**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



## DEFINITIONS

| | |
|---|---|
| Operator:<br>XTO PERMIAN OPERATING LLC.<br>6401 HOLIDAY HILL ROAD<br>MIDLAND, TX 79707 | OGRID:<br>373075 |
| | Action Number:<br>210903 |
| | Action Type:<br>[NOTIFY] Notification Of Major Venting and/or Flaring (NOMVF) |

**DEFINITIONS**

For the sake of brevity and completeness, please allow for the following in all groups of questions and for the rest of this application:

- this application's operator, hereinafter "this operator";
- venting and/or flaring, hereinafter "vent or flare";
- any notification or report(s) of the C-129 form family, hereinafter "any C-129 forms";
- the statements in (and/or attached to) this, hereinafter "the statements in this";
- and the past tense will be used in lieu of mixed past/present tense questions and statements.

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QUESTIONS

Action 210903

## QUESTIONS

| | |
|---|---|
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**QUESTIONS**

| **Prerequisites** | |
|---|---|
| *Any messages presented in this section, will prevent submission of this application. Please resolve these issues before continuing with the rest of the questions.* | |
| Incident Well | *Unavailable.* |
| Incident Facility | **[fAPP2207332396] BRUSHY DRAW 30-31 FED BATTERY** |

| **Determination of Reporting Requirements** | |
|---|---|
| *Answer all questions that apply. The Reason(s) statements are calculated based on your answers and may provide additional guidance.* | |
| Was this vent or flare caused by an emergency or malfunction | Yes |
| Did this vent or flare last eight hours or more cumulatively within any 24-hour period from a single event | No |
| *An operator shall file a form C-141 instead of a form C-129 for a release that, includes liquid during venting and/or flaring that is or may be a major or minor release under 19.15.29.7 NMAC.* | |
| Was there **at least 50 MCF** of natural gas vented and/or flared during this event | **Yes** |
| Did this vent or flare result in the release of **ANY** liquids (not fully and/or completely flared) that reached (or has a chance of reaching) the ground, a surface, a watercourse, or otherwise, with reasonable probability, endanger public health, the environment or fresh water | No |
| Was the vent or flare within an incorporated municipal boundary or withing 300 feet from an occupied permanent residence, school, hospital, institution or church in existence | No |

| **Date(s) and Time(s)** | |
|---|---|
| Date vent or flare was discovered or commenced | 04/25/2023 |
| Time vent or flare was discovered or commenced | 12:00 AM |
| Is this notification of vent or flare timely | **This notification was untimely.**<br>• **Notification submitted more than 24 hours after discovery (date/time).** |
| *Per Paragraph (1) of Subsection G. of 19.15.27.8 NMAC, (a) The operator shall notify the division... (ii) for venting or flaring that equals or exceeds 500 MCF... as soon as possible and no later than 24 hours following discovery or commencement of venting or flaring... No later than 15 days following the discovery or commencement of venting or flaring, the operator shall file a form C-129 that verifies, updates, or corrects the verbal or e-mail notification;* | |

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## ACKNOWLEDGMENTS

| | |
|---|---|
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**ACKNOWLEDGMENTS**

| | |
|---|---|
| ☑ | I acknowledge that I am authorized to submit a *Notification of a Major Venting and/or Flaring* (NOMVF) application on behalf of this operator and understand that this notification is **NOT a complete** C-129 submission per 19.15.27.8 and 19.15.28.8 NMAC. |
| ☑ | I acknowledge that upon submitting this application, I will be creating a new incident file (assigned to this operator) to track any C-129 forms, pursuant to 19.15.27.7 and 19.15.28.8 NMAC and understand that this submission meets the notification requirements of Paragraph (1) of Subsection G and F respectively. |
| ☑ | I acknowledge that within 15 days from the date of discovery for this vent or flare event, this operator, using the newly created incident number, must submit a subsequent *Amending of Venting and/or Flaring* (C-129A) to rectify any missing or inaccurate data or *Cancellation of Venting and/or Flaring* (C-129C), to remain in compliance with 19.15.27.8.G and 19.15.28.8.F NMAC. |
| ☑ | I hereby certify the statements in this notification are true and correct to the best of my knowledge and acknowledge that any false statements may be subject to civil and criminal penalties under the Oil and Gas Act. |
| ☑ | I acknowledge that the acceptance of any C-129 forms by the OCD does not relieve this operator of liability should their operations have failed to adequately investigate, report, and remediate contamination that poses a threat to groundwater, surface water, human health, or the environment. |
| ☑ | I acknowledge that OCD acceptance of any C-129 forms does not relieve this operator of responsibility for compliance with any other applicable federal, state, or local laws and/or regulations. |

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CONDITIONS

Action 210903

## CONDITIONS

| | |
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**CONDITIONS**

| Created By | Condition | Condition Date |
|---|---|---|
| jayakk | The information provided in this report REQUIRES at least one amendment to complete the reporting on this event. | 4/26/2023 |
| jayakk | Submit a [C-129] Amend Venting and/or Flaring Incident (C-129A) within 15 days of the discovered/commenced date, utilizing your incident number from this event. | 4/26/2023 |