

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-144  
Revised April 3, 2017

For temporary pits, below-grade tanks, and multi-well fluid management pits, submit to the appropriate NMOCD District Office.  
For permanent pits submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.

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

Type of action: ☐ Below grade tank registration  
☐ Permit of a pit or proposed alternative method  
**BGT1 Closure** ☒ Closure of a pit, below-grade tank, or proposed alternative method  
☐ Modification to an existing permit/or registration  
☐ Closure plan only submitted for an existing permitted or non-permitted pit, below-grade tank, or proposed alternative method

**Instructions: Please submit one application (Form C-144) per individual pit, 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: Enduring Resources, LLC OGRID #: 372286  
Address: 200 Energy Court Farmington, NM 87401  
Facility or well name: Rincon Unit #123  
API Number: 30-039-07037 OCD Permit Number: \_\_\_\_\_  
U/L or Qtr/Qtr M Section 13 Township 27N Range 7W County: Rio Arriba  
Center of Proposed Design: Latitude 36.570629 Longitude -107.532360 NAD83  
Surface Owner: ☒ Federal ☐ State ☐ Private ☐ Tribal Trust or Indian Allotment

2.  
☐ **Pit:** Subsection F, G or J of 19.15.17.11 NMAC  
Temporary: ☐ Drilling ☐ Workover  
☐ Permanent ☐ Emergency ☐ Cavitation ☐ P&A ☐ Multi-Well Fluid Management Low Chloride Drilling Fluid ☐ yes ☐ no  
☐ Lined ☐ Unlined Liner type: Thickness \_\_\_\_\_ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
☐ String-Reinforced  
Liner Seams: ☐ Welded ☐ Factory ☐ Other \_\_\_\_\_ Volume: \_\_\_\_\_ bbl Dimensions: L \_\_\_\_\_ x W \_\_\_\_\_ x D \_\_\_\_\_

3.  
☒ **Below-grade tank:** Subsection I of 19.15.17.11 NMAC  
Volume: 60 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 \_\_\_\_\_ mil ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_

4.  
☐ **Alternative Method:**  
Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

5.  
**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 4 Foot, pipe frame with square wire mesh

6.

**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)

7.

**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 19.15.16.8 NMAC

8.

**Variances 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:**

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

9.

**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. Siting criteria does not apply to drying pads or above-grade tanks.**General siting****Ground water is less than 25 feet below the bottom of a low chloride temporary pit or below-grade tank.**

- ☐ NM Office of the State Engineer - iWATERS database search; ☐ USGS; ☐ Data obtained from nearby wells

☐ Yes ☐ No

☐ NA

**Ground water is less than 50 feet below the bottom of a Temporary pit, permanent pit, or Multi-Well Fluid Management pit.**

NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

☐ Yes ☐ No

☐ NA

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. (**Does not apply to below grade tanks**)

- Written confirmation or verification from the municipality; Written approval obtained from the municipality

☐ Yes ☐ No

Within the area overlying a subsurface mine. (**Does not apply to below grade tanks**)

- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division

☐ Yes ☐ No

Within an unstable area. (**Does not apply to below grade tanks**)

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map

☐ Yes ☐ No

Within a 100-year floodplain. (**Does not apply to below grade tanks**)

- FEMA map

☐ Yes ☐ No

**Below Grade Tanks**

Within 100 feet of a continuously flowing watercourse, significant watercourse, lake bed, sinkhole, wetland or playa lake (measured from the ordinary high-water mark).

- Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 200 horizontal feet of a spring or a fresh water well used for public or livestock consumption;.

- NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

**Temporary Pit using Low Chloride Drilling Fluid** (maximum chloride content 15,000 mg/liter)

Within 100 feet of a continuously flowing watercourse, or any other significant watercourse or within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark). (Applies to low chloride temporary pits.)

- Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 300 feet from a occupied 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

☐ Yes ☐ No

Within 200 horizontal feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes, or 300 feet of any other fresh water well or spring, in existence at the time of the initial application.

NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 100 feet of a wetland.

- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

### **Temporary Pit Non-low chloride drilling fluid**

Within 300 feet of a continuously flowing watercourse, or any other significant watercourse, or within 200 feet of any lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).

- Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ 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

☐ Yes ☐ No

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, or 1000 feet of any other fresh water well or spring, in the existence at the time of the initial application;

- NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 300 feet of a wetland.

- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

### **Permanent Pit or Multi-Well Fluid Management Pit**

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

☐ Yes ☐ No

Within 1000 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

☐ Yes ☐ No

Within 500 horizontal feet of a spring or a fresh water well used for domestic or stock watering purposes, in existence at the time of initial application.

- NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

Within 500 feet of a wetland.

- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site

☐ Yes ☐ No

10.

#### **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: \_\_\_\_\_

11.

#### **Multi-Well Fluid Management Pit 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.

- ☐ 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
- ☐ A List of wells with approved application for permit to drill associated with the pit.
- ☐ 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
- ☐ Hydrogeologic Data - based upon the requirements of Paragraph (4) of Subsection B of 19.15.17.9 NMAC
- ☐ Siting Criteria Compliance Demonstrations - based upon the appropriate requirements of 19.15.17.10 NMAC

☐ Previously Approved Design (attach copy of design) API Number: \_\_\_\_\_ or Permit Number: \_\_\_\_\_



12.

**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 H<sub>2</sub>S, 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

13.

**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 ☐ Multi-well Fluid Management Pit  
☐ 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

14.

**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 C 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 H of 19.15.17.13 NMAC  
☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC

15.

**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 require justifications and/or demonstrations of equivalency. Please refer to 19.15.17.10 NMAC for guidance.

- |   |   |
|---|---|
| Ground water is less than 25 feet below the bottom of the buried waste.<br>- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells   | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> NA |
| Ground water is between 25-50 feet below the bottom of the buried waste<br>- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells   | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> NA |
| Ground water is more than 100 feet below the bottom of the buried waste.<br>- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells  | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> NA |
| Within 100 feet of a continuously flowing watercourse, or 200 feet of any other significant watercourse, lakebed, sinkhole, or playa lake (measured from the ordinary high-water mark).<br>- 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.<br>- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image  | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within 300 horizontal feet of a private, domestic fresh water well or spring used for domestic or stock watering purposes, in existence at the time of initial application.<br>- NM Office of the State Engineer - iWATERS database; Visual inspection (certification) of the proposed site | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Written confirmation or verification from the municipality; Written approval obtained from the municipality   | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within 300 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 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

☐ Yes ☐ No

Within the area overlying a subsurface mine.

- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division

☐ Yes ☐ No

Within an unstable area.

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map

☐ Yes ☐ No

Within a 100-year floodplain.

- FEMA map

☐ Yes ☐ No

16.

**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 E of 19.15.17.13 NMAC
- ☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements of Subsection K 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 19.15.17.13 NMAC
- ☐ Waste Material Sampling Plan - based upon the appropriate requirements 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 H of 19.15.17.13 NMAC
- ☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection H of 19.15.17.13 NMAC

17.

**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): \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

e-mail address: \_\_\_\_\_ Telephone: \_\_\_\_\_

18.

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

OCD Representative Signature: Shelly Wells Approval Date: 05/26/2023

Title: Environmental Specialist-Advanced OCD Permit Number: BGT1

19.

**Closure Report (required within 60 days of closure completion):** 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: 5/11/2023

20.

**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.

21.

**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 for private land only)
- ☐ 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

22.

**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): Chad Snell Title: HSE Lead

Signature:  Date: 5/24/2023

e-mail address: csnell@enduringresources.com Telephone: (505)444-0586

## Enduring Resources, LLC Below Grade Tank Closure Report

**Lease Name:** Rincon Unit 123

**API No.:** 30-039-07037

**Description:** Unit M, Section 13, Township 27N, Range 7W, Rio Arriba County

In accordance with Rule 19.15.17.13 NMAC the following information describes the closure requirements of below-grade tanks on Enduring Resources, LLC. (Enduring) locations. This is Enduring's standard procedure for all below-grade tanks. A separate plan will be submitted for any below-grade tank which does not conform to this plan.

### General Plan

1. Enduring will close below-grade tanks within the time periods provided in 19.15.17.13 NMAC, or by an earlier date that the division requires because of imminent danger to fresh water, public health or the environment.  
**Closure Date is May 11, 2023**
2. Enduring will close a 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 Paragraph (5) of Subsection I of 19.15.17.11 NMAC within five years after June 16, 2008, if not retrofitted to comply with Paragraphs (1) through (4) of Subsection I of 19.15.17.11 NMAC.  
**Closure Date is May 11, 2023**
3. Enduring will 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 will be filed on form C-144.  
**Required C-144 Form is attached to this document.**
4. Enduring will remove liquids and sludge from below-grade tanks prior to implementing a closure method and will dispose of the liquids and sludge in a division-approved facility. Approved facilities and waste streams include:
  - Envirotech Permit No. NM01-0011 and IEI Permit No. NM 01-0010B
  - Soil contaminated by exempt petroleum hydrocarbons
  - Produced sand, pit sludge and contaminated bottoms from storage of exempt wastes
  - Basin Disposal Permit No. NM01-005
  - Produced water**All liquids and sludge were removed from the tank prior to closure activities.**
5. Enduring will remove the below-grade tank and dispose of it in a division approved facility or recycle, reuse, or reclaim it in a manner that the appropriate division district office approves.  
**Enduring has removed the below grade tank, and will dispose of it at a division approved facility, or recycle, reclaim or reuse it in a manner that is approved by the division.**

6. Enduring will remove any on-site equipment associated with a below-grade tank unless the equipment is required for some other purpose.  
**This location is still in production. All other on-site equipment will be utilized in the continued production of oil and gas.**
7. Enduring will test the soils beneath the below-grade tank to determine whether a release has occurred. At a minimum 5 point composite sample will be collected along with individual grab samples from any area that is wet, discolored or showing other evidence of a release. Samples will be analyzed for BTEX, TPH and chlorides to demonstrate that the benzene concentration, as determined by EPA SW-846 methods 8021B or 8260B or EPA method that the division approves, does not exceed 0.2 mg/kg; total BTEX concentration, as determined by EPA SW-846 methods 8021B or 8260B or other EPA method that the division approves, does not exceed 50 mg/kg; the TPH concentration, as determined by EPA method 8015M or other EPA method that the division approves, does not exceed 100mg/kg; and the chloride concentration, as determined by EPA method 9056A or other EPA method that the division approves, does not exceed 250 mg/kg, or the background concentration, whichever is greater. Enduring will notify the division of its results on form C-141.

**A five point composite sample was taken of the pit using sampling tools and all samples tested per Subsection B of 19.15.17.1 3(B)(1)(b). (Sample results attached).**

Components	Test Method	Limit (mg/Kg)	Results
Benzene	EPA SW-846 8021B or 8260B	0.2	< 0.025 mg/kg
BTEX	EPA SW-846 8021B or 8260B	50	< 0.1 mg/kg
TPH	EPA SW-846 8015M	100	< 95 mg/kg
Chlorides	EPA 9056A	250 or background	<20 mg/kg

8. If Enduring or the division determines that a release has occurred, Enduring will comply with 19.15.3.116 NMAC and 19.15.1.19NMAC as appropriate.  
**No Release has occurred at this location**
9. If the sampling program demonstrates that a release has not occurred or that any release does not exceed the concentrations specified in Paragraph (4) of Subsection E of 19.15.17.13 NMAC, Enduring will backfill the excavation with compacted, non-waste containing, earthen material; construct a division prescribed soil cover; recontour and re-vegetate the site.  
**The site has been backfilled, and will be recontoured and revegetated upon P&A of the wellsite.**
10. Notice of Closure operations will be given to the Aztec Division District III office between 72 hours and one week prior to the start of closure activities via email or verbally.  
The notification will include the following:
- i. Operator's name
  - ii. Well Name and API Number
  - iii. Location by Unit Letter, Section, Township, and Range
- Notification was provided to Shelly Wells with NMOCD via email on May 8, 2023; see attached email printout.**

The surface owner shall be notified of Enduring's proposal to close the BGT as per the approved closure plan using certified mail, return receipt requested.

**The BLM was notified on May 10, 2023 via email; see attached email printout.**



11. Re-contouring of location will match fit, shape, line, form and texture of the surrounding area. Re-shaping will include drainage control, prevent ponding, and prevent erosion. Natural drainages will be unimpeded and water bars and/or silt traps will be placed in areas where needed to prevent erosion on a large scale. Final re-contour shall have a uniform appearance with smooth surface, fitting the natural landscape.  
**This site will be recontoured and revegetated once plugging and abandoning activities have been completed. The site will be recontoured to match the above mentioned specifications.**
12. A minimum of 4 feet of cover shall be achieved and the cover shall include 1 foot of suitable material to establish vegetation at the site, or the background thickness of topsoil, whichever is greater.  
**The area has been backfilled to match these specifications.**
13. Enduring will seed the disturbed areas the first growing season after the operator closes the pit. Seeding will be accomplished via drilling on the contour whenever practical or by other division-approved methods. BLM or Forest Service stipulated seed mixes will be used on federal lands. 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 maintain that cover through two successive growing seasons. Repeat seeding or planting will be continued until successful vegetative growth occurs.  
**The site will be re-seeded per the BLM MOU once plugging and abandoning activities have been completed.**
14. All closure activities will include proper documentation and be available for review upon request and will be submitted in closure report form to OCD within 60 days of closure of the below-grade tank. Closure report will be filed on form C-144 and incorporate the following:
  - Proof of closure notice to division and surface owner; **attached**
  - Details on capping and covering, where applicable; **per OCD Specifications**
  - Confirmation sampling analytical results; **attached**
  - Disposal facility name(s) and permit number(s); **attached**
  - Soil backfilling and cover installation; **per OCD Specifications**
  - Re-vegetation application rates and seeding techniques, (or approved alternative to re-vegetation requirements if applicable); **pursuant to BLM MOU**
  - Photo documentation of the site reclamation. **attached**

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

Incident ID	
District RP	
Facility ID	
Application ID	

## Release Notification

### Responsible Party

Responsible Party: <b>Enduring Resources</b>	OGRID: <b>372286</b>
Contact Name: <b>Chad Snell</b>	Contact Telephone: <b>(505) 444-0586</b>
Contact email: <b>csnell@enduringresources.com</b>	Incident # <i>(assigned by OCD)</i>
Contact mailing address: <b>200 Energy Court</b>	<b>Farmington, New Mexico 87401</b>

### Location of Release Source

Latitude 36.5706293 Longitude -107.53236  
*(NAD 83 in decimal degrees to 5 decimal places)*

Site Name: <b>Rincon 123</b>	Site Type: <b>Wellsite</b>
Date Release Discovered: <b>N/A</b>	API# <i>(if applicable)</i> <b>30-039-07037</b>

Unit Letter	Section	Township	Range	County
<b>M</b>	<b>13</b>	<b>27N</b>	<b>7W</b>	<b>Rio Arriba</b>

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 type="checkbox"/> Crude Oil	Volume Released (bbls)	Volume Recovered (bbls)
<input type="checkbox"/> Produced Water	Volume Released (bbls): <b>NONE</b>	Volume Recovered (bbls):
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	<input type="checkbox"/> Yes <input checked="" 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:

On 5/11/2023, BGT closure activities were performed at this location. Samples were collected from beneath the location of the BGT after it was removed, sample results confirmed a release did not occur.

State of New Mexico  
Oil Conservation Division

Incident ID	
District RP	
Facility ID	
Application ID	

Was this a major release as defined by 19.15.29.7(A) NMAC?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, for what reason(s) does the responsible party consider this a major release?  
If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)?  	

### Initial Response

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

<input type="checkbox"/> The source of the release has been stopped. <input type="checkbox"/> The impacted area has been secured to protect human health and the environment. <input type="checkbox"/> Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices. <input type="checkbox"/> All free liquids and recoverable materials have been removed and managed appropriately.
If all the actions described above have <u>not</u> 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: <u>Chad Snell</u> Title: <u>HSE Lead</u> Signature: <u>[Signature]</u> Date: <u>5/24/2023</u> email: <u>csnell@enduringresources.com</u> Telephone: <u>(505) 444-0586</u>
<b><u>OCD Only</u></b> Received by: _____ Date: _____

Incident ID	
District RP	
Facility ID	
Application ID	

## 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?	_____ (ft bgs)
Did this release impact groundwater or surface water?	<input type="checkbox"/> Yes <input 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 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 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 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 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 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 type="checkbox"/> No
Are the lateral extents of the release within 300 feet of a wetland?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release overlying a subsurface mine?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release overlying an unstable area such as karst geology?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are the lateral extents of the release within a 100-year floodplain?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Did the release impact areas <b>not</b> 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.



State of New Mexico  
Oil Conservation Division

Incident ID	
District RP	
Facility ID	
Application ID	

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: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

email: \_\_\_\_\_ Telephone: \_\_\_\_\_

**OCD Only**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

State of New Mexico  
Oil Conservation Division

Incident ID	
District RP	
Facility ID	
Application ID	

## 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: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

email: \_\_\_\_\_ Telephone: \_\_\_\_\_

**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.

Printed Name: Chad Snell Title: HSE Lead  
Signature:  Date: 5/24/2023  
email: csnell@enduringresources.com Telephone: (505)444-0586

**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.

Closure Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Shelly Wells  
 Oil Conservation Division  
 1220 S. St. Francis Drive  
 Aztec, New Mexico 87410  
 Email: Shelly.Wells@emnrd.nm.gov  
 Phone (505)469-7520

Re: Variance Request for 19.15.17 NMAC Table I and Table II

Shelly,

Please accept this letter as a variance request as outlined in 19.15.17.15(A) NMAC. Enduring Resources, LLC (Enduring) would like to request the replacement of USEPA Method 418.1 for the analysis of Total Petroleum Hydrocarbons (TPH) for USEPA Method 8015M, measuring carbon ranges C6-C36, for all sampling associated with closures and confirmations samples in relation to 19.15.17 NMAC, both in Table I and Table II (2103) and the 'pit rule' passed in 2008. Enduring is requesting this variance on the grounds that USEPA Method 418.1 is an outdated analytical method that reports a full range of hydrocarbons from C5 through C40 (*Reference: American Petroleum Institute*).

The attached table demonstrates the carbon ranges, and the typical hydrocarbon products that can be found in those ranges. As you can see, lube oil ranges from C28-C35. Analytical Method USEPA 418.1 extends past lube oils from C35 through C40. This range of hydrocarbons is above the range that can reasonably be expected to be found in our field in both drilling pits and beneath below grade tanks. USEPA Method 8015M (GRO/DRO + extended analysis) will report hydrocarbons ranging from C6-C10 for GRO, C10- C28 for DRO, and C28-C36 for extended analysis. This information was provided by Environmental Science Corporation Laboratories. As the information demonstrates, the 8015M analytical method reports as low as C6, reporting lower than USEPA Method 418.1. Utilizing analytical method 8015M, lighter range hydrocarbons will be reported instead of higher range, heavy hydrocarbons that may not be reasonably expected to be found in our field. Utilization of USEPA Method 8015M will better protect groundwater resources by identifying lighter, more mobile hydrocarbons that USEPA Method 418.1 cannot identify. The heavier range hydrocarbons, C36-C40, that are not identified by USEPA Method 8015M are not a mobile form of hydrocarbon, and are not a threat to human health and the environment. With your acceptance of this variance request, Enduring Resources will begin utilizing USEPA Method 8015M in place of USEPA Method 418.1 for all sampling activities associated with 19.15.17 NMAC, both from the rules passed in 2008 and 2013.

Respectfully Submitted,  
 Chad Snell  
 HSE Lead  
 Enduring Resources, LLC

#### Carbon Ranges of Typical Hydrocarbons

<u>Hydrocarbon</u>	<u>Carbon Range</u>
Condensate	C2-C12
Aromatics	C5-C7
Gasoline	C7-C11
Kerosene	C6-C16
Diesel Fuel	C8-C21
Fuel Oil #1	C9-C16
Fuel Oil #2	C11-C20
Heating Oil	C14-C20
Lube Oil	C28-C35



**From:** [Wells, Shelly, EMNRD](#)  
**To:** [Chad Snell](#)  
**Cc:** [Kyle Walter](#); [Heather Huntington](#)  
**Subject:** RE: [EXTERNAL] Rincon Unit #123 BGT Closure Notice  
**Date:** Monday, May 08, 2023 9:14:42 AM

---

Thanks for letting me know! It has been noted in epermitting.

Shelly

[Shelly Wells](#) \* Environmental Specialist-Advanced  
Administrative Permitting Program  
EMNRD-Oil Conservation Division  
1220 S. St. Francis Drive|Santa Fe, NM 87505  
(505)469-7520|[Shelly.Wells@emnrd.nm.gov](mailto:Shelly.Wells@emnrd.nm.gov)  
<http://www.emnrd.state.nm.us/OCD/>

**From:** Chad Snell <CSnell@enduringresources.com>  
**Sent:** Monday, May 8, 2023 8:54 AM  
**To:** Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov>  
**Cc:** Kyle Walter <KWalter@enduringresources.com>; Heather Huntington <Hhuntington@enduringresources.com>  
**Subject:** [EXTERNAL] Rincon Unit #123 BGT Closure Notice

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

Good Morning,

Enduring Resources will be closing the BGT at the Rincon Unit #123 (**API:30-039-07037 SEC: 13, TWN: 27N, RGE: 7W, Rio Arriba County, NM**)

Closure activities will start at 9:00am on Thursday May 11<sup>th</sup> 2023.

Thanks.

Chad Snell  
HSE Lead  
Enduring Resources  
(505) 444-0586.

(505)469-7520 | [Shelly.Wells@emnrd.nm.gov](mailto:Shelly.Wells@emnrd.nm.gov)  
<http://www.emnrd.state.nm.us/OCD/>

**From:** Velez, Nelson, EMNRD <[Nelson.Velez@emnrd.nm.gov](mailto:Nelson.Velez@emnrd.nm.gov)>  
**Sent:** Tuesday, April 25, 2023 10:40 AM  
**To:** Wells, Shelly, EMNRD <[Shelly.Wells@emnrd.nm.gov](mailto:Shelly.Wells@emnrd.nm.gov)>  
**Subject:** Fw: [EXTERNAL] Rincon Unit 123 BGT Closure Plan

Shelly,

FYI

nv

---

**From:** Chad Snell <[CSnell@enduringresources.com](mailto:CSnell@enduringresources.com)>  
**Sent:** Tuesday, April 25, 2023 8:46 AM  
**To:** Velez, Nelson, EMNRD <[Nelson.Velez@emnrd.nm.gov](mailto:Nelson.Velez@emnrd.nm.gov)>  
**Subject:** [EXTERNAL] Rincon Unit 123 BGT Closure Plan

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

Good Morning Nelson,

Enduring is planning on removing the BGT at the Rincon Unit 123 (**API:30-039-07037, SEC: 13, TWN: 27N, RGE: 7W**) , Can you please approve the closure plan that is on file.

Thanks.

Chad Snell  
HSE Lead  
Enduring Resources  
(505) 444-0586.

**To:** Chad Snell <[CSnell@enduringresources.com](mailto:CSnell@enduringresources.com)>  
**Subject:** RE: [EXTERNAL] Rincon Unit 123 BGT Closure Plan

Hi Chad,

Does that mean the BGT you are looking to close is the 60 bbl tank Chevron said they were going to close in 2016? Just trying to figure out the situation here.

Thank you,

Shelly

**From:** Chad Snell <[CSnell@enduringresources.com](mailto:CSnell@enduringresources.com)>  
**Sent:** Thursday, May 4, 2023 1:54 PM  
**To:** Wells, Shelly, EMNRD <[Shelly.Wells@emnrd.nm.gov](mailto:Shelly.Wells@emnrd.nm.gov)>  
**Subject:** RE: [EXTERNAL] Rincon Unit 123 BGT Closure Plan

Hey Shelly,

Sorry for the misdirection on this. I did some digging and can verify that there is not a 95bbl BGT on this location.

**From:** Wells, Shelly, EMNRD <[Shelly.Wells@emnrd.nm.gov](mailto:Shelly.Wells@emnrd.nm.gov)>  
**Sent:** Tuesday, April 25, 2023 11:29 AM  
**To:** Chad Snell <[CSnell@enduringresources.com](mailto:CSnell@enduringresources.com)>  
**Subject:** RE: [EXTERNAL] Rincon Unit 123 BGT Closure Plan

Hi Mr. Snell,

First off, going forward requests like this are supposed to be directed to the environmental permitting section of the OCD. I am currently the go-to on C-144 stuff, so they may directed to me. I wanted to get back with you regarding the BGT at Rincon Unit 123. In our records, on 4/13/2016 a 60 bbl BGT closure was approved. In that application, Chevron was going to pull the 60 bbl tank and replace it with a 95 bbl tank. A new application for the 95 bbl tank was never submitted to the OCD. OCD is requesting that Enduring Resources submits a new C-144 application w/closure plan before removing this BGT.

Thank you,

Shelly Wells

**Shelly Wells** \* Environmental Specialist-Advanced  
Administrative Permitting Program  
EMNRD-Oil Conservation Division  
1220 S. St. Francis Drive|Santa Fe, NM 87505

**From:** [Wells, Shelly, EMNRD](#)  
**To:** [Chad Snell](#)  
**Subject:** RE: [EXTERNAL] Rincon Unit 123 BGT Closure Plan  
**Date:** Monday, May 08, 2023 8:10:14 AM

---

Hi Chad,

You can send it to me and I will notate it in epermitting.

Thank you,

Shelly

**From:** Chad Snell <[CSnell@enduringresources.com](mailto:CSnell@enduringresources.com)>  
**Sent:** Monday, May 8, 2023 6:58 AM  
**To:** Wells, Shelly, EMNRD <[Shelly.Wells@emnrd.nm.gov](mailto:Shelly.Wells@emnrd.nm.gov)>  
**Subject:** RE: [EXTERNAL] Rincon Unit 123 BGT Closure Plan

Prefect, Thank you. Who do I send the notice to? Is it still to [ocd.enviro@state.nm.us](mailto:ocd.enviro@state.nm.us) or to someone directly? Just want to make sure notice is sent properly.

**From:** Wells, Shelly, EMNRD <[Shelly.Wells@emnrd.nm.gov](mailto:Shelly.Wells@emnrd.nm.gov)>  
**Sent:** Friday, May 05, 2023 10:38 AM  
**To:** Chad Snell <[CSnell@enduringresources.com](mailto:CSnell@enduringresources.com)>  
**Subject:** RE: [EXTERNAL] Rincon Unit 123 BGT Closure Plan

Okay well according to our records that tank's closure report was approved, so please just give OCD the 72 hour notice when you will be removing it.

Thanks,

Shelly

**From:** Chad Snell <[CSnell@enduringresources.com](mailto:CSnell@enduringresources.com)>  
**Sent:** Friday, May 5, 2023 10:32 AM  
**To:** Wells, Shelly, EMNRD <[Shelly.Wells@emnrd.nm.gov](mailto:Shelly.Wells@emnrd.nm.gov)>  
**Subject:** RE: [EXTERNAL] Rincon Unit 123 BGT Closure Plan

Yes we are looking at closing the 60 bbl tank that Chevron said they were going to. A 95 bbl tank was never installed due to the fact the fact the 60 bbl is still in place, if that makes sense.

Thanks

**From:** Wells, Shelly, EMNRD <[Shelly.Wells@emnrd.nm.gov](mailto:Shelly.Wells@emnrd.nm.gov)>  
**Sent:** Friday, May 05, 2023 9:06 AM



**From:** [Chad Snell](#)  
**To:** [Adelove, Abiodun A](#)  
**Cc:** [Heather Huntington](#)  
**Subject:** Rincon Unit #123 BGT Closure Notice  
**Date:** Wednesday, May 10, 2023 11:53:00 AM

---

Emmanuel,

I apologize I did not include you on the notice to close out the BGT at the Rincon unit 123. Closure activities will start tomorrow at 9:00am. Please let me know if you have any questions.

Thanks.

**From:** Chad Snell  
**Sent:** Monday, May 08, 2023 8:54 AM  
**To:** Wells, Shelly, EMNRD <Shelly.Wells@emnrd.nm.gov>  
**Cc:** Kyle Walter <KWalter@enduringresources.com>; Heather Huntington <Hhuntington@enduringresources.com>  
**Subject:** Rincon Unit #123 BGT Closure Notice

Good Morning,

Enduring Resources will be closing the BGT at the Rincon Unit #123 (**API:30-039-07037 SEC: 13, TWN: 27N, RGE: 7W, Rio Arriba County, NM**)

Closure activities will start at 9:00am on Thursday May 11<sup>th</sup> 2023.

Thanks.

Chad Snell  
HSE Lead  
Enduring Resources  
(505) 444-0586.



Enduring Resources, LLC  
BGT Closure Report  
Rincon Unit 123  
30-039-07037

PHOTO 1: BGT Before Closure Activities





Enduring Resources, LLC  
BGT Closure Report  
Rincon Unit 123  
30-039-07037

Photo 2: During Closure Activities







Enduring Resources, LLC  
BGT Closure Report  
Rincon Unit 123  
30-039-07037

Photo 3-7: After Removal During Sampling Activities







Enduring Resources, LLC  
BGT Closure Report  
Rincon Unit 123  
30-039-07037





Enduring Resources, LLC  
BGT Closure Report  
Rincon Unit 123  
30-039-07037







Enduring Resources, LLC  
BGT Closure Report  
Rincon Unit 123  
30-039-07037





Enduring Resources, LLC  
BGT Closure Report  
Rincon Unit 123  
30-039-07037

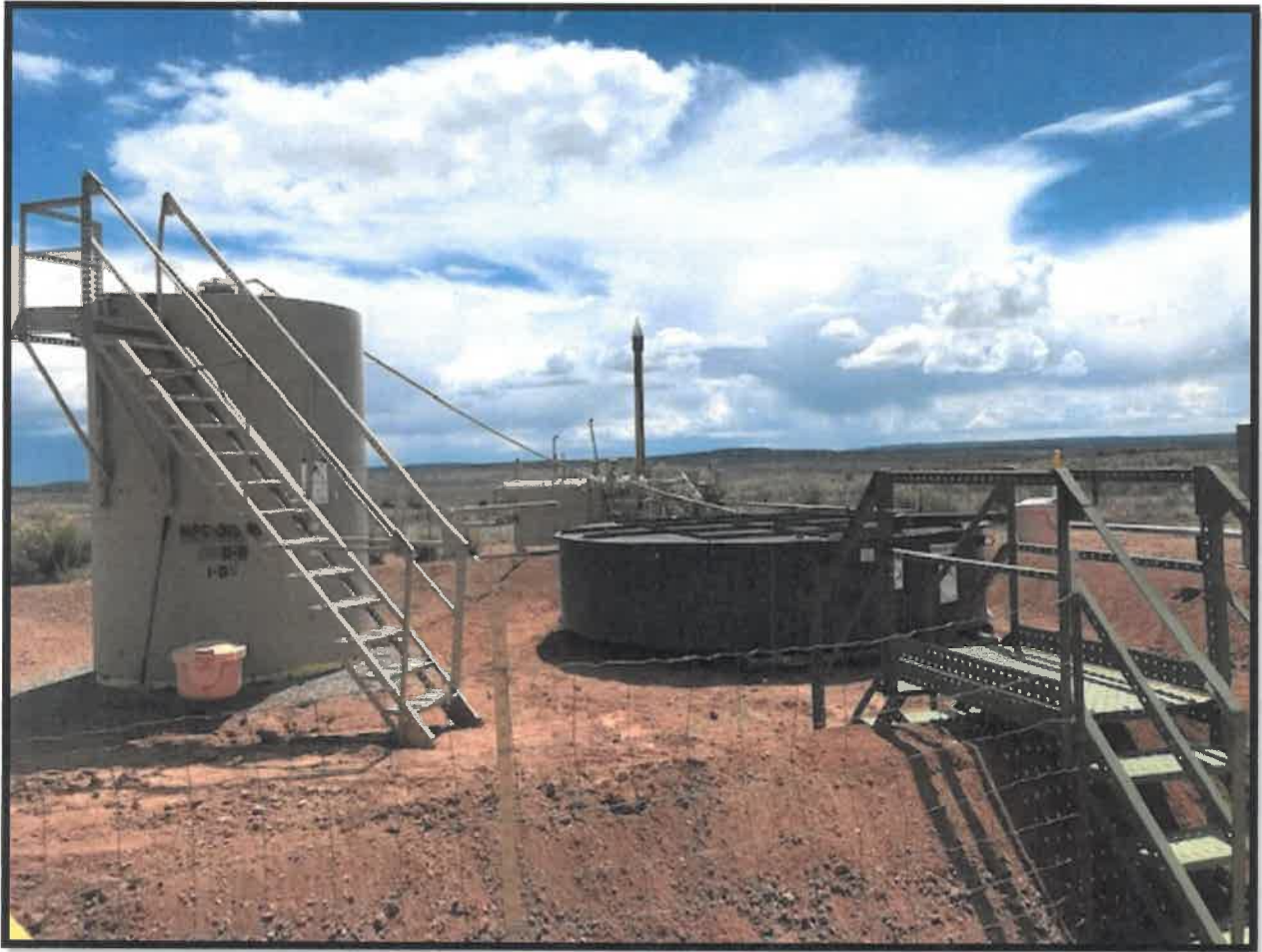






Enduring Resources, LLC  
BGT Closure Report  
Rincon Unit 123  
30-039-07037

Photo 8: Area Backfilled and AST in Place







Report to:  
Chad Snell



5796 U.S. Hwy 64  
Farmington, NM 87401

Phone: (505) 632-1881  
Envirotech-inc.com



# envirotech

*Practical Solutions for a Better Tomorrow*

## Analytical Report

Enduring Resources, LLC

Project Name: Rincon Unit #123

Work Order: E305073

Job Number: 17065-0017

Received: 5/11/2023

Revision: 1

Report Reviewed By:

Walter Hinchman  
Laboratory Director  
5/15/23

Envirotech Inc. certifies the test results meet all requirements of TNI unless noted otherwise.  
Statement of Data Authenticity: Envirotech Inc. attests the data reported has not been altered in any way.  
Partial or incomplete reproduction of this report is prohibited, unless approved by Envirotech Inc.  
Envirotech Inc. holds the Utah TNI certification NM00979 for data reported.  
Envirotech Inc. holds the Texas TNI certification T104704557 for data reported.

Date Reported: 5/15/23



Chad Snell  
6300 S Syracuse Way Suite 525  
Centennial, CO 80111

Project Name: Rincon Unit #123  
Workorder: E305073  
Date Received: 5/11/2023 3:12:00PM

Chad Snell,

Thank you for choosing Envirotech, Inc. as your analytical testing laboratory for the sample(s) received on, 5/11/2023 3:12:00PM, under the Project Name: Rincon Unit #123.

The analytical test results summarized in this report with the Project Name: Rincon Unit #123 apply to the individual samples collected, identified and submitted bearing the project name on the enclosed chain-of-custody. Subcontracted sample analyses not conducted by Envirotech, Inc., are attached in full as issued by the subcontract laboratory.

Please review the Chain-of-Custody (COC) and Sample Receipt Checklist (SRC) for any issues regarding sample receipt temperature, containers, preservation etc. To best understand your test results, review the entire report summarizing your sample data and the associated quality control batch data.

All reported data in this analytical report were analyzed according to the referenced method(s) and are in compliance with the latest NELAC/TNI standards, unless otherwise noted. Samples or analytical quality control parameters not meeting specific QC criteria are qualified with a data flag. Data flag definitions are located in the Notes and Definitions section of this analytical report.

If you have any questions concerning this report, please feel free to contact Envirotech, Inc.

Respectfully,

**Walter Hinchman**  
Laboratory Director  
Office: 505-632-1881  
Cell: 775-287-1762  
[whinchman@envirotech-inc.com](mailto:whinchman@envirotech-inc.com)

**Raina Schwanz**  
Laboratory Administrator  
Office: 505-632-1881  
[rainaschwanz@envirotech-inc.com](mailto:rainaschwanz@envirotech-inc.com)

**Alexa Michaels**  
Sample Custody Officer  
Office: 505-632-1881  
[labadmin@envirotech-inc.com](mailto:labadmin@envirotech-inc.com)

Field Offices:

**Southern New Mexico Area**  
**Lynn Jarboe**  
Technical Representative/Client Services  
Office: 505-421-LABS(5227)  
Cell: 505-320-4759  
[ljjarboe@envirotech-inc.com](mailto:ljjarboe@envirotech-inc.com)

**West Texas Midland/Odessa Area**  
**Rayny Hagan**  
Technical Representative  
Office: 505-421-LABS(5227)

Envirotech Web Address: [www.envirotech-inc.com](http://www.envirotech-inc.com)

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Sample Summary

Enduring Resources, LLC 6300 S Syracuse Way Suite 525 Centennial CO, 80111	Project Name: Rincon Unit #123 Project Number: 17065-0017 Project Manager: Chad Snell	Reported: 05/15/23 12:18
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Client Sample ID	Lab Sample ID	Matrix	Sampled	Received	Container
BGT Bottom	E305073-01A	Soil	05/11/23	05/11/23	Glass Jar, 4 oz.



## Sample Data

Enduring Resources, LLC  
6300 S Syracuse Way Suite 525  
Centennial CO, 80111

Project Name: Rincon Unit #123  
Project Number: 17065-0017  
Project Manager: Chad Snell

**Reported:**  
5/15/2023 12:18:59PM

### BGT Bottom

**E305073-01**

Analyte	Result	Reporting Limit	Dilution	Prepared	Analyzed	Notes
<b>Volatile Organics by EPA 8021B</b>						
	mg/kg	mg/kg	Analyst: IY		Batch: 2319063	
Benzene	ND	0.0250	1	05/11/23	05/12/23	
Ethylbenzene	ND	0.0250	1	05/11/23	05/12/23	
Toluene	ND	0.0250	1	05/11/23	05/12/23	
o-Xylene	ND	0.0250	1	05/11/23	05/12/23	
p,m-Xylene	ND	0.0500	1	05/11/23	05/12/23	
Total Xylenes	ND	0.0250	1	05/11/23	05/12/23	
Surrogate: 4-Bromochlorobenzene-PID	93.0 %	70-130		05/11/23	05/12/23	
<b>Nonhalogenated Organics by EPA 8015D - GRO</b>						
	mg/kg	mg/kg	Analyst: IY		Batch: 2319063	
Gasoline Range Organics (C6-C10)	ND	20.0	1	05/11/23	05/12/23	
Surrogate: 1-Chloro-4-fluorobenzene-FID	93.4 %	70-130		05/11/23	05/12/23	
<b>Nonhalogenated Organics by EPA 8015D - DRO/ORO</b>						
	mg/kg	mg/kg	Analyst: KM		Batch: 2319065	
Diesel Range Organics (C10-C28)	ND	25.0	1	05/12/23	05/12/23	
Oil Range Organics (C28-C36)	ND	50.0	1	05/12/23	05/12/23	
Surrogate: n-Nonane	64.0 %	50-200		05/12/23	05/12/23	
<b>Anions by EPA 300.0/9056A</b>						
	mg/kg	mg/kg	Analyst: RAS		Batch: 2319062	
Chloride	~ND	20.0	1	05/11/23	05/12/23	



## QC Summary Data

Enduring Resources, LLC  
6300 S Syracuse Way Suite 525  
Centennial CO, 80111

Project Name: Rincon Unit #123  
Project Number: 17065-0017  
Project Manager: Chad Snell

Reported:  
5/15/2023 12:18:59PM

### Volatile Organics by EPA 8021B

Analyst: IV

Analyte	Result mg/kg	Reporting Limit mg/kg	Spike Level mg/kg	Source Result mg/kg	Rec %	Rec Limits %	RPD %	RPD Limit %	Notes
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#### Blank (2319063-BLK1)

Prepared: 05/11/23 Analyzed: 05/12/23

Benzene	ND	0.0250							
Ethylbenzene	ND	0.0250							
Toluene	ND	0.0250							
o-Xylene	ND	0.0250							
p,m-Xylene	ND	0.0500							
Total Xylenes	ND	0.0250							
Surrogate: 4-Bromochlorobenzene-PID	7.59		8.00		94.8	70-130			

#### LCS (2319063-BS1)

Prepared: 05/11/23 Analyzed: 05/12/23

Benzene	4.70	0.0250	5.00		94.0	70-130			
Ethylbenzene	4.89	0.0250	5.00		97.8	70-130			
Toluene	4.98	0.0250	5.00		99.6	70-130			
o-Xylene	5.01	0.0250	5.00		100	70-130			
p,m-Xylene	9.96	0.0500	10.0		99.6	70-130			
Total Xylenes	15.0	0.0250	15.0		99.8	70-130			
Surrogate: 4-Bromochlorobenzene-PID	7.60		8.00		95.0	70-130			

#### Matrix Spike (2319063-MS1)

Source: E305073-01

Prepared: 05/11/23 Analyzed: 05/12/23

Benzene	4.69	0.0250	5.00	ND	93.7	54-133			
Ethylbenzene	4.91	0.0250	5.00	ND	98.2	61-133			
Toluene	4.97	0.0250	5.00	ND	99.4	61-130			
o-Xylene	5.02	0.0250	5.00	ND	100	63-131			
p,m-Xylene	9.97	0.0500	10.0	ND	99.7	63-131			
Total Xylenes	15.0	0.0250	15.0	ND	99.9	63-131			
Surrogate: 4-Bromochlorobenzene-PID	7.59		8.00		94.9	70-130			

#### Matrix Spike Dup (2319063-MSD1)

Source: E305073-01

Prepared: 05/11/23 Analyzed: 05/12/23

Benzene	4.92	0.0250	5.00	ND	98.4	54-133	4.88	20	
Ethylbenzene	5.14	0.0250	5.00	ND	103	61-133	4.57	20	
Toluene	5.21	0.0250	5.00	ND	104	61-130	4.75	20	
o-Xylene	5.27	0.0250	5.00	ND	105	63-131	4.94	20	
p,m-Xylene	10.4	0.0500	10.0	ND	104	63-131	4.65	20	
Total Xylenes	15.7	0.0250	15.0	ND	105	63-131	4.75	20	
Surrogate: 4-Bromochlorobenzene-PID	7.68		8.00		96.1	70-130			



# QC Summary Data

Enduring Resources, LLC  
6300 S Syracuse Way Suite 525  
Centennial CO, 80111

Project Name: Rincon Unit #123  
Project Number: 17065-0017  
Project Manager: Chad Snell

Reported:  
5/15/2023 12:18:59PM

## Nonhalogenated Organics by EPA 8015D - GRO

Analyst: IY

Analyte	Result mg/kg	Reporting Limit mg/kg	Spike Level mg/kg	Source Result mg/kg	Rec %	Rec Limits %	RPD %	RPD Limit %	Notes
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### Blank (2319063-BLK1)

Prepared: 05/11/23 Analyzed: 05/12/23

Gasoline Range Organics (C6-C10)	ND	20.0							
Surrogate: 1-Chloro-4-fluorobenzene-FID	7.65		8.00		95.6	70-130			

### LCS (2319063-BS2)

Prepared: 05/11/23 Analyzed: 05/12/23

Gasoline Range Organics (C6-C10)	49.3	20.0	50.0		98.7	70-130			
Surrogate: 1-Chloro-4-fluorobenzene-FID	7.68		8.00		96.0	70-130			

### Matrix Spike (2319063-MS2)

Source: E305073-01

Prepared: 05/11/23 Analyzed: 05/12/23

Gasoline Range Organics (C6-C10)	53.3	20.0	50.0	ND	107	70-130			
Surrogate: 1-Chloro-4-fluorobenzene-FID	7.61		8.00		95.2	70-130			

### Matrix Spike Dup (2319063-MSD2)

Source: E305073-01

Prepared: 05/11/23 Analyzed: 05/12/23

Gasoline Range Organics (C6-C10)	49.0	20.0	50.0	ND	98.0	70-130	8.38	20	
Surrogate: 1-Chloro-4-fluorobenzene-FID	7.62		8.00		95.3	70-130			



## QC Summary Data

Enduring Resources, LLC  
6300 S Syracuse Way Suite 525  
Centennial CO, 80111

Project Name: Rincon Unit #123  
Project Number: 17065-0017  
Project Manager: Chad Snell

Reported:  
5/15/2023 12:18:59PM

### Nonhalogenated Organics by EPA 8015D - DRO/ORO

Analyst: KM

Analyte	Result mg/kg	Reporting Limit mg/kg	Spike Level mg/kg	Source Result mg/kg	Rec %	Rec Limits %	RPD %	RPD Limit %	Notes
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#### Blank (2319065-BLK1)

Prepared: 05/12/23 Analyzed: 05/12/23

Diesel Range Organics (C10-C28)	ND	25.0							
Oil Range Organics (C28-C36)	ND	50.0							
Surrogate: n-Nonane	44.6		50.0		89.2	50-200			

#### LCS (2319065-BS1)

Prepared: 05/12/23 Analyzed: 05/12/23

Diesel Range Organics (C10-C28)	249	25.0	250		99.6	38-132			
Surrogate: n-Nonane	42.4		50.0		84.8	50-200			

#### Matrix Spike (2319065-MS1)

Source: E305074-03

Prepared: 05/12/23 Analyzed: 05/12/23

Diesel Range Organics (C10-C28)	275	25.0	250	ND	110	38-132			
Surrogate: n-Nonane	41.3		50.0		82.6	50-200			

#### Matrix Spike Dup (2319065-MSD1)

Source: E305074-03

Prepared: 05/12/23 Analyzed: 05/12/23

Diesel Range Organics (C10-C28)	277	25.0	250	ND	111	38-132	0.794	20	
Surrogate: n-Nonane	40.0		50.0		79.9	50-200			



QC Summary Data

Enduring Resources, LLC 6300 S Syracuse Way Suite 525 Centennial CO, 80111	Project Name: Rincon Unit #123 Project Number: 17065-0017 Project Manager: Chad Snell	Reported: 5/15/2023 12:18:59PM
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Anions by EPA 300.0/9056A								Analyst: RAS	
Analyte	Result mg/kg	Reporting Limit mg/kg	Spike Level mg/kg	Source Result mg/kg	Rec %	Rec Limits %	RPD %	RPD Limit %	Notes

Blank (2319062-BLK1)						Prepared: 05/11/23 Analyzed: 05/12/23			
Chloride	ND	20.0							
LCS (2319062-BS1)						Prepared: 05/11/23 Analyzed: 05/12/23			
Chloride	248	20.0	250		99.3	90-110			
LCS Dup (2319062-BSD1)						Prepared: 05/11/23 Analyzed: 05/12/23			
Chloride	247	20.0	250		99.0	90-110	0.350	20	

QC Summary Report Comment:  
Calculations are based off of the raw (non-rounded) data. However, for reporting purposes all QC data is rounded to three significant figures.  
Therefore, hand calculated values may differ slightly.



## Definitions and Notes

Enduring Resources, LLC  
6300 S Syracuse Way Suite 525  
Centennial CO, 80111

Project Name: Rincon Unit #123  
Project Number: 17065-0017  
Project Manager: Chad Snell

**Reported:**  
05/15/23 12:18

ND Analyte NOT DETECTED at or above the reporting limit

NR Not Reported

RPD Relative Percent Difference

DNI Did Not Ignite

Note (1): Methods marked with \*\* are non-accredited methods.

Note (2): Soil data is reported on an "as received" weight basis, unless reported otherwise.





Page 42 of 43  
Received by OCD: 5/25/2023 3:08:04 PM  
Released to Imaging: 5/26/2023 10:58:14 AM

# Envirotech Analytical Laboratory

Printed: 5/11/2023 3:17:28PM

## Sample Receipt Checklist (SRC)

Instructions: Please take note of any NO checkmarks.

If we receive no response concerning these items within 24 hours of the date of this notice, all the samples will be analyzed as requested.

Client:	Enduring Resources, LLC	Date Received:	05/11/23 15:12	Work Order ID:	E305073
Phone:	(303) 573-1222	Date Logged In:	05/11/23 15:15	Logged In By:	Caitlin Mars
Email:	csnell@EnduringResources.com	Due Date:	05/12/23 17:00 (1 day TAT)		

### Chain of Custody (COC)

1. Does the sample ID match the COC? Yes
2. Does the number of samples per sampling site location match the COC? Yes
3. Were samples dropped off by client or carrier? Yes
4. Was the COC complete, i.e., signatures, dates/times, requested analyses? Yes
5. Were all samples received within holding time? Yes

Note: Analysis, such as pH which should be conducted in the field, i.e., 15 minute hold time, are not included in this discussion.

Carrier: Chad Snell

### Comments/Resolution

### Sample Turn Around Time (TAT)

6. Did the COC indicate standard TAT, or Expedited TAT? Yes

### Sample Cooler

7. Was a sample cooler received? Yes
8. If yes, was cooler received in good condition? Yes
9. Was the sample(s) received intact, i.e., not broken? No
10. Were custody/security seals present? No
11. If yes, were custody/security seals intact? NA
12. Was the sample received on ice? If yes, the recorded temp is 4°C, i.e., 6±2°C? Yes

Note: Thermal preservation is not required, if samples are received w/i 15 minutes of sampling

13. If no visible ice, record the temperature. Actual sample temperature: 4°C

### Sample Container

14. Are aqueous VOC samples present? No
15. Are VOC samples collected in VOA Vials? NA
16. Is the head space less than 6-8 mm (pea sized or less)? NA
17. Was a trip blank (TB) included for VOC analyses? NA
18. Are non-VOC samples collected in the correct containers? Yes
19. Is the appropriate volume/weight or number of sample containers collected? Yes

### Field Label

20. Were field sample labels filled out with the minimum information:  
Sample ID? Yes  
Date/Time Collected? Yes  
Collectors name? Yes

### Sample Preservation

21. Does the COC or field labels indicate the samples were preserved? No
22. Are sample(s) correctly preserved? NA
24. Is lab filtration required and/or requested for dissolved metals? No

### Multiphase Sample Matrix

26. Does the sample have more than one phase, i.e., multiphase? No
27. If yes, does the COC specify which phase(s) is to be analyzed? NA

### Subcontract Laboratory

28. Are samples required to get sent to a subcontract laboratory? No
29. Was a subcontract laboratory specified by the client and if so who? NA Subcontract Lab: na

### Client Instruction

Signature of client authorizing changes to the COC or sample disposition.

Date



envirotech Inc.

**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

CONDITIONS

Action 220829

CONDITIONS

Operator: ENDURING RESOURCES, LLC 6300 S Syracuse Way, Suite 525 Centennial, CO 80111	OGRID: 372286
	Action Number: 220829
	Action Type: [C-144] Below Grade Tank Plan (C-144B)

CONDITIONS

Created By	Condition	Condition Date
scwells	None	5/26/2023