



1/6/2021

Mr. Brad Billings
District 2 Hydrologist
Energy, Minerals and Natural Resources Department
1220 South St. Francis Dr.
Santa Fe, NM 87505

Re: Legacy/San Simon 6-nAB1912958012

Dear Mr. Billings,

On behalf of Legacy Reserves Operating, LP, Brian Environmental Services (BES) has completed a Closure Document for our San Simon 6 State Battery (nAB1912958012).

This document is a Closure Request/Variance Request combination.

It is a large file (234mb), and as per your invite, BES will be submitting this document via the Centrestack platform.

Please find attached the Final C-141 closure request form.

We respectfully submit the Final C-141 and the Closure Document/Variance Request for your consideration.

We appreciate your assistance with this matter.

Sincerely,

Heath Loftin
Production Superintendent-West Permian
Legacy Reserves Operating, LP
15 Smith Road, Suite 3000
Midland TX, 79705
432-689-5200

Legacy Reserves

303 West Wall, Suite 1800 • Midland, Texas 79701 • P. O. Box 10848 • Midland, Texas 79702
OFFICE 432-689-5200 • FAX 432-686-8318

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

****In the future, please leave this
section blank. Much appreciated**

Incident ID	pending NAB1912958012
District RP	pending 1RP-5475
Facility ID	pending
Application ID	pending NAB1912957391

Release Notification

Responsible Party

Responsible Party	Legacy Reserves Operating, LP	OGRID	240974
Contact Name	Brian Cunningham	Contact Telephone	432-234-9450
Contact Email	bcunningham@legacyp.com	Incident # (assigned by OCD)	
Contact Mailing Address	303 W. Wall St. Midland, TX 79701		

Location of Release Source

Latitude 32.422908 Longitude -103.400565
(Nad 83 in decimal degrees to 5 decimal places)

Site Name	San Simon 6 State Battery **	Site Type	Tank Battery
Date Release Discovered	04/08/19	API# (if applicable)	N/A 30-025-26949**

Unit Letter	Section	Township	Range	County
** "H"	6	22S	35E	Lea

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 checked="" type="checkbox"/> Crude Oil	Volume Released (bbls)	157	Volume Recovered (bbls)	0
<input type="checkbox"/> Produced Water	Volume Released (bbls)		Volume Recovered (bbls)	
	Is the concentration of total dissolved solids (TDS) 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

The release was attributed to a hole developing in the oil storage tank.

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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? Greater than 25 bbls.
If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means? (phone, email, etc)? Yes, Clyde Wilhoit, Jim Griswold/NMOCD District 1 Spills, 4/8/2019 @ 5:20, Phone Message	

Initial Response

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

- ☒ The source of the release has been stopped.
- ☒ The impacted area has been secured to protect human health and the environment.
- ☒ Release materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices.
- ☒ All free liquids and recoverable materials have been removed and managed appropriately.

If all the actions described above have not 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: Clyde Wilhoit

Title: Maintenance Foreman

Signature: Clyde Wilhoit

Date: 4-11-19

email: cwilhoit@legacylp.com

Telephone: 432-425-4137

OCD Only

Received by: Amelia Botamante

Date: 5/9/2019

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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?	36-50 Ft (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 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.

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Printed Name: Clyde WilhoitTitle: Maintenance ForemanSignature: Clyde WilhoitDate: 6/6/2019email: cwilhoit@legacyreserves.comTelephone: 432-425-4137**OCD Only**

Received by: _____

Date: _____

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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: Clyde WilhoitTitle: Maintenance ForemanSignature: Clyde WilhoitDate: 6/6/2019email: cwilhoit@legacyreserves.comTelephone: 432-425-4137**OCD Only**

Received by: _____ Date: _____

☐ Approved ☐ Approved with Attached Conditions of Approval ☐ Denied ☐ Deferral Approved

Signature: _____

Date: _____

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.

Clyde Wilhoit

Maintenance Foreman

Printed Name: _____

Title: _____

Signature: Clyde Wilhoit

Date: 12-14-2020

cwilhoit@legacyreserves.com

432-425-4137

email: _____

Telephone: _____

OCD Only

Received by: _____

Date: _____

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.

Bradford Billings

Closure Approved by: _____ Date: _____

Printed Name: _____

Title: _____

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
Phone:(575) 748-1283 Fax:(575) 748-9720

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

COMMENTS

Action 13666

COMMENTS

Operator: LEGACY RESERVES OPERATING, LP 15 Smith Road Midland, TX 79705	OGRID: 240974
	Action Number: 13666
	Action Type: [C-141] Release Corrective Action (C-141)

COMMENTS

Created By	Comment	Comment Date
jharimon	Closure approved on 02/05/2021 by Bradford Billings	7/29/2022

District I
1625 N. French Dr., Hobbs, NM 88240
Phone:(575) 393-6161 Fax:(575) 393-0720
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811 S. First St., Artesia, NM 88210
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District III
1000 Rio Brazos Rd., Aztec, NM 87410
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CONDITIONS

Action 13666

CONDITIONS

Operator: LEGACY RESERVES OPERATING, LP 15 Smith Road Midland, TX 79705	OGRID: 240974
	Action Number: 13666
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
jharimon	None	7/29/2022