

From: [Hall, Brittany, EMNRD](#)
To: [Woodall, Robert D](#)
Cc: tmorrissey@ensolum.com; bbelill@ensolum.com; [Tracy Hillard](#); [Enviro, OCD, EMNRD](#); [Romero, Rosa, EMNRD](#)
Subject: RE: [EXTERNAL] XTO - Variance Request - PLU Ross Ranch 33-25-30 USA Battery (Incident Number nAPP2527929108)
Date: Thursday, December 18, 2025 4:01:00 PM

Mr. Woodall,

Thank you for supplying the requested additional information. After review, the denial of the variance request remains in effect.

XTO submitted a C-141L under incident number nAPP2527230287 on October 1, 2025, indicating that the liner inspection would occur on October 7, 2025. The C-141L was submitted two days prior to the date of discovery (October 3, 2025) of incident nAPP2527929108.

Because the C-141L was submitted prior to the occurrence of incident nAPP2527929108, the variance request cannot be approved, as the liner inspection was conducted before the variance was requested.

Because the liner was determined to lack integrity, the release must be addressed in accordance with 19.15.29 NMAC. OCD requires a five-foot by five-foot (5' x 5') square to be cut in the liner at the location of each breach and each identified weakened area, as well as any additional areas discovered during the investigation. A five-point composite soil sample must be collected from each exposed area and analyzed for TPH, BTEX, and chlorides using the analytical methods specified in Table I of 19.15.29 NMAC. All affected areas must be vertically and horizontally delineated pursuant to 19.15.29.11(A)(5)(b) NMAC and remediated in accordance with 19.15.29.12 NMAC.

Thank you,

Brittany Hall ● Environmental Field Compliance Supervisor
Environmental Field Compliance Group
EMNRD - Oil Conservation Division
1000 Rio Brazos Road | Aztec, NM 87410
505.517.5333 | Brittany.Hall@emnrd.nm.gov
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Effective 12/1/2024: OCD has updated guidance on karst potential occurrence zones. This notice can be found at: <https://www.emnrd.nm.gov/oed/oed-announcements-and-notifications/> under "2024 OCD ANNOUNCEMENTS AND NOTIFICATIONS".

The Digital C-141 guidance documents can be found at <https://www.emnrd.nm.gov/oed/oed-announcements-and-notifications/> or <https://www.emnrd.nm.gov/oed/oed-forms/>.

From: Woodall, Robert D <robert.d.woodall@exxonmobil.com>
Sent: Wednesday, December 17, 2025 11:17 AM
To: Hall, Brittany, EMNRD <Brittany.Hall@emnrd.nm.gov>; Enviro, OCD, EMNRD <OCD.Enviro@emnrd.nm.gov>
Cc: tmorrissey@ensolum.com; bbelill@ensolum.com; Tracy Hillard <thillard@ensolum.com>
Subject: RE: [EXTERNAL] XTO - Variance Request - PLU Ross Ranch 33-25-30 USA Battery (Incident Number nAPP2527929108)

See attached. Please let me know if you need more information.

R. Dale Woodall
Project Manager

ExxonMobil Environmental and Property Solutions Company
3104 E. Greene St.
Carlsbad, NM 88220
Cell Phone: 575-988-4374
Robert.D.Woodall@exxonmobil.com

From: Hall, Brittany, EMNRD <Brittany.Hall@emnrd.nm.gov>
Sent: Wednesday, December 17, 2025 7:26 AM
To: Woodall, Robert D <robert.d.woodall@exxonmobil.com>; Enviro, OCD, EMNRD <OCD.Enviro@emnrd.nm.gov>
Cc: tmorrissey@ensolum.com; bbelill@ensolum.com; Tracy Hillard <thillard@ensolum.com>
Subject: RE: [EXTERNAL] XTO - Variance Request - PLU Ross Ranch 33-25-30 USA Battery (Incident Number nAPP2527929108)

Mr. Woodall,

I am sorry that it has taken me so long to get back to you. I will need some additional information to evaluate this variance request. Could you please provide at least one map of where both of these releases occurred and provide photos of the liner inspection and any subsequent activities that were performed after the liner was determined to be compromised? A map of where samples were collected from under the areas of the compromised liner and the sampling results would also be helpful, if those are available.

Thank you,
Brittany Hall ● Environmental Field Compliance Supervisor
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From: Hall, Brittany, EMNRD
Sent: Tuesday, December 9, 2025 1:22 PM
To: 'Woodall, Robert D' <robert.d.woodall@exxonmobil.com>; Enviro, OCD, EMNRD <OCD.Enviro@emnrd.nm.gov>
Cc: tmorrissey@ensolum.com; bbelill@ensolum.com; Tracy Hillard <thillard@ensolum.com>
Subject: RE: [EXTERNAL] XTO - Variance Request - PLU Ross Ranch 33-25-30 USA Battery (Incident Number nAPP2527929108)

Mr. Woodall,

I am reviewing your request and will get back to you as soon as possible.

Thank you,

Brittany Hall ● Environmental Field Compliance Supervisor
Environmental Field Compliance Group
EMNRD - Oil Conservation Division
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From: Woodall, Robert D <robert.d.woodall@exxonmobil.com>
Sent: Tuesday, December 9, 2025 7:35 AM
To: Enviro, OCD, EMNRD <OCD.Enviro@emnrd.nm.gov>; Hall, Brittany, EMNRD <Brittany.Hall@emnrd.nm.gov>
Cc: tmorrissey@ensolum.com; bbelill@ensolum.com; Tracy Hillard <thillard@ensolum.com>
Subject: FW: [EXTERNAL] XTO - Variance Request - PLU Ross Ranch 33-25-30 USA Battery (Incident

Number nAPP2527929108)

Ms. Hall,

Thank you for your review and for providing clarification regarding the variance request submitted for Incident Number nAPP2527929108. We appreciate the opportunity to provide additional detail in response to the denial and to clarify the intent and technical basis of the requested variance.

The variance is necessary due to the unique circumstances associated with two releases that occurred within the same lined containment, in close temporal proximity, and in identical physical locations.

- Incident Number nAPP2527230287 (September 27, 2025) was assessed on October 7 and October 23, 2025.
- Incident Number nAPP2527929108 (October 3, 2025) occurred within the same containment but was not identified for remedial action at the time assessment activities were conducted for the earlier release.

Because both releases impacted the same section of containment and were evaluated under the same sampling and liner-access conditions, all intrusive assessment activities were completed before the administrative distinction between the two incidents was fully recognized. By the time the need for assessment under the October 3rd incident (nAPP2527929108) was identified, the containment liner had already undergone repairs and restoration to return the structure to full integrity. Conducting new intrusive sampling or liner re-access would require compromising the newly repaired liner, creating new cuts that would increase the risk of additional tearing, liner failure, or unnecessary disturbance of already remediated and compliant soil. The variance is therefore requested to avoid damage to a containment system that has already been fully evaluated, repaired, and returned to functional condition, after the release date of the subject Incident.

Because the releases occurred only six days apart and migrated to the same containment floor area, the analytical data acquired represent the environmental conditions present after both releases occurred. Subsequent to assessment activities, the liner was repaired to restore full competency. The liner repairs ensure continued protection of fresh water, public health, and the environment. Creating new cuts in the liner to repeat sampling would reduce environmental protection by introducing pathways for future releases.

Depth to groundwater at the Site is estimated to be greater than 100 feet below ground surface (bgs) based on the nearest groundwater well data. The closest permitted groundwater well with depth to groundwater data is a New Mexico Office of the State Engineer (NMOSE) permitted well (C-3782), located approximately 0.11 miles north of the Site. The closest

continuously flowing or significant watercourse to the Site is a riverine located approximately 3,085 feet northwest of the Site. The Site is greater than 200 feet from a lakebed, sinkhole, or playa lake and greater than 300 feet from an occupied residence, school, hospital, institution, church, or wetland. The Site is greater than 1,000 feet to a freshwater well or spring and is not within a 100-year floodplain or overlying a subsurface mine. The Site is not underlain by potentially unstable geology (low potential karst designation area).

We acknowledge OCD's position that sampling associated with Incident nAPP2527230287 occurred prior to the variance request. The sampling and liner inspection conducted in early October were initiated solely for the September 27 Incident, and the October 3 Incident was not, at that time, identified as requiring independent assessment activities. Once the administrative oversight was identified, the variance request was submitted to ensure procedural compliance and transparency and to avoid compromising the repaired liner system.

Based on the detailed justification above, XTO respectfully requests reconsideration of the variance. We believe the existing inspection and delineation data provide a technically sound and environmentally protective basis for applying the October 7, 2025 liner inspection notification and October 23, 2025 sampling notification to Incident nAPP2527929108.

Upon approval, XTO will submit the required C-141N and C-141L notifications through the OCD portal and will include the variance correspondence in the final Closure Request. We appreciate the Division's time and consideration. Please let us know if additional information, technical detail, or supplemental documentation would assist in reconsideration.

R. Dale Woodall
Project Manager

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Robert.D.Woodall@exxonmobil.com

From: Hall, Brittany, EMNRD <Brittany.Hall@emnrd.nm.gov>
Sent: Thursday, December 4, 2025 1:03 PM

To: Woodall, Robert D <robert.d.woodall@exxonmobil.com>
Cc: Bratcher, Michael, EMNRD <mike.bratcher@emnrd.nm.gov>; Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov>
Subject: RE: [EXTERNAL] XTO - Variance Request - PLU Ross Ranch 33-25-30 USA Battery (Incident Number nAPP2527929108)

Mr. Woodall,

The variance request for the use the notifications submitted for Incident Number nAPP2527230287 for Incident Number nAPP2527929108, including the notification of liner inspection for October 7, 2025, and the sampling notification for October 23, 2025, is denied.

This denial is based on the following reasons:

Pursuant to 19.15.29.17 A. NMAC the variance request must include **(1)** a detailed statement explaining the need for a variance; and **(2)** a detailed written demonstration that the variance will provide equal or better protection of fresh water, public health and the environment, which were not provided. Additionally, per 19.15.29.14 F. NMAC, Variances must receive division approval prior to implementation. The sampling performed for nAPP2527230287 has already been implemented prior to requesting the variance.

Thank you,

Brittany Hall • Environmental Field Compliance Supervisor

Environmental Field Compliance Group

EMNRD - Oil Conservation Division

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[notifications/](#) under “2024 OCD ANNOUNCEMENTS AND NOTIFICATIONS”.

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From: Woodall, Robert D <robert.d.woodall@exxonmobil.com>
Sent: Thursday, December 4, 2025 10:55 AM
To: Enviro, OCD, EMNRD <OCD.Enviro@emnrd.nm.gov>
Subject: [EXTERNAL] XTO - Variance Request - PLU Ross Ranch 33-25-30 USA Battery (Incident Number nAPP2527929108)

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

XTO is requesting a variance of the 48-hour sampling notification (C-141N) and the 48-hour notification of liner inspection (C-141L) requirement for a release at PLU Ross Ranch 33-25-30 USA Battery (Incident Number nAPP2527929108). The release occurred within a lined containment on October 3, 2025.

Previously, on September 27, 2025, a release occurred within the same lined containment (Incident Number nAPP2527230287) and assessment activities were completed on October 7 and 23, 2025. Unfortunately, the October 3rd release had not been identified for the need of remedial activities due to internal administrative oversight until after assessment activities had been completed for the September 27, 2025, release. As a result, sampling and liner inspection notifications were not submitted for the October 3, 2025, release.

Full delineation and liner repairs have been completed on the lined containment and completing additional delineation activities within the containment would compromise the repaired competency. XTO respectfully requests that the notifications submitted for the September 27, 2025, release (Incident Number nAPP2527230287) may be applied to the October 3, 2025, release (Incident Number nAPP2527929108). This includes the notification of liner inspection for October 7, 2025, and the sampling notification for October 23, 2025. Following approval of the variance, a C-141N and C-141L will be submitted via the portal

and the correspondence will be included in the final report.

Please let me know if you need more information or have any questions.

R. Dale Woodall

Project Manager

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State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

CONDITIONS

Action 554659

CONDITIONS

Operator: XTO ENERGY, INC 6401 Holiday Hill Road Midland, TX 79707	OGRID: 5380
	Action Number: 554659
	Action Type: [IM-SD] Incident File Support Doc (ENV) (IM-BNF)

CONDITIONS

Created By	Condition	Condition Date
bhall	OCD has uploaded a copy of the variance request email chain, including OCD's denial of the variance request, to the incident file.	2/17/2026