

**STATE OF NEW MEXICO
ENERGY, MINERALS, AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**APPLICATION OF XTO ENGERY INC
FOR ADMINISTRATIVE APPROVAL OF A
RELEASE NOTIFICATION AND CORRECTIVE
ACTION, EDDY COUNTY, NEW MEXICO**

Case No. _____

APPLICATION

XTO Energy Inc. (“XTO”) (OGRID No. 5380) through its undersigned attorneys, hereby files this Application (“Application”) with the Oil Conservation Division of the State of New Mexico (“Division”) pursuant to the provisions of 19.15.29.12(E)(2) N.M.A.C. for an order withdrawing the Division’s denial of and instead approving XTO’s Release Notification Form C-141 Application No. 76531 that requested Administrative Approval of a Release Notification and Corrective Action that was submitted on or about February 2, 2022, for Incident Id: NAPP2126045826. In support of its Application, XTO states the following:

1. XTO discovered a release (“Release”) of produced water and crude oil on or about September 5, 2021, at XTO’s 293 Flow Line in Unit J, Section 21, Township 24 South, Range 30 East in Eddy County, New Mexico.
2. XTO reported the information relating to the release to the Division on or about September 6, 2021, and also submitted a Release Notification Form C-141 on or about September 17, 2021.
3. The Division assigned the Release Incident Number NAPP2126045826.
4. On or about December 3, 2021, XTO requested an extension to complete remediation of the Release, and the Division granted an extension to February 2, 2022.
5. XTO characterized the Release in accordance with 19.15.29.11 N.M.A.C. and remediated the Release in accordance with 19.15.29.12 N.M.A.C.
6. On or about February 2, 2022, XTO submitted Release Notification Form C-141 Application for Administrative Approval of a Release Notification and Corrective Action, including a

detailed closure report. The Division assigned this Form C-141 Application Number 76531.

This submittal satisfied the closure reporting requirements of 19.15.29.12(E) N.M.A.C.

7. On or about February 8, 2022, the Division denied XTO's Release Notification Form C-141 Application No. 76531 for Administrative Approval of a Release Notification and Corrective Action.

WHEREFORE, XTO requests that this Application be set for hearing no earlier than thirty from date of this filing, before an Examiner of the Oil Conservation Division, and after notice and hearing as required by law, the Division enter an order:

- A. Finding XTO's site assessment and characterization for the Release met the requirements of 19.15.29.11 N.M.A.C.;
- B. Finding XTO's remediation and closure for the Release met the requirements of 19.15.29.12 N.M.A.C.;
- C. Withdrawing the Division's denial of XTO's Release Notification Form C-141 Application No. 76531 for Administrative Approval of a Release Notification and Corrective Action; and
- D. Approving XTO's Release Notification Form C-141 Application No. 76531 for Administrative Approval of a Release Notification and Corrective Action.

Respectfully submitted

WILLIAMS, WEESE, PEPPLER & FERGUSON



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Application of XTO Energy, Inc. for Approval of a Release Notification and Corrective Action, Eddy County, New Mexico.

Applicant in the above-styled cause seeks an order from the Division withdrawing its denial of and instead approving applicant's Form C-141 Application No. 76531 that requested Administrative Approval of a Release Notification and Corrective Action that was submitted on or about February 2, 2022, for Incident Id: NAPP2126045826.