

# NM OIL CONSERVATION

ARTESIA DISTRICT

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

AUG 29 2017

Form C-141  
Revised April 3, 2017

Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

RECEIVED

Submit Copy to appropriate District Office in accordance with 19.15.29 NMAC.

## Release Notification and Corrective Action

**NAB1724955558**

OPERATOR

☒ Initial Report ☐ Final Report

Name of Company	Mesquite SWD, Inc. <b>161408</b>	Contact	Riley Neatherlin
Address	PO Box 1479, Carlsbad, NM 88220	Telephone No.	575-706-7288
Facility Name	Big Eddy SWD #1	Facility Type	Salt Water Disposal

Surface Owner	BLM	Mineral Owner	BLM	API No.	30-015-05819
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## LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
C	3	20S	31E	660	South	660	East	Eddy

Latitude 32.695174 Longitude -103.960563 NAD83

## NATURE OF RELEASE

Type of Release	Produced water spill	Volume of Release +/- 60 bbls	Volume Recovered	None
Source of Release	Ruptured poly line	Date and Hour of Occurrence	Date and Hour of Discovery	
		8/17/17 unknown hour	8/17/17 9:00 am	
Was Immediate Notice Given?	If YES, To Whom?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Required				
By Whom?	Date and Hour			
Was a Watercourse Reached?	If YES, Volume Impacting the Watercourse.			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				

If a Watercourse was Impacted, Describe Fully.\*

Describe Cause of Problem and Remedial Action Taken.\*  
Hole in poly line. No remedial action has been taken

Describe Area Affected and Cleanup Action Taken.\*

Area affected - 2' wide x 300' long strip of sandy desert. Produced water ran down a natural ravine. No pooling. No cleanup action has been taken yet. Will excavate contaminated soil. Soil samples will be taken by a third party contractor. Will remediate to natural terrain to best of our ability.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD 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 NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD 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.

## OIL CONSERVATION DIVISION

Signature: *Melanie J. Wilson*

Printed Name: Melanie Wilson

Title: Regulatory Analyst

E-mail Address: mjp1692@gmail.com

Date: 08/29/17 Phone: 575-914-1461

Approved by Environmental Specialist:

Approval Date: 9/10/17

Expiration Date: N/A

Conditions of Approval:

see attached

Attached:

2RP-4370

\* Attach Additional Sheets If Necessary

8/31/17 AB

Operator/Responsible Party,

The OCD has received the form C-141 you provided on **8/29/17** regarding an unauthorized release. The information contained on that form has been entered into our incident database and remediation case number 2RP-437D has been assigned. **Please refer to this case number in all future correspondence.**

It is the Division's obligation under both the Oil & Gas Act and Water Quality Act to provide for the protection of public health and the environment. Our regulations (19.15.29.11 NMAC) state the following,

*The responsible person shall complete division-approved corrective action for releases that endanger public health or the environment. The responsible person shall address releases in accordance with a remediation plan submitted to and approved by the division or with an abatement plan submitted in accordance with 19.15.30 NMAC. [emphasis added]*

Release characterization is the first phase of corrective action unless the release is ongoing or is of limited volume and all impacts can be immediately addressed. Proper and cost-effective remediation typically cannot occur without adequate characterization of the impacts of any release. Furthermore, the Division has the ability to impose reasonable conditions upon the efforts it oversees. **As such, the Division is requiring a workplan for the characterization of impacts associated with this release be submitted to the OCD District II office in Artesia on or before 9/29/17. If and when the release characterization workplan is approved, there will be an associated deadline for submittal of the resultant investigation report. Modest extensions of time to these deadlines may be granted, but only with acceptable justification.**

The goals of a characterization effort are: 1) determination of the lateral and vertical extents along with the magnitude of soil contamination. 2) determine if groundwater or surface waters have been impacted. 3) If groundwater or surface waters have been impacted, what are the extents and magnitude of that impact. 4) The characterization of any other adverse impacts that may have occurred (examples: impacts on vegetation, impacts on wildlife, air quality, loss of use of property, etc.). To meet these goals as quickly as possible, the following items must, at a minimum, be addressed in the release characterization workplan and subsequent reporting:

- Horizontal delineation of soil impacts in each of the four cardinal compass directions. Adsorbed soil contamination must be characterized for the following constituents using the associated laboratory methods: benzene, toluene, ethylbenzene, and total xylenes by either Method 8260 or 8021, total petroleum hydrocarbons by Method 8015 extended range (GRO+DRO+MRO; C<sub>6</sub> thru C<sub>36</sub>), and for chloride by Method 300. This is not an exclusive list of potential contaminants. Analyzed parameters should be modified based on the nature of the released substance(s). Soil sampling must be both within the impacted area and beyond.
- Vertical delineation of soil impacts. Adsorbed soil contamination must be characterized for the following constituents using the associated laboratory methods: benzene, toluene, ethylbenzene, and total xylenes by either Method 8260 or 8021, total petroleum hydrocarbons by Method 8015 extended range (GRO+DRO+MRO; C<sub>6</sub> thru C<sub>36</sub>), and for chloride by Method 300. As above, this is not an exclusive list of potential contaminants and can be modified. Vertical characterization samples should be taken at depth intervals no greater than five feet apart. Lithologic description of encountered soils must also be provided. At least ten vertical feet of soils with contaminant concentrations at or below these values must be demonstrated as existing above the water table.
- Nominal detection limits for field and laboratory analyses must be provided.
- Composite sampling is not generally allowed.
- Field screening and assessment techniques are acceptable (headspace, titration, EC [include algorithm for validation purposes], EM, etc.), but the sampling and assay procedures must be clearly defined. Copies of field notes are highly desirable. A statistically significant set of split samples must be submitted for confirmatory laboratory analysis, including the laterally farthest and vertically deepest sets of soil samples. Make sure there are at least two soil samples submitted

for laboratory analysis from each borehole or test pit (highest observed contamination and deepest depth investigated). Copies of the actual laboratory results must be provided including chain of custody documentation.

- Probable depth to shallowest protectable groundwater and lateral distance to nearest surface water. If there is an estimate of groundwater depth, the information used to arrive at that estimate must be provided. If there is a reasonable assumption that the depth to protectable water is 50 feet or less, the responsible party should anticipate the need for at least one groundwater monitoring well to be installed in the area of likely maximum contamination.

- If groundwater contamination is encountered, an additional investigation workplan may be required to determine the extents of that contamination. Groundwater and/or surface water samples, if any, must be analyzed by a competent laboratory for volatile organic hydrocarbons (typically Method 8260 full list), total dissolved solids, pH, major anions and cations including chloride and sulfate, dissolved iron, and dissolved manganese. The investigation workplan must provide the groundwater sampling method(s) and sample handling protocols. To the fullest extent possible, aqueous analyses must be undertaken using nominal method detection limits. As with the soil analyses, copies of the actual laboratory results must be provided including chain of custody documentation.

- Accurately scaled and well-drafted site maps must be provided providing the location of borings, test pits, monitoring wells, potentially impacted areas, and significant surface features including roads and site infrastructure that might limit either the release characterization or remedial efforts. Field sketches may be included in subsequent reporting, but should not be considered stand-alone documentation of the site's layout. Digital photographic documentation of the location and fieldwork is recommended, especially if unusual circumstances are encountered.

**Nothing herein should be interpreted to preclude emergency response actions or to imply immediate remediation by removal cannot proceed as warranted. Nonetheless, characterization of impacts and confirmation of the effectiveness of remedial efforts must still be provided to the OCD before any release incident will be closed.**

**Jim Griswold**

OCD Environmental Bureau Chief  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505  
505-476-3465  
jim.griswold@state.nm.us

## Weaver, Crystal, EMNRD

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**From:** Melanie Wilson <mjp1692@gmail.com>  
**Sent:** Tuesday, August 29, 2017 1:29 PM  
**To:** Weaver, Crystal, EMNRD; 'Clay Wilson'; 'Riley Neatherlin'  
**Cc:** Bratcher, Mike, EMNRD; 'Pair, Randal'; 'Yolanda Jordan'  
**Subject:** RE: MESQUITE SWD, INC. - C-141 FOR BIG EDDY SWD #1  
**Attachments:** C-141 8-29-17.pdf

Hi Crystal,

Attached is the corrected C-141. The hour of occurrence is unknown. (The 4:00 pm was in the form from a previous report).

Thank you,  
Melanie

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**From:** Weaver, Crystal, EMNRD [mailto:Crystal.Weaver@state.nm.us]  
**Sent:** Tuesday, August 29, 2017 11:26 AM  
**To:** Melanie Wilson <mjp1692@gmail.com>; 'Clay Wilson' <claywilson@hotmail.com>; 'Riley Neatherlin' <rgneatherlin@gmail.com>  
**Cc:** Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; 'Pair, Randal' <rpair@blm.gov>; 'Yolanda Jordan' <yjordan@blm.gov>  
**Subject:** RE: MESQUITE SWD, INC. - C-141 FOR BIG EDDY SWD #1

Hello Melanie,

Thank you for the C-141 documenting an additional flowline release for the Big Eddy SWD #1 (DOR – 8/17/17). I am confused/need to address a few items written on the initial C-141 for this release. On the C-141 in the box “Date and Hour of Occurrence” it has a date of 8/17/17 4:00pm entered however it says in the “Date and Hour of Discovery” box that the release was discovered on 8/17/17 at 9:00am; How could the release be discovered before it occurred. Please correct that and resend.

Also on the initial C-141 you all marked “no” for the “Was Immediate Notification Given” box. Please see below for clarification on immediate notification requirements within OCD regulations.

“19.15.29.7 DEFINITIONS:

A. “Major release” means:

- (1) an unauthorized release of a volume, excluding gases, in excess of 25 barrels;
- (2) an unauthorized release of a volume that: (a) results in a fire; (b) will reach a watercourse; (c) may with reasonable probability endanger public health; or (d) results in substantial damage to property or the environment;
- (3) an unauthorized release of gases in excess of 500 MCF; or
- (4) a release of a volume that may with reasonable probability be detrimental to water or exceed the standards in Subsections A and B or C of 19.15.30.9 NMAC.

B. “Minor release” means an unauthorized release of a volume, greater than five barrels but not more than 25 barrels; or greater than 50 MCF but less than 500 MCF of gases. [19.15.29.7 NMAC - Rp, 19.15.3.116 NMAC, 12/1/08]

19.15.29.9 REPORTING REQUIREMENTS:

The person operating or controlling either the release or the location of the release shall provide notification of releases in 19.15.29.8 NMAC as follows.

A. The person shall report a major release by giving both immediate verbal notice and timely written notice pursuant to Subsections A and B of 19.15.29.10 NMAC.

B. The person shall report a minor release by giving timely written notice pursuant to Subsection B of 19.15.29.10 NMAC. [19.15.29.9 NMAC - Rp, 19.15.3.116 NMAC, 12/1/08]

19.15.29.10 CONTENTS OF NOTIFICATION:

A. The person operating or controlling either the release or the location of the release shall provide immediate verbal notification 19.15.29 NMAC <http://164.64.110.239/nmac/parts/title19/19.015.0029.htm> [10/6/2016 1:27:20 PM] within 24 hours of discovery to the division district office for the area within which the release takes place. In addition, the person shall provide immediate verbal notification of a release of a volume that may with reasonable probability be detrimental to water or exceed the standards in Subsections A and B or C of 19.15.30.9 NMAC to the division's environmental bureau chief. The notification shall provide the information required on form C-141.

B. The person operating or controlling either the release or the location of the release shall provide timely written notification within 15 days to the division district office for the area within which the release occurs by completing and filing form C-141. In addition, the person shall provide timely written notification of a release of a volume that may with reasonable probability be detrimental to water or exceed the standards in Subsections A and B or C of 19.15.30.9 NMAC to the division's environmental bureau chief within 15 days after the release is discovered. The written notification shall verify the prior verbal notification and provide appropriate additions or corrections to the information contained in the prior verbal notification. [19.15.29.10 NMAC - Rp, 19.15.3.116 NMAC, 12/1/08]"

Therefore since the release is considered a "major release" it requires immediate notification to take place within 24 hours of the release discovery time. On the C-141 this task was marked with a "no" meaning it did not happen. Please note the immediate notification requirement for future releases. OCD prefers that immediate notification be sent to myself and Mike Bratcher, if release occurs within District II jurisdiction, via email message. Please include in your written email all known information at the time the immediate notification is provided which should include as much info that you know that relates to what is asked for on the actual C-141 form.

If you have any questions or concerns please contact myself or Mike Bratcher here at the District II Office in Artesia.

Thank you,

**Crystal Weaver**

Environmental Specialist

OCD – Artesia District II

811 S. 1<sup>st</sup> Street

Artesia, NM 88210

Office: 575-748-1283 ext. 101

Cell: 575-840-5963

Fax: 575-748-9720

**From:** Melanie Wilson [<mailto:mjp1692@gmail.com>]

**Sent:** Tuesday, August 29, 2017 10:18 AM

**To:** Weaver, Crystal, EMNRD <[Crystal.Weaver@state.nm.us](mailto:Crystal.Weaver@state.nm.us)>; 'Clay Wilson' <[claylwilson@hotmail.com](mailto:claylwilson@hotmail.com)>; 'Riley Neatherlin' <[rgneatherlin@gmail.com](mailto:rgneatherlin@gmail.com)>

**Cc:** Bratcher, Mike, EMNRD <[mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)>; 'Pair, Randal' <[rpair@blm.gov](mailto:rpair@blm.gov)>; 'Yolanda Jordan' <[yjordan@blm.gov](mailto:yjordan@blm.gov)>

**Subject:** MESQUITE SWD, INC. - C-141 FOR BIG EDDY SWD #1

Crystal/Mike,

Please find attached a C-141 for Mesquite SWD, Inc.'s Big Eddy SWD pipeline. Please contact Riley Neatherlin at 575-706-7288 if you need further information regarding this.

Thank you!

Melanie Wilson

575-914-1461

[Mjp1692@gmail.com](mailto:Mjp1692@gmail.com)