



# AE Order Number Banner

## Report Description

This report shows an AE Order Number in Barcode format for purposes of scanning. The Barcode format is Code 39.



**App Number:** pLWJ1020430895

**1RP - 2509**

**DEVON ENERGY PRODUCTION CO.,L.P.**



Approved by:  
Jeffrey Baker  
Environmental Engineer  
NMOCD - Hobbs  
01/06/11

PR-139

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**Remediation Protocol  
Devon Energy Tomcat 21  
Brine Release**

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**1.0 Purpose**

This protocol is to provide a detailed outline of the steps to be employed in the remediation of a brine and hydrocarbon affected area in Lea County, New Mexico.

**2.0 Scope**

This protocol is site specific for the above project.

**3.0 Preliminary**

Prior to any field operations, Whole Earth Environmental shall conduct the following activities:

**3.1 Client Review**

- 3.1.1 Whole Earth shall meet with appointed personnel within Devon to review this protocol and make any requested modifications or alterations.
- 3.1.2 Changes to this protocol will be documented and submitted for final review by Devon prior to the initiation of actual fieldwork.
- 3.1.3 Upon client approval, this protocol and supporting documentation will be submitted to the Hobbs district of the NMOCD and the Carlsbad District of the USBLM for approval.

**4.0 Safety**

- 4.1 Prior to work on the site, Whole Earth shall obtain the location and phone numbers of the nearest emergency medical treatment facility. We will review all safety related issues with the appropriate Devon personnel, sub-contractors and exchange phone numbers.
- 4.2 A tailgate safety meeting shall be held and documented each day. All sub-contractors must attend and sign the daily log-in sheet.
- 4.3 Anyone allowed on to location must be wearing sleeved shirts, steel toed boots, hardhats, safety glasses and long pants. Each vehicle must be equipped with two way communication capabilities.

**5.0 Remediation Procedure**

- 5.1 The areas identified in the support documentation as the Source and Puddles A and B shall be excavated to a minimum depth of four feet below ground surface with all excavated soils being sent to a licensed commercial disposal facility. Manifest of all materials sent to commercial disposal shall be maintained and submitted as part of the final closure report.
- 5.2 A geotextile bentonite liner will be placed at the bottom of the excavations and covered with topsoils to a sufficient elevation to match background contours.
- 5.3 Puddle area D lies directly atop an EOG high pressure pipeline. We propose to carefully excavate the affected area to a depth sufficient to insert the bentonite liner directly beneath the pipeline in short (5' maximum) sections regardless of depth below ground.
- 5.4 The remainder of the sites shall be excavated similarly to puddle areas A-C except that the excavation depths may be made shallower with the adjacent hillocks used to bring the surface elevations of materials above the liner to a minimum depth of 4' below ground level.

**6.0 Site Restoration Procedure**

- 6.1 The affected areas shall be contoured to minimize erosion and seeded with an approved BLM seed mixture.

**7.0 Closure Report**

At the conclusion of the project, Whole Earth shall prepare a closure report which contains the following minimum information:

- Photographs of the location prior to remediation
- Photographs of all excavations at the point of maximum soil removal
- Photographs of the location at time of final closure
- All pre-closure contaminant concentrations
- Copies of this protocol and all testing procedures
- Manifests of all materials sent to commercial disposal



JAN 01 2011

OPERATOR'S COPY

Number PE001

Page 1 of 1

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ARTESIA, N.M.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

## NOTICE OF WRITTEN ORDER

IDENTIFICATION	
ID	
Lease	NMNMB6153
CA	
Unit	
PA	

Bureau of Land Management Office		Operator					
HOBBS INSPECTION OFFICE		DEVON ENERGY PRODUCTION CO LP					
Address 414 WEST TAYLOR HOBBS NM 88240		Address 20 NORTH BROADWAY, SUITE 1500 OKLAHOMA CITY OK 73102					
Telephone 575.393.3612		Attention					
Inspector EVANS		Attn Addr					
Site Name TOMCAT FED 21	Well or Facility 01	1/4 1/4 Section SE NW 21	Township 23S	Range 32E	Meridian NMP	County LEA	State NM
Site Name	Well or Facility	1/4 1/4 Section	Township	Range	Meridian	County	State
Site Name	Well or Facility	1/4 1/4 Section	Township	Range	Meridian	County	State

The following condition(s) were found by Bureau of Land Management Inspectors on the date and at the site(s) listed above.

Date	Time (24-hour clock)	Corrective Action to be Completed by	Date Corrected	Authority Reference
12/27/2010	05:45	01/31/2011		43 CFR 3162.1a, 43 CFR 3162.5-1

## Remarks:

Work is to begin on the two spills known as the Tomcat 21 Brine Release #1, Section 21 E SE NW, W SE NE, Township 23 South, Range 32 East, and the Tomcat 21 Brine Release #2, Section 21 NE SW NE, Township 23 South, Range 32 East. Work is to begin within thirty days of receipt of this Written Order. (SEE ATTACHED WORK PLANS) If you have any questions or need any assistance call Paul R Evans at (575)234-5977 or (575) 361-7548.

When the Written Order is complied with, sign this notice and return to above address.

Company Representative Title \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_  
Company Comments \_\_\_\_\_


## Warning

The Authorized Officer has authority to issue a Written Order in accordance with 43 CFR 3161.2. Written Order correction and reporting time frames begin upon receipt of this Notice or 7 business days after the date it is mailed, whichever is earlier. Each stipulation must be corrected within the prescribed time from receipt of this Notice and reported to the Bureau of Land Management Office at the address shown above. If you do not comply as noted above under "Corrective Action to be Completed By", you shall be issued an Incident of Noncompliance (INC) in accordance with 43 CFR 3163.1(a). Failure to comply with the INC may result in assessments as outlined in 43 CFR 3163.1 and may also incur civil penalties (43 CFR 3163.2). All self-certified corrections must be postmarked no later than the next business day after the prescribed time frame for correction.

Section 109(d)(1) of the Federal Oil and Gas Royalty Management Act of 1982, as implemented by the applicable provisions of the operating regulations at Title 43 CFR 3163.2(f)(1), provides that any person who "knowingly or willfully" prepares, maintains, or submits false, inaccurate, or misleading reports, notices, affidavits, records, data or other written information required by this part shall be liable for a civil penalty of up to \$25,000 per violation for each day such violation continues, not to exceed a maximum of 20 days.

## Review and Appeal Rights

A person contesting a decision shall request a State Director review of the Written Order. This request must be filed within 20 working days of receipt of the Notice with the appropriate State Director (see 43 CFR 3165.3). The State Director review decision may be appealed to the Interior Board of Land Appeals, 801 North Quincy Street, Suite 300, Arlington, VA 22203 (see 43 CFR 3165.4). Contact the above listed Bureau of Land Management office for further information.

Signature of BLM Authorized Officer	Date	Time
	12/27/10	0635

## FOR OFFICE USE ONLY

Number	Date	Type of Inspection
3		ES

cc: Don Mayberry

Approved by:  
Jeffrey Labine  
environmental engineer  
NMOCB-Hobbs  
01/06/11



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Carlsbad Field Office  
620 E. Greene St.  
Carlsbad, NM 88220-6292



Certified Mail Return Receipt Requested:  
70083230000209873840

07/14/10

Devon Energy Corporation  
ATTN: Darren Smith  
20 North Broadway  
Oklahoma City, Oklahoma 73102-8260

RE: Devon Energy, Tomcat 21 Brine Release  
T 23S., R. 32 E., NMPM  
sec. 21: NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$   
Lea County, New Mexico

Mr. Darren Smith:

The Bureau of Land Management (BLM) has reviewed the Work Plan that was submitted for the Devon Energy Tomcat 21 Brine Release #2. The proposal is **hereby approved** (This approval is for release site #2 only) according to the information provided, with the following changes and stipulations.

- (1) BLM or NMOCD must witness all future sampling.
- (2) BLM and NMOCD must be given a copy of all haul tickets for the contaminated soils that are removed from the above locations.
- (3) BLM must witness the reseeded of all areas disturbed by the work in the approved work plan.
- (4) Devon Energy must give BLM and NMOCD at least 3 working days notice before each and all the above actions are done.
- (5) All excavation work will be at a level depth of four feet and not follow the hillocks or to topography of surrounding area. These areas then will be back filled with caliche or like material for the first two feet and then folding in sands and soils from the surrounding area.
- (6) There will be no amendments or chemicals introduced to this area or any other federal surfaces that are part of this release. Devon Energy will remove all contaminated soils, and then place the bentonite mat before back filling. The placing of all bentonite matting must be witnessed by BLM, and BLM must be given 3 working days notice before work begins.

**NOTE: This work plan is subject to like approval by NMOCD Hobbs Office.**

Please be advised that BLM approval does not relieve Devon Energy Corporation of any liability should operations result in pollution of surface water, ground water, or the environment. In addition, BLM approval does not relieve Devon Energy Corporation of responsibility for compliance with other federal, state or local laws and/or regulations.

If you have any questions or need any assistance call (575) 234-5977 (575) 361-7548 or E-Mail:  
[Paul\\_Evans@nm.blm.gov](mailto:Paul_Evans@nm.blm.gov)

Sincerely,  
Paul R. Evans

A handwritten signature in dark ink, appearing to read "Paul Evans", written over the printed name.

Bureau of Land Management  
Environmental Protection Specialist

cc: Larry Johnson NMOCD Hobbs Office



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Carlsbad Field Office  
620 E. Greene St.  
Carlsbad, NM 88220-6292



Certified Mail Return Receipt Requested:  
70083230000209873840

07/14/10

Devon Energy Corporation  
ATT. Darren Smith  
20 North Broadway  
Oklahoma City, Oklahoma 73102-8260

RE Devon Energy. Tomcat 21 Brine Release  
T 23S., R. 32 E. NMPM  
sec. 21 E $\frac{1}{2}$ SE $\frac{1}{4}$ NM $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
Lea County, New Mexico

Mr. Darren Smith:

The Bureau of Land Management (BLM) has reviewed the Work Plan that was submitted for the Devon Energy Tomcat 21 Brine Release #1. The proposal is **hereby approved** (This approval is for release site #1 only) according to the information provided, with the following changes and stipulations.

- (1) BLM or NMOCD must witness all future sampling.
- (2) BLM and NMOCD must be given a copy of all haul tickets for the contaminated soils that are removed from the above locations.
- (3) BLM must witness the reseedling of all areas disturbed by the work in the approved work plan
- (4) Devon Energy must give BLM and NMOCD at least 3 working days notice before each and all the above actions are done.
- (5) All excavation work will be at a level depth of four feet and not follow the hillocks or to topography of surrounding area. These areas then will be back filled with caliche or like material for the first two feet and then folding in sands and soils from the surrounding area
- (6) At puddle "D" which lies directly atop an EOG high pressure poly pipeline there will be no amendments or chemicals introduced to this area or any other federal surfaces that are part of this release. Devon Energy will remove all contaminated soils exposing this line, and then place the bentonite mat up to the bottom of this pipeline. The placing of all bentonite matting must be witnessed by BLM, and BLM must be given 3 working days notice before work begins.

**NOTE: This work plan is subject to like approval by NMOCD Hobbs Office.**

Please be advised that BLM approval does not relieve Devon Energy Corporation of any liability should operations result in pollution of surface water, ground water, or the environment. In

addition, BLM approval does not relieve Devon Energy Corporation of responsibility for compliance with other federal, state or local laws and/or regulations.

If you have any questions or need any assistance call (575) 234-5977 (575) 361-7548 or E-Mail: [Paul\\_Evans@nm.blm.gov](mailto:Paul_Evans@nm.blm.gov)

Sincerely,  
Paul R. Evans

A handwritten signature in dark ink, appearing to read "Paul Evans", written over the printed name.

Bureau of Land Management  
Environmental Protection Specialist

cc: Larry Johnson NMOCD Hobbs Office

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
CARLSBAD FIELD OFFICE  
320 GREENE STREET  
CARLSBAD, NEW MEXICO 88220

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300



7010 1670 0003 5225 7156

12/29

DEVON ENERGY PRODUCTION CO LP  
ATT: DON MAYBERRY  
PO BOX 250  
ARTESIA NM 88210