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 October 11, 2022

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

BGT1

Type of action:
- ☐ Below grade tank registration
- ☐ Permit of a pit or proposed alternative method
- ☑ 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: CROSS TIMBERS ENERGY, LLC OGRID #: 298299
Address: 400 W 7TH STREET, FORT WORTH, TX 76102 Facility or well name: BREECH A #204
API Number: 30-039-06550 OCD Permit Number: _____ U/L or Qtr/Qtr P Section 9 Township 26N Range 6W County: RIO ARRIBA
Center of Proposed Design: ☐ Latitude _____ ☐ 36.49665 Longitude -107.46638 NAD83
Surface Owner: X 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: 9 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_____

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 300feet 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_2S, 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. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☑ No ☐ NA
Ground water is between 25-50 feet below the bottom of the buried waste - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☐ Yes ☑ No ☐ NA
Ground water is more than 100 feet below the bottom of the buried waste. - NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	☑ Yes ☐ No ☐ 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). - 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 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. - NM Office of the State Engineer - iWATERS database; Visual inspection (certification) of the proposed site	☐ Yes ☑ No
Written confirmation or verification from the municipality; Written approval obtained from the municipality	☐ 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
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): SAMANNTHA AVARELLO Title: EHS COORDINATOR

Signature: Samanntha Avarello Date: 06/26/2024

e-mail address: savarello@txopartners.com Telephone: 817-334-7747

18.
OCD Approval: ☐ Permit Application (including closure plan) ☑ Closure Plan (only) ☐ OCD Conditions (see attachment)

OCD Representative Signature: _____ **Approval Date:** 06/26/2024

Title: Environmental Specailist 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:**_____

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): _____ Title: _____

Signature:_____ Date: _____

e-mail address:_____ Telephone: _____

6/21/2024

Re: Variance Request for 19.15.17 NMAC Table I and II

To whom it may concern,

Please accept this letter as a variance request as outlined in 19.15.17.15(A) NMAC. Cross Timbers Energy, LLC (CTE) would like to request the replacement of USEPA Method 418.1 for the analysis of Total Petroleum Hydrocarbons (TPH) for USEPA Method 8015D(M), measuring carbon ranges of C6-36, for all sampling associated with BGT closures and confirmation samples in relation to 19.15.17 NMAC both in Table I and Table II. CTE 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 C8 – C40 (Reference: American Petroleum Institute).

The table below demonstrates the carbon ranges, and the typical hydrocarbon products that can be found within those ranges. As you can see, lube oil ranges from C28-C35. Analytical Method 418.1 extends past lube oils from C35 to C40. This range of hydrocarbons is above the range of hydrocarbons that can reasonably be expected to be found in both drilling pits and below grade tanks. USEPA Method 8015D(M) (GRO+DRO+MRO) will report hydrocarbons ranging from C6-10 for GRO, C10-28 for DRO, and C28-36 for MRO. The 8015D(M) analytical method reports carbon ranges as low as C6, reporting lower than USEPA Methods 418.1. Utilizing USEPA Method 8105D(M), lighter range hydrocarbons will be reported instead of higher range, heavier hydrocarbons which may not be reasonably expected to be found in our field. Utilizing USEPA Method 8015D(M), lighter range hydrocarbons will be reported instead of higher range, heavy hydrocarbons that may not be expected to be found in our field in the San Juan Basin. The use of USEPA Method 8015D(M) will provide better protection of groundwater resources by identifying lighter, more mobile hydrocarbons that USEPA Method 418.1 would not identify. The heavier range hydrocarbons (C36-40), that are not identified by USEPA Method 8015D(M) are not a mobile form of hydrocarbons and are not a threat to human health and the environment. With acceptance of this variance, CTE will utilize USEPA Method 8015D(M) in leu of USEPA Method 418.1 regarding all BGT closures.

Respectfully submitted,

James McDaniel

Signature

Carbon Ranges of Typical Hydrocarbons

Condensate	**C2 - C12**
Aromatics	**C5 - C7**
Gasoline	**C7 – C11**
Kerosene	**C6 – C16**
Diesel Fuel	**C8 – C21**
Fuel Oil	**C9 - C20**
Heating Oil	**C14 – C20**
Lube Oil	**C28 – C35**

Drawn By: James McDaniel
Date: 6/21/2024

JAKD SOLUTIONS

AERIAL MAP

Company: **Cross Timbers Energy, LLC**
Facility: **Breech A #204**
API: **30-039-06550**
Section **9,** Township **26N,** Range **6W**
Rio Arriba, New Mexico
GPS: **36.49665,-107.46638**
Source: **Google Earth ()**

LEGEND

Cross Timbers Energy, LLC
Below Grade Tank
Closure Plan

Lease Name: Breech A #204
API No.: 30-039-06550
Description: Unit P, Section 9, Township 26N, Range 6W, Rio Arriba County

In accordance with Rule 19.15.17.13 NMAC the following information describes the closure plan for the below grade tank at this location.

General Plan

1. CTE will obtain approval of this closure plan prior to commencing closure of the below grade tank (BGT) at this location pursuant to 19.15.17.13.C(1)

2. CTE will notify the surface owner by certified mail, return receipt requested, that the operator plans closure operations at least 72 hours, but no more than one week, prior to any closure operations. Notice will include:
   a. Well Name
   b. Well API
   c. Well Location
   *CTE will notify government agencies by email of closure activities

3. CTE will notify the Aztec Office of the NMOCD by email that the operator plans closure operations at least 72 hours, but no more than one week, prior to beginning closure activities at this location. Notice will include:
   a. Well Name
   b. Well API
   c. Well Location

4. Within 60 days of cessation of operations, CTE will remove all liquids and sludge from the BGT prior to implementing closure activities and will dispose of the liquids and sludge at a division approved facility. Approved facilities and waste streams include:
   a. Soils, tank bottoms, produced sands, pit sludge and other exempt wastes impacted by petroleum hydrocarbons will be disposed of at:
   Envirotech: Permit #NM01-0011
   b. Produced water will be disposed of at:
   Basin disposal: Permit #NM01-005, Agua Moss: Permit #NM-009, or CTE owned disposal wells.

5. Within six (6) months of cessation of operations, CTE will remove the BGT and dispose of it at a division approved facility, or recycle, reuse or reclaim it in a manner that the appropriate district office approves. If there is any equipment associated with the BGT, CTE will remove the equipment, unless it is required on-site for some other purpose.

6. CTE will collect a closure sample of the soil beneath the location of the BGT that is being closed. The closure sample will consist of a 5-point composite sample to include any obvious stained

or wet soils, or other evidence of contamination. The closure sample will be analyzed for all constituents listed in table 1 below, including TPH (C-6-36), benzene, BTEX and chlorides.

Table I - Closure Criteria for Soils Beneath Below-Grade Tanks			
Depth below bottom of BGT to groundwater less than 10,000 mg/l TDS	**Constituent**	**Method**	**Limit**
< or equal to 50 feet	Chloride	EPA 300.0	600 mg/kg
	TPH	EPA Method 8015M	100 mg/kg
	BTEX	EPA Method 8021B	50 mg/kg
	Benzene	EPA Method 8021B	10 mg/kg
51 - 100 feet	Chloride	EPA 300.0	10,000 mg/kg
	TPH	EPA Method 8015M	2,500 mg/kg
	GRO + DRO	EPA Method 8015M	1,000 mg/kg
	BTEX	EPA Method 8021B	50 mg/kg
	Benzene	EPA Method 8021B	10 mg/kg
> 100 feet	Chloride	EPA 300.0	20,000 mg/kg
	TPH	EPA Method 8015M	2,500 mg/kg
	GRO + DRO	EPA Method 8015M	1,000 mg/kg
	BTEX	EPA Method 8021B	50 mg/kg
	Benzene	EPA Method 8021B	10 mg/kg

7. CTE will closure this BGT based on the requirements for groundwater over 100 feet below the bottom of the BGT

8. If any contaminant concentration is greater than the parameters listed in Table I above, additional delineation may be required based on review of the results. CTE will receive division approval before proceeding with additional closure activities. If all contaminant concentrations are less than, or equal to, the parameters listed in Table I, CTE will proceed with backfill of non-waste containing, uncontaminated earthen material.

9. After closure has occurred, CTE will reclaim the former BGT closure area, if it is no longer being used for the continued extraction of oil and gas, by substantially restoring the surface area to the condition that existed prior to oil and gas operations. CTE will construct the soil cover to the site's existing grade and prevent ponding of water and erosion of the cover material. The soil cover shall consist of the background thickness of topsoil, or one foot of suitable materials to establish vegetation in the reclaimed area, whichever is greater. The area will be reclaimed as early as practicable, and as close to their original condition or land use as possible. They shall be maintained in such a way as to control dust and minimize erosion.

10. CTE will complete reclamation in accordance with the requirements listed in NMAC 19.15.;17.13.H(5).
    a. CTE will reclaim all areas disturbed by the closure of the below grade tank, except areas reasonably needed for production operations or subsequent drilling operations. The areas will be reclaimed as early as possible, and as nearly practicable to their original condition or their final land use.
    b. CTE will ensure that top soils and subsoils are replaced to their original relative positions and contoured so as to achieve erosion control, long term stability, and preservation of surface water flow patterns. The reclaimed area shall then be re-seeded in the first favorable growing season following closure of the BGT.
    c. CTE will consider reclamation of disturbed areas no longer in use complete when all ground surface disturbance activities have been completed, and uniform vegetative cover has been established that reflects a life-form ratio of plus or minus fifty percent (50%) of pre-disturbance levels and a total percent plant cover of at least seventy percent (70%) of pre-disturbed levels, excluding noxious weeds.
    d. Re-vegetation and reclamation obligations imposed by other applicable federal, state or tribal agencies on lands managed by those agencies shall supersede these provisions and govern the obligation of CE subject to those provides, provided that the other requirements provide equal or better protection of fresh water, human health and the environment.
    e. CTE will notify the division when reclamation and revegetation activities have been completed.

11. CTE will submit a closure report detailing closure activities within 60 days of the closure of the BGT. The closure report will be filed on form C-144, and will conclude:
    a. Proof of closure notifications
    b. Confirmation sampling analytical results
    c. Soil backfill and cover installations
    d. Photo documentation of the site reclamation
    e. Alternative Table I groundwater criteria requests, groundwater information, and received approval (where needed)

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 357878

CONDITIONS

Operator: CROSS TIMBERS ENERGY, LLC 400 West 7th Street Fort Worth, TX 76102	OGRID: 298299
	Action Number: 357878
	Action Type: [C-144] Below Grade Tank Plan (C-144B)

CONDITIONS

Created By	Condition	Condition Date
joseph.kennedy	None	6/26/2024