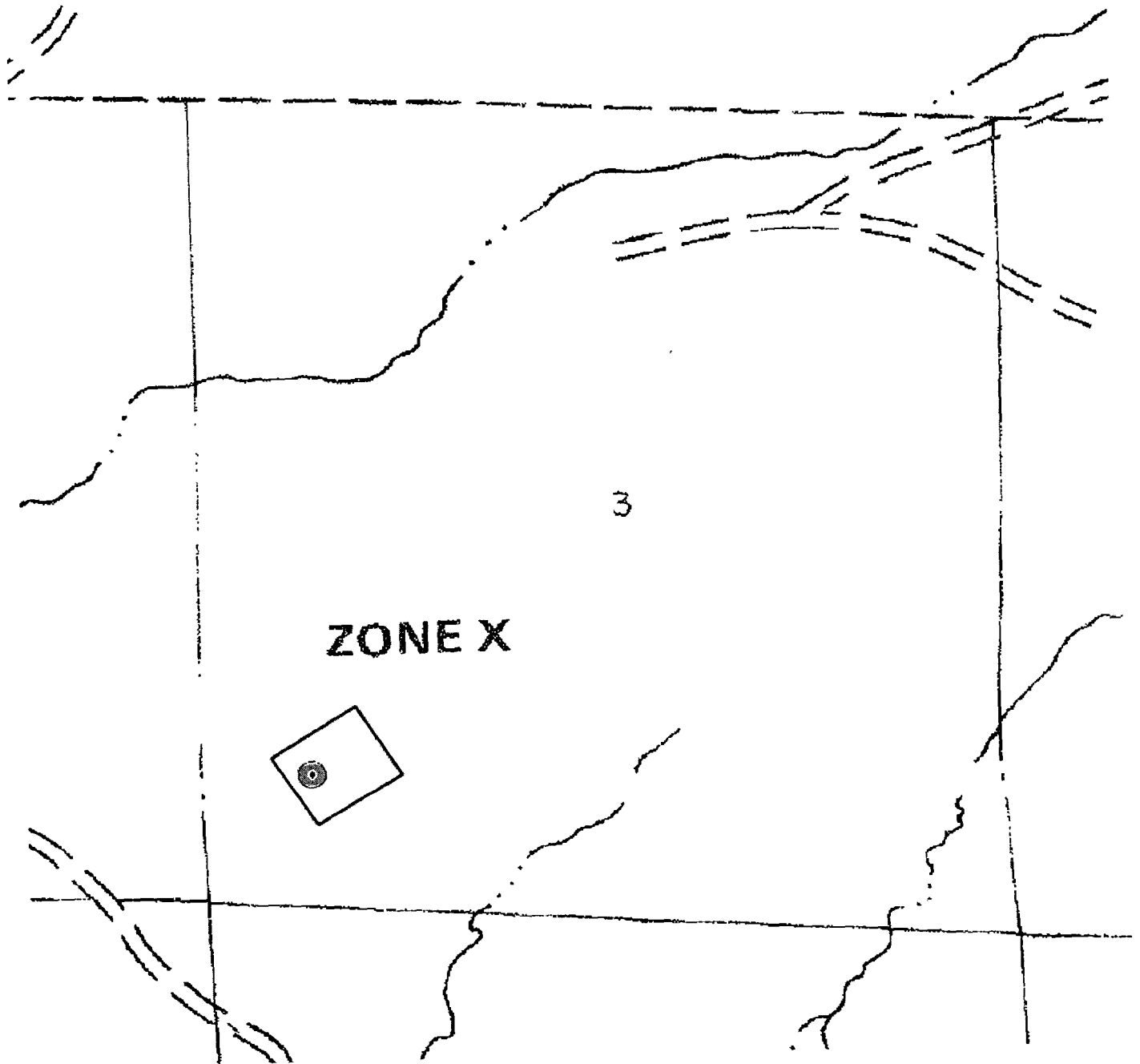
Siting Criteria Compliance Demonstrations:

The Lybrook Federal No. 3 well is not located in an unstable area. The location is not situated over a mine or a steep slope. The vault is located within 300 feet of a continuously flowing water course or within 200 feet of any other significant water course, lakebed, sinkhole, or playa lake (see Siting Compliance Map I). The site is not within 500 feet of any reported riparian areas or wetlands (see attached USFWS Wetland Map); within 500 feet of any private, domestic fresh water well or spring, or within 1000 feet of any other fresh water well or spring (see Siting Compliance Map I). The pit will not be within any incorporated municipal boundaries or defined municipal freshwater well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended. The location of the proposed pit is not within 300 feet of any permanent residence, school, hospital, institution, or church.

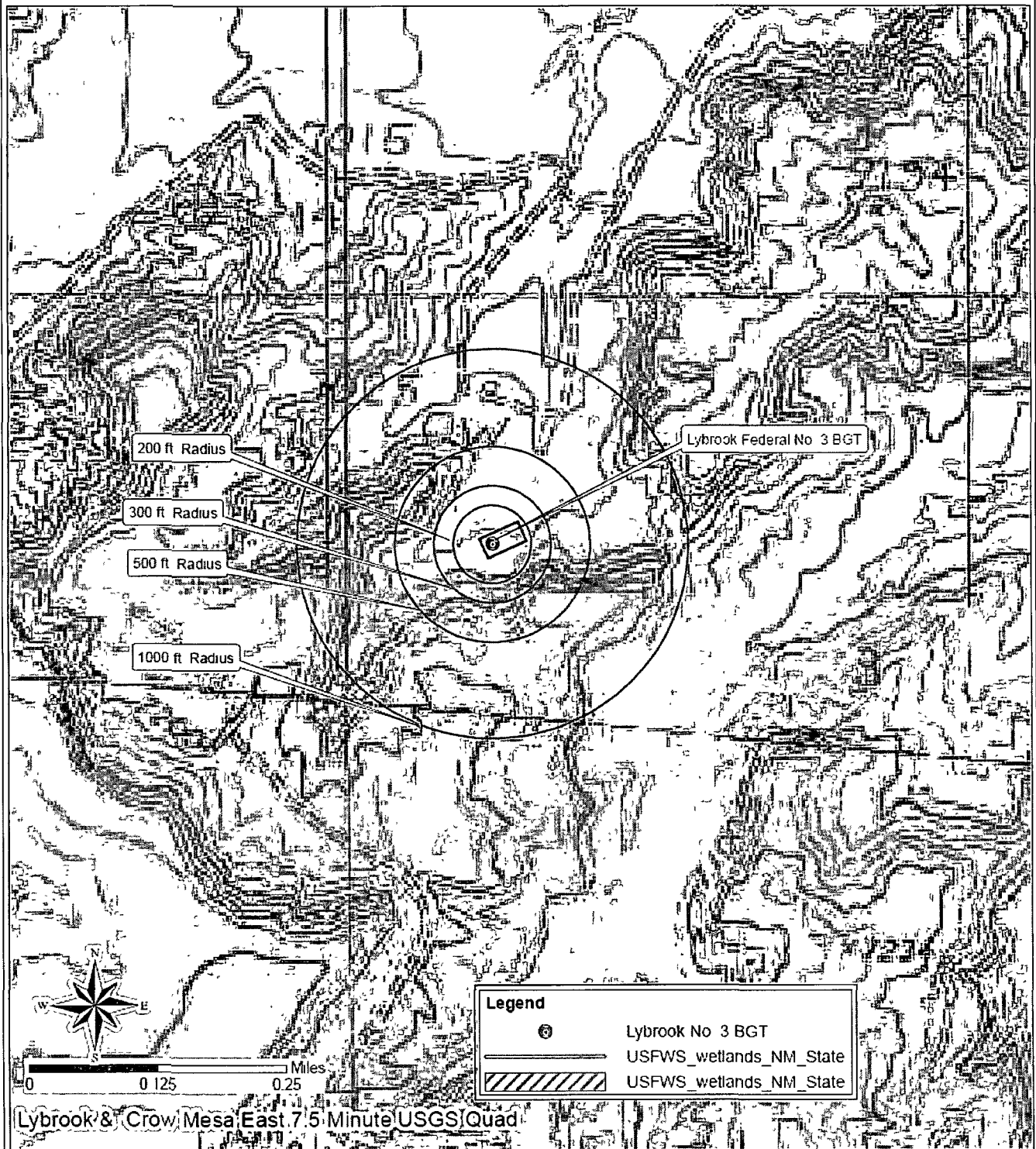
FEMA Map – 100-Year Floodplain:

According to FEMA records, this site is not located in a 100-year floodplain (see attached FEMA map on the following page)

**FEMA 100-year Floodplain Map:
Township 23N, Range 7 W, Section 3**



Site Proximity
USFWS Reported Wetlands
DJ Simmons, Inc
Lybrook Federal No. 3
T23N, R07W, Section 03, NMPM
Rio Arriba County, New Mexico



DG Simmons, Inc
San Juan Basin
Below Grade Tank Closure Plan

In Accordance with Rule 19.15.17.12 NMAC the following information describes the closure requirements of Below Grade Tanks (BGTs) on DJ Simmons, Inc locations, hereinafter known as DJ Simmons locations, in the San Juan Basin of New Mexico. This is DJ Simmons's standard procedure for all BGTs. A separate plan would be submitted and utilized for any BGT which does not conform to this plan.

All closure activities will include proper documentation as stipulated by 19.15.17 NMAC and will be submitted to OCD within 60 days of the closure on a Closure Report using Division Form C-144. The Report will include the following:

- Details on Capping and Covering, where applicable
- Plot Plan (Pit Diagram)
- Inspection reports
- Sampling Results

Copy of Deed Notice filed with the County Clerk (format to meet County requirements)

General Requirements:

1. DJ Simmons shall close a below-grade tank within the time periods provided in 19.15.17.13 NMAC, or by an earlier date that, if the division requires due to any imminent danger to fresh water, public health or the environment.
2. DJ Simmons shall close an existing below grade tank that does not meet the requirements of Paragraphs (1) through (4) of Subsection I of 19.15.17.11 NMAC or is not included in Paragraphs (5) of Subsection I of 19.15.17.11 NMAC within five years after 16 June 2008, if not retrofitted to comply with Paragraphs (1) through (4) of Subsection I of 19.15.17.11 NMAC.
3. DJ Simmons shall close a permitted below-grade tank within 60 days of cessation of the below-grade tank's operation or as required by the transitional provisions of Subsection B of 19.15.17.17 NMAC in accordance with a closure plan that the appropriate division district office approves. The closure report would be filed on a C-144 form.
4. DJ Simmons shall remove all free standing liquids and sludge from a below grade tank prior to implementation of a closure method. Liquids will be removed in a manner that the appropriate District Office approves including, recycled, reused, reclaimed, evaporated, and/or disposed of in a Division-approved facility.
5. DJ Simmons shall remove the below-grade tank and dispose of it at a licensed disposal facility (probably San Juan Regional Landfill operated by Waste Management under NMED Permit SWM-052426) and/or recycled, reused, or reclaimed in a manner that the appropriate division district office approves.
6. If there is any on-site equipment associated with a below grade tank, DJ Simmons shall remove the equipment, unless the equipment is required for some other purpose(s).
7. DJ Simmons shall test the soils beneath the below-grad tank to determine whether a release has occurred. DJ Simmons shall collect, at a minimum, a five point, composite sample. The samples would be taken of the affected area using sampling tools and all samples tested per 19.15.17.13(B)(1)(b) NMAC. In the event that the criteria are not met (See Table 1), all contents will be handled per 19.15.17.13(B)(1)(a) (i.e. dig and haul to a Division-approved facility). Approval to haul will be requested of the Aztec District office prior to initiation. Collected samples would include individual grab samples from any area that is wet, discolored or showing other evidence of a release; and analyze samples for BTEX, TPH and chlorides to demonstrate that the benzene concentration, as determined by EPA SW-846 methods 8021B or 8260B or other EPA

methodology that the division approves, does not exceed 50mg/kg the TPH concentration, as determined by the EPA method 418 1 or other EPA methodology that the division approves, does not exceed 100 mg/kg; and the chloride concentration, as determined by the EPA method 300 1 or other EPA methodology that the division approves, does not exceed 250 mg/kg, or the background concentration, which may be greater. DJ Simmons shall notify the division of its results on form C-141

Table 1: Closure Criteria for Below Grade Tanks

Components	Testing Methods	Closure Limits (mg/Kg)
Benzene	EPA SW-846 Method 8021B or 8260B	0.2
BTEX	EPA SW-846 Method 8021B or 8260B	50
TPH	EPA SW-846 Method 8015 M(Full Range)* or Method 418 1	2500
GRO/DRO	EPA SW-846 Method 8015M (GRO/DRO)	500
Chlorides	EPA SW-846 Method 300 1	1000

* Preferred method

8. If DJ Simmons or the division determines that a release has occurred, DJ Simmons shall comply with 19.15.17.116 NMAC and 19 15.1 19 NMAC stipulations as appropriate.
9. If contamination is confirmed by field sampling, DJ Simmons will follow the *Guidelines For Remediation Of Leaks, Spills, and Releases* per NMOCD August 1993 mandate, when remediating identified contaminants.
10. IF the sampling program demonstrates that a release has occurred or that any release does not exceed the concentrations specified in Paragraph (4) of Subsection E of 19 15 17 13 NMAC, then DJ Simmons shall backfill the excavation with compacted, non-waste containing, earthen material; construct a division prescribed soil cover; re-contour and re-vegetate the site.
11. Notice of Closure will be given to the Aztec Division office between 72 and 7 days (one Week) of the closure via e-mail, or verbally. The notification of closure will include the following:
 - i. Operator's name (DJ Simmons)
 - ii. Well Name and API Number
 - iii. Location (USTR)
12. All closure activities will include proper documentation and be available for review per request and will be submitted to OCD within 60 days of closure of the below grade tank. The closure report will be filed on a C-144 form and incorporate the following:
 - i. Details on Capping and Covering, where applicable
 - ii. Inspection reports
 - iii. Sampling Results
13. Re-contouring of the location would match the original geographic features and topographic fit, lines, form, shape and texture of the surrounding topographical contours. Re-shaping of the contour would include establishment or reestablishment of drainages to control sedimentation, total dissolved solids (TDS), and to mitigate ponding and prevent erosion. Natural drainages will be unimpeded and appropriate hydrologic BMPs such as water bars and/or silt traps will be placed in areas where needed to prevent erosion and sediment movement on a large scale. The final re-contour shall have a uniform appearance with smooth surface, fitting the aesthetic of the surrounding natural landscape.
14. DJ Simmons shall seed the disturbed areas within the first growing season after the operator has closed the pit. Seeding will be accomplished via drill on the contour whenever possible or by other division approved methods. Vegetative cover will equal 70% of the native perennial vegetative cover (un-impacted) consisting of at least three native plant species, including at least one grass, but not including noxious weeds, and maintained that cover through two successive growing seasons. Repeat seeding or planting will be continued until successful vegetative growth occurs.
Note. DJ Simmons assumes the seeding stipulations including mix and seeding methods specified by the Surface Management Agency (BLM, BOR, USFS, Tribal, etc.) or Land owner as part of a

surface use agreement or APD are Division-approved methods unless notified by the Division of their unacceptability. The Operator would be responsible for monitoring vegetative stand development and for eradicating all noxious/invasive weeds within the re-vegetated area.

15. A Minimum of four feet of cover shall be achieved and the cover shall include one foot of suitable material to establish vegetation at the site, or the background thickness of topsoil whichever maybe greater
- 16 The surface owner shall be notified of DJ Simmons's proposed below-grade tank closure plan using a means that provides proof of notice (i.e. certified mail/return receipt requested)

Hall Environmental Analysis Laboratory, Inc.

Date: 06-Nov-08

CLIENT: Industrial Ecosystems, Inc **Client Sample ID:** 2 Lybrook #3
Lab Order: 0810368 **Collection Date:** 10/15/2008 10:30:00 AM
Project: DJ Simmons **Date Received:** 10/17/2008
Lab ID: 0810368-02 **Matrix:** SOIL

Analyses	Result	PQL	Qual	Units	DF	Date Analyzed
EPA METHOD 8021B: VOLATILES						Analyst: DAM
Methyl tert-butyl ether (MTBE)	ND	0.10		mg/Kg	1	10/22/2008 4:25:37 PM
Benzene	ND	0.050		mg/Kg	1	10/22/2008 4:25:37 PM
Toluene	ND	0.050		mg/Kg	1	10/22/2008 4:25:37 PM
Ethylbenzene	ND	0.050		mg/Kg	1	10/22/2008 4:25:37 PM
Xylenes, Total	ND	0.10		mg/Kg	1	10/22/2008 4:25:37 PM
Surr: 4-Bromofluorobenzene	87.2	66.8-139		%REC	1	10/22/2008 4:25:37 PM
EPA METHOD 300.0: ANIONS						Analyst: SLB
Chloride	990	3.0		mg/Kg	10	11/5/2008 1:08:40 AM
EPA METHOD 418.1: TPH						Analyst: LRW
Petroleum Hydrocarbons, TR	ND	20		mg/Kg	1	10/20/2008

Qualifiers:

* Value exceeds Maximum Contaminant Level	B Analyte detected in the associated Method Blank
E Estimated value	H Holding times for preparation or analysis exceeded
J Analyte detected below quantitation limits	MCL Maximum Contaminant Level
ND Not Detected at the Reporting Limit	RL Reporting Limit
S Spike recovery outside accepted recovery limits	

Below Grade Tank or Sump Sampling Form

Date Samples were taken: October 15, 2008

Well Name & Number: Lybrook Federal No. 3

Location of Well: Section 3, T23N, R7W, NMPM:

Latitude 36.250718 Longitude -107.568680

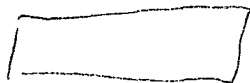
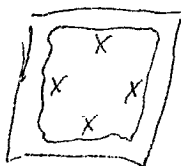
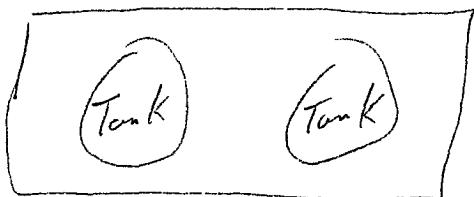
API Number: 3003923994

Were there any stains in soil? Yes ☐ No ☒ Draw in where the stains were below.

Five samples were taken: Yes ☒ No ☐

Lab samples were sent to for analysis: _____

Draw where samples were taken out of pit/vault/cellar below:



X = Sample point

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
Budget Bureau No 1004-0135
Expires March 31, 1993

SUNDRY NOTICES AND REPORTS ON WELLS

Do not use this form for proposals to drill or to deepen or reentry to a different reservoir.
Use "APPLICATION FOR PERMIT---" for such proposals

SUBMIT IN TRIPLICATE

1 Type of Well

☒ Oil Gas ☐ Other

2 Name of Operator

D.J. Simmons Inc.

3 Address and Telephone No

1009 Ridgeway Place. Suite 200, Farmington NM 87401 (505) 326-3753

4 Location of Well (Footage, Sec , T , R , M , or Survey Description)

Surface: 950' FSL x 760' FWL, Section 3, T23N, R7W NMPM

5 Lease Designation and Serial No
NM-080273

6 If Indian, Allottee or Tribe Name **N/A**

7 If Unit or CA, Agreement Designation

8 Well Name and No
Lybrook Federal No. 3

9 API Well No **30-03923994**

10 Field and Pool, or Exploratory Area
Lybrook Gallup

11 County or Parish, State
Rio Arriba, New Mexico

12 CHECK APPROPRIATE BOX(s) TO INDICATE NATURE OF NOTICE, REPORT, OR OTHER DATA

TYPE OF SUBMISSION

TYPE OF ACTION

☒ Notice of Intent

Subsequent Report

☐ Final Abandonment Notice

☐ Abandonment

☐ Recompletion

☐ Plugging Back

☐ Casing Repair

☐ Altering Casing

☒ Other Below Grade Tank Closure

☐ Change of Plans

☐ New Construction

☐ Non-Routine Fracturing

☐ Water Shut-Off

☐ Conversion to Injection

☐ Dispose Water

(Note Report results of multiple completion on Well Completion or Recompletion Report and Log form)

13 Describe Proposed or Completed Operations (Clearly state all pertinent details, and give pertinent dates, including estimated date of starting any proposed work If well is directionally drilled, give subsurface locations and measured and true vertical depth for all markers and zones pertinent to this work)⁺

This serves as written notice to the BLM/Farmington who has the surface jurisdiction for the Lybrook Federal No. 3 that DJ Simmons has started the process of closing the below grade tank under NMOC Rule 19.15.17.13 NMAC. The tank has been removed from the cellar and the soil samples and analysis have been completed. NMOC Forms C-141 and C-144 have been submitted to the NMOC in Aztec, NM for approval.

14 I hereby certify that the foregoing is true and correct

Signed

Rodney L. Seal
Rodney L. Seal

Title **Engineering & Production Manager**

Date. **12/29/08**

(This space for Federal or State office use)

Approved by

Title

Date

Conditions of approval, if any

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction

***See Instruction on Reverse Side**

District I
1625 N French Dr , Hobbs, NM 88240
District II
1301 W Grand Avenue, 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 October 10, 2003

Submit 2 Copies to appropriate
District Office in accordance
with Rule 116 on back
side of form

Release Notification and Corrective Action

OPERATOR

☒ Initial Report ☐ Final Report

Name of Company DJ Simmons, Inc.	Contact Steve Sacks	
Address 1009 Ridgeway Place, Suite 200	Telephone No. (505) 326-3753 Ext. 127	
Facility Name Lybrook Federal #3	Facility Type Oil Well	
Surface Owner Federal	Mineral Owner Federal	Lease No. NM-080273

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
M	3	T23N	R7W	950	South Line	760	West Line	Rio Arriba

Latitude 36.250718

Longitude -107.568680

NATURE OF RELEASE

Type of Release Chlorides	Volume of Release See attached	Volume Recovered
Source of Release In below grade tank cellar.	Date and Hour of Occurrence	Date and Hour of Discovery
Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required	If YES, To Whom?	
By Whom?	Date and Hour	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse	
If a Watercourse was Impacted, Describe Fully *		
Describe Cause of Problem and Remedial Action Taken *		
The chlorides were discovered after the soil analysis were returned to DJ Simmons for the below grade tank closure plan. The soil analysis is attached as well as to the C-144.		
Describe Area Affected and Cleanup Action Taken *		
There were no indications of a spill in the below ground tank cellar. The area is on an existing oil well location. The Risk Base Closure and cleanup action will be completed under Rule 116.		
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 	OIL CONSERVATION DIVISION	
Printed Name Rodney L. Seale	Approved by District Supervisor	
Title Engineering and Production Manager	Approval Date.	Expiration Date
E-mail Address rseale@djsimmons.com	Conditions of Approval	Attached <input type="checkbox"/>
Date 12/29/08	Phone Ext. 119	

* Attach Additional Sheets If Necessary

Hall Environmental Analysis Laboratory, Inc.

Date: 06-Nov-08

CLIENT: Industrial Ecosystems, Inc
Lab Order: 0810368
Project: DJ Simmons
Lab ID: 0810368-02**Client Sample ID:** 2 Lybrook #3
Collection Date: 10/15/2008 10:30:00 AM
Date Received: 10/17/2008
Matrix: SOIL

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Ethylbenzene	ND	0.050		mg/Kg	1	10/22/2008 4:25:37 PM
Xylenes, Total	ND	0.10		mg/Kg	1	10/22/2008 4:25:37 PM
Surr: 4-Bromofluorobenzene	87.2	66.8-139		%REC	1	10/22/2008 4:25:37 PM
EPA METHOD 300.0: ANIONS						Analyst: SLB
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Petroleum Hydrocarbons, TR	ND	20		mg/Kg	1	10/20/2008

Qualifiers:

- * Value exceeds Maximum Contaminant Level
- E Estimated value
- J Analyte detected below quantitation limits
- ND Not Detected at the Reporting Limit
- S Spike recovery outside accepted recovery limits

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- H Holding times for preparation or analysis exceeded
- MCL Maximum Contaminant Level
- RL Reporting Limit

Page 2 of 7

Below Grade Tank or Sump Sampling Form

Date Samples were taken: October 15, 2008

Well Name & Number: Lybrook Federal No. 3

Location of Well: Section 3, T23N, R7W, NMPM:

Latitude 36.250718 Longitude -107.568680

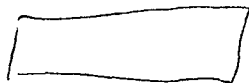
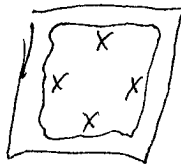
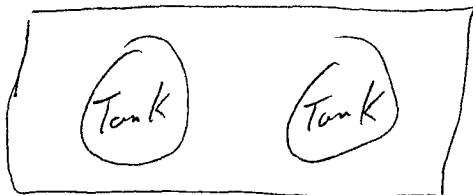
API Number: 3003923994

Were there any stains in soil? Yes ☐ No ☒ Draw in where the stains were below.

Five samples were taken: Yes ☒ No ☐

Lab samples were sent to for analysis: _____

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X = Sample point

DG Simmons, Inc
San Juan Basin
Below Grade Tank Closure Plan

In Accordance with Rule 19.15 17.12 NMAC the following information describes the closure requirements of Below Grad Tanks (BGTs) on DJ Simmons, Inc locations, hereinafter known as DJ Simmons locations, in the San Juan Basin of New Mexico. This is DJ Simmons's standard procedure for all BGTs. A separate plan would be submitted and utilized for any BGT which does not conform to this plan.

All closure activities will include proper documentation as stipulated by 19.15.17 NMAC and will be submitted to OCD within 60 days of the closure on a Closure Report using Division Form C-144. The Report will include the following:

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Copy of Deed Notice filed with the County Clerk (format to meet County requirements)

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- 1 DJ Simmons shall close a below-grad tank within the time periods provided in 19.15 17.13 NMAC, or by an earlier date that, if the division requires due to any imminent danger to fresh water, public health or the environment.
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3. DJ Simmons shall close a permitted below-grade tank within 60 days of cessation of the below-grade tank's operation or as required by the transitional provisions of Subsection B of 19 15.17 17 NMAC in accordance with a closure plan that the appropriate division district office approves. The closure report would be filed on a C-144 form.
4. DJ Simmons shall remove all free standing liquids and sludge from a below grade tank prior to implementation of a closure method. Liquids will be removed in a manner that the appropriate District Office approves including; recycled, reused, reclaimed, evaporated, and/or disposed of in a Division-approved facility.
5. DJ Simmons shall remove the below-grade tank and dispose of it at a licensed disposal facility (probably San Juan Regional Landfill operated by Waste Management under NMED Permit SWM-052426) and/or recycled, reused, or reclaimed in a manner that the appropriate division district office approves
6. If there is any on-site equipment associated with a below grade tank, DJ Simmons shall remove the equipment, unless the equipment is required for some other purpose(s).
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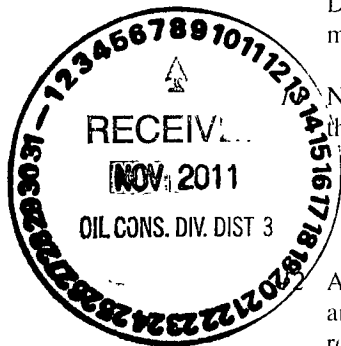
methodology that the division approves, does not exceed 50mg/kg the TPH concentration, as determined by the EPA method 418 I or other EPA methodology that the division approves, does not exceed 100 mg/kg and the chloride concentration, as determined by the EPA method 300 I or other EPA methodology that the division approves, does not exceed 250 mg/kg, or the background concentration, which may be greater DJ Simmons shall notify the division of its results on form C-141

Table 1 Closure Criteria for Below Grade Tanks

Components	Testing Methods	Closure Limits (mg/Kg)
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GRO/DRO	EPA SW-846 Method 8015M (GRO/DRO)	500
Chlorides	EPA SW-846 Method 300 I	250

* Preferred method

8. If DJ Simmons or the division determines that a release has occurred, DJ Simmons shall comply with 19.15.17.116 NMAC and 19.15.1.19 NMAC stipulations as appropriate
9. If contamination is confirmed by field sampling, DJ Simmons will follow the *Guidelines For Remediation Of Leaks, Spills, and Releases* per NMOCD August 1993 mandate, when remediating identified contaminants
10. IF the sampling program demonstrates that a release has occurred or that any release does not exceed the concentrations specified in Paragraph (4) of Subsection E of 19.15.17.13 NMAC, then DJ Simmons shall backfill the excavation with compacted, non-waste containing, earthen material; construct a division prescribed soil cover; re-contour and re-vegetate the site



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- a. Operator's name (DJ Simmons)
- b. Well Name and API Number
- c. Location (USTR)

All closure activities will include proper documentation and be available for review per request and will be submitted to OCD within 60 days of closure of the below grade tank. The closure report will be filed on a C-144 form and incorporate the following:

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13. Re-contouring of the location would match the original geographic features and topographic fit, lines, form, shape and texture of the surrounding topographical contours. Re-shaping of the contour would include establishment or reestablishment of drainages to control sedimentation, total dissolved solids (TDS), and to mitigate ponding and prevent erosion. Natural drainages will be unimpeded and appropriate hydrologic BMPs such as water bars and/or silt traps will be placed in areas where needed to prevent erosion and sediment movement on a large scale. The final re-contour shall have a uniform appearance with smooth surface, fitting the aesthetic of the surrounding natural landscape.
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