

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	NAB1901739559
District RP	2RP-5185
Facility ID	
Application ID	pAB1901733711

## Release Notification

### Responsible Party

Responsible Party XTO Energy	OGRID 5380
Contact Name Tyler Newton	Contact Telephone 575-361-1583
Contact email tyler_newton@xtoenergy.com	Incident # (assigned by OCD) NAB1901739559
Contact mailing address 522 W. Mermod, Carlsbad, NM 88220	

### Location of Release Source

Latitude 32.248211 Longitude -103.887081  
(NAD 83 in decimal degrees to 5 decimal places)

Site Name PLU CVX JV RB 001H	Site Type Pipeline ROW
Date Release Discovered 1-5-19	API# (if applicable) 30-015-40660

Unit Letter	Section	Township	Range	County
F	4	T24S	R30E	Eddy

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 checked="" type="checkbox"/> Crude Oil	Volume Released (bbls) 40.5	Volume Recovered (bbls) 1
<input type="checkbox"/> Produced Water	Volume Released (bbls)	Volume Recovered (bbls)
	Is the concentration of total dissolved solids (TDS) in the produced water >10,000 mg/l?	<input type="checkbox"/> Yes <input 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 A release was discovered from a 6" buried oil pipeline at the aforementioned GPS coordinates. The release originated on the pipeline ROW and flowed west into the pasture. Preliminary findings point to internal corrosion in the 6 o'clock position on a weld as the cause. A vac truck was dispatched to empty the remaining fluid in line, and was able to recover approximately 1 bbl from the surface. The line was clamped until further repairs can be made. Environmental contractor has been retained to assist with remediation.

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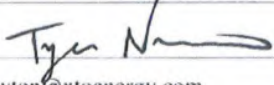

State of New Mexico  
Oil Conservation Division

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Was this a major release as defined by 19.15.29.7(A) NMAC?  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If YES, for what reason(s) does the responsible party consider this a major release? The release was greater than 25 barrels.
If YES, was immediate notice given to the OCD? By whom? To whom? When and by what means (phone, email, etc)? Yes, on 1-6-19 at 11:20AM Bryan Foust sent a notification email to Mike Bratcher, Robert Hamlet, Jim Amos, Shelly Tucker, and Jim Griswold.	

**Initial Response**

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

<input checked="" type="checkbox"/> The source of the release has been stopped. <input checked="" type="checkbox"/> The impacted area has been secured to protect human health and the environment. <input checked="" type="checkbox"/> Released materials have been contained via the use of berms or dikes, absorbent pads, or other containment devices. <input checked="" 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>Tyler Newton</u>	Title: <u>SHE Technician</u>
Signature: <u></u>	Date: <u>1-10-19</u>
email: <u>tyler_newton@xtoenergy.com</u>	Telephone: <u>575-361-1583</u>
<b><u>OCD Only</u></b>	
Received by: <u></u>	Date: <u>1/17/2019</u>



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Oil Conservation Division

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**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?	<u>    &gt;100    </u> (ft bgs)
Did this release impact groundwater or surface water?	<input type="checkbox"/> Yes <input checked="" 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 checked="" 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 checked="" type="checkbox"/> No
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Are the lateral extents of the release within 1000 feet of any other fresh water well or spring?	<input type="checkbox"/> Yes <input checked="" 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 checked="" type="checkbox"/> No
Are the lateral extents of the release within 300 feet of a wetland?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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Are the lateral extents of the release overlying an unstable area such as karst geology?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are the lateral extents of the release within a 100-year floodplain?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Did the release impact areas <b>not</b> on an exploration, development, production, or storage site?	<input checked="" type="checkbox"/> Yes <input 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.

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Oil Conservation Division

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Printed Name: \_\_\_\_\_ Tyler Newton \_\_\_\_\_

Title: \_\_\_\_\_ SHE Technician \_\_\_\_\_

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

Date: \_\_\_\_\_ 12/03/2019 \_\_\_\_\_

email: \_\_\_\_\_ Tyler\_Newton@xtoenergy.com \_\_\_\_\_

Telephone: \_\_\_\_\_ 432-221-7331 \_\_\_\_\_

**OCD Only**

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

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

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Oil Conservation Division

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## 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: Tyler Newton Title: SHE TechnicianSignature:  Date: 12/03/2019email: Tyler\_Newton@xtoenergy.com Telephone: 432-221-7331**OCD Only**Received by: Cristina Eads Date: 02/18/2020

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: Cristina Eads Date: 02/18/2020Printed Name: Cristina Eads Title: Environmental Specialist



LT Environmental, Inc.

3300 North "A" Street  
Building 1, Unit 222  
Midland, Texas 79705  
432.704.5178

December 3, 2019

Mr. Mike Bratcher  
New Mexico Oil Conservation Division  
811 South First Street  
Artesia, New Mexico 88210

**RE: Variance Request**  
**Poker Lake Unit CVX JV RB 001H Pipeline Right-Of-Way**  
**Remediation Permit Number 2RP-5185**  
**Eddy County, New Mexico**

Dear Mr. Bratcher:

LT Environmental, Inc. (LTE), on behalf of XTO Energy, Inc. (XTO), presents the following Closure Request referencing soil remediation, liner placement, and final backfill and grading activities to address residual impacted soil at the Poker Lake Unit CVX JV RB 001H pipeline (Site) right-of-way (ROW). The Site is located in Unit F, Section 4, Township 24 South, Range 30 East, in Eddy County, New Mexico (Figure 1). The purpose of the remediation activities was to address impacts to soil after a crude oil pipeline release at the Site. The response activities described in the remediation Work Plan and this report were conducted following a January 5, 2019, release of crude oil.

On April 4, 2019, LTE submitted a Work Plan to the New Mexico Oil Conservation Division (NMOCD) to install a 20-mil impermeable liner in the subsurface designed to address remaining impacts to soil. Approval of this Work Plan was received from the NMOCD in an email dated April 16, 2019. The following Closure Request summarizes implementation of the final remedy for the Site. Based on the excavation activities, results from the soil sampling activities, and liner placement, XTO is submitting this Variance Request and asking for no further action for Remediation Permit (RP) Number 2RP-51858.

## RELEASE BACKGROUND

On January 5, 2019, internal corrosion caused a release of approximately 40.5 barrels (bbls) of crude oil from a 6-inch buried oil pipeline. The release occurred in the pipeline ROW and flowed west into the adjacent pasture. A hydro-vacuum truck was dispatched to the Site to empty the remaining fluid from the pipeline and recover the free-standing fluids; approximately 1 bbl of crude oil was recovered from the ground surface. The line was clamped until further repairs could be made. Approximately 8,110 square feet of pasture west of the pipeline ROW was affected by the release. XTO reported the release to the NMOCD on a Release Notification and Corrective Action Form C-141 on January 10, 2019 and was assigned RP Number 2RP-5185 (Attachment 1).







Bratcher, M.  
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LTE characterized the Site according to Table 1, *Closure Criteria for Soils Impacted by a Release*, of Title 19, Chapter 15, Part 29, Section 12 (19.15.29.12) of the New Mexico Administrative Code (NMAC). Based on these criteria, the following NMOCD Table 1 closure criteria apply: 10 milligrams per kilogram (mg/kg) benzene; 50 mg/kg total benzene, toluene, ethylbenzene, and total xylenes (BTEX); 2,500 mg/kg total petroleum hydrocarbons (TPH); 1,000 mg/kg TPH-gasoline range organics (GRO) and TPH-diesel range organics (DRO); and 20,000 mg/kg chloride.

A closure criteria of 600 mg/kg chloride was applied to the undeveloped pasture that was impacted by the release, per NMAC 19.15.29.13.D (1) for the top four feet or greater for areas that were reclaimed following remediation.

The impacted soil was excavated from the release area to a depth of 4 feet to 4.5 feet below ground surface (bgs). A total of approximately 3,680 cubic yards of impacted soil was excavated from the Site. This is less than the volume estimated to be removed in the Remediation Work Plan, but was based on actual conditions and confirmation sampling results. Impacted soil at the area of release was excavated to a depth of approximately 10 feet bgs. Residual impacted soil was left in place below 4 feet bgs in the central and western portions of the excavation. An estimated 8,000 cubic yards of impacted soil remain in place based on vertical delineation described in the Remediation Work Plan.

### **ADDITIONAL REMEDIATION ACTIVITIES**

Based on the nature of the release and extent of residual impact in the subsurface adjacent to the pipeline ROW, XTO installed approximately 20,000 square feet of 20-mil impermeable liner over the residual impacted soil to mitigate future impacts into the subsurface (Figure 2). The installation of the 20-mil impermeable liner was completed from July 26, 2019 through August 1, 2019. After liner installation, the excavation was backfilled with approximately 4,520 cubic yards of clean backfill material to protect the liner and minimize potentially unsafe conditions associated with an open excavation. On November 5, 2019, initial surface contouring of the backfill material was completed. On November 22, 2019, a tractor and lister were used for final backfill contouring. One hundred pounds of Elbon Rye and 20 pounds of Bureau of Land Management (BLM) seed mix were applied via seed drill. A photographic log of the excavation, liner installation, backfilling, grading, and seeding is included as Attachment 2.

### **VARIANCE REQUEST**

Based on the excavation of impacted soil, and stabilization of residual chloride impacted soil below 4 feet bgs, XTO has completed remediation activities that are protective of public health and environment. XTO requests a variance to leave soil containing chloride concentrations exceeding Closure Criteria in place beneath the liner.





Bratcher, M.  
Page 3

If you have any questions or comments, please do not hesitate to contact Ms. Ashley Ager at (970) 385-1096.

Sincerely,

LT ENVIRONMENTAL, INC.

A handwritten signature in blue ink that reads "Kevin M. Axe".

Kevin M. Axe, P.G.  
Senior Geologist

A handwritten signature in blue ink that reads "Ashley L. Ager".

Ashley L. Ager, P.G.  
Senior Geologist

cc: Mr. Kyle Littrell, XTO  
Mr. Robert Hamlet, NMOCD  
United States Bureau of Land Management

Appendices:

Figure 1 Site Location Map  
Figure 2 Liner Location  
Attachment 1 Initial/Final NMOCD Form C-141 (2RP-5185)  
Attachment 2 Photographic Log





FIGURES



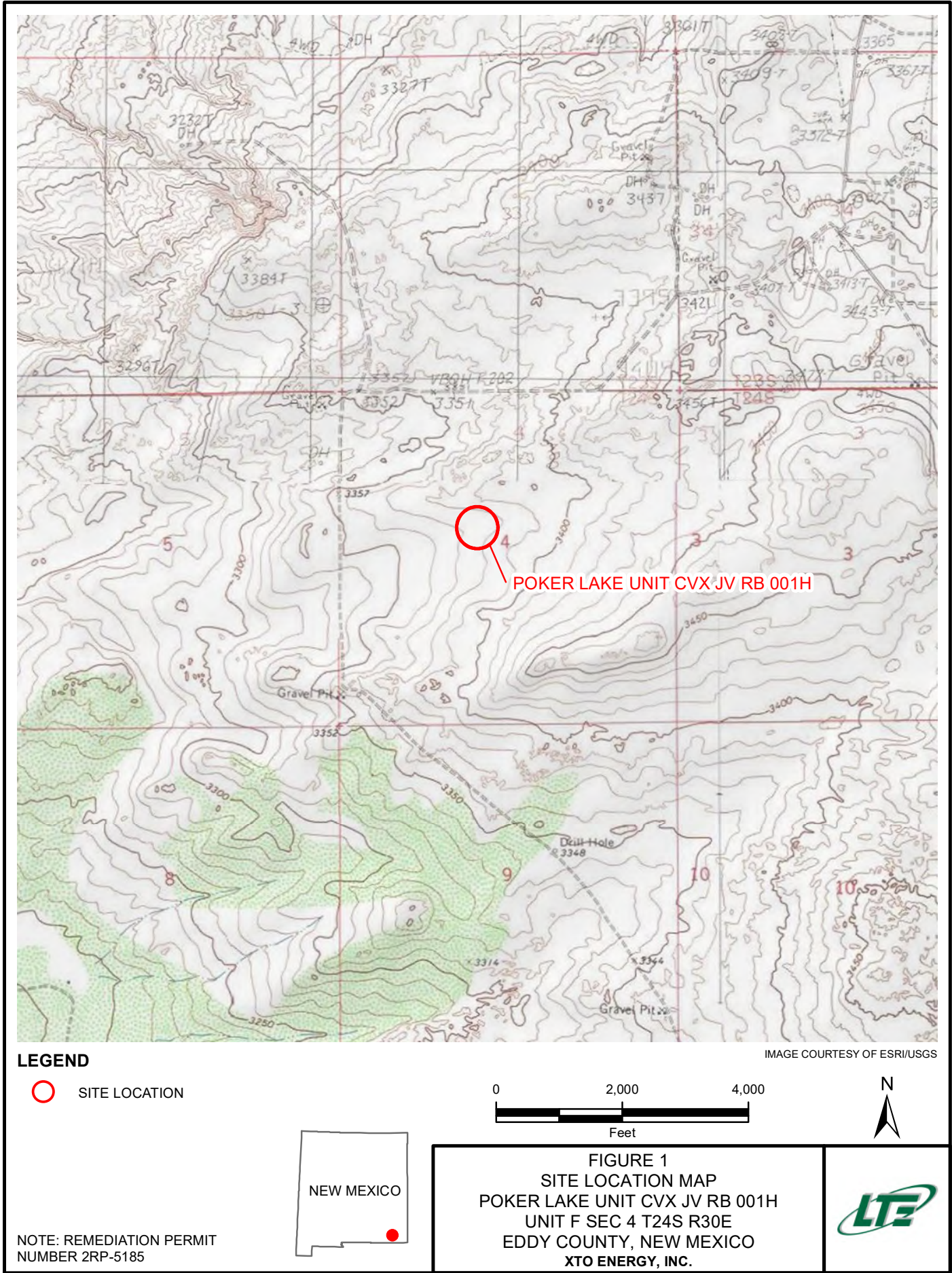


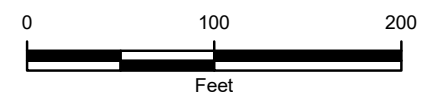




IMAGE COURTESY OF GOOGLE EARTH 2017

**LEGEND**

RELEASE EXTENT LINER FOOTPRINT



**FIGURE 2**  
**LINER LOCATION**  
POKER LAKE UNIT CVX JV RB 001H  
UNIT F SEC 4 T24S R30E  
EDDY COUNTY, NEW MEXICO  
**XTO ENERGY, INC.**



NOTE: REMEDIATION PERMIT NUMBER 2RP-5185

ATTACHMENT 1: INITIAL/FINAL NMOCD FORM C-141 (2RP-5185)





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Contact Name Tyler Newton	Contact Telephone 575-361-1583
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Date Release Discovered 1-5-19	API# (if applicable) 30-015-40660

Unit Letter	Section	Township	Range	County
F	4	T24S	R30E	Eddy

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 checked="" type="checkbox"/> Crude Oil	Volume Released (bbls) 40.5	Volume Recovered (bbls) 1
<input type="checkbox"/> Produced Water	Volume Released (bbls)	Volume Recovered (bbls)
	Is the concentration of total dissolved solids (TDS) in the produced water >10,000 mg/l?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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Cause of Release A release was discovered from a 6" buried oil pipeline at the aforementioned GPS coordinates. The release originated on the pipeline ROW and flowed west into the pasture. Preliminary findings point to internal corrosion in the 6 o'clock position on a weld as the cause. A vac truck was dispatched to empty the remaining fluid in line, and was able to recover approximately 1 bbl from the surface. The line was clamped until further repairs can be made. Environmental contractor has been retained to assist with remediation.

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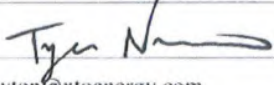

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Printed Name: \_\_\_\_\_ Tyler Newton \_\_\_\_\_

Title: \_\_\_\_\_ SHE Technician \_\_\_\_\_

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

Date: \_\_\_\_\_ 12/03/2019 \_\_\_\_\_

email: \_\_\_\_\_ Tyler\_Newton@xtoenergy.com \_\_\_\_\_

Telephone: \_\_\_\_\_ 432-221-7331 \_\_\_\_\_

**OCD Only**

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

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



Form C-141

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State of New Mexico  
Oil Conservation Division

Incident ID	
District RP	2RP-5185
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: Tyler Newton Title: SHE TechnicianSignature:  Date: 12/03/2019email: Tyler\_Newton@xtoenergy.com Telephone: 432-221-7331**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: \_\_\_\_\_

ATTACHMENT 2: PHOTOGRAPHIC LOG



PLU-CVX-JV-RB #001H ■ Eddy County, New Mexico  
Project Number 2RP-5185



**Photo 1** Photo viewing excavation



**Photo 2** Photo viewing excavation

PLU-CVX-JV-RB #001H ■ Eddy County, New Mexico  
Project Number 2RP-5185



**Photo 3** Photo viewing liner



**Photo 4** Photo viewing liner



PLU-CVX-JV-RB #001H ■ Eddy County, New Mexico  
Project Number 2RP-5185



**Photo 5** Photo viewing post grading & seeding



**Photo 6** Photo viewing post grading & seeding