



April 28, 2023

New Mexico Oil Conservation Division

New Mexico Energy, Minerals, and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

**Re: Closure Request Addendum
Bandit 15 Federal Com 002H
Incident Number NAPP2231139799
Lea County, New Mexico**

To Whom It May Concern:

Ensolum, LLC (Ensolum), on behalf of COG Operating, LLC (COG), has prepared this *Closure Request Addendum* to provide an update to the depth to groundwater determination activities performed at the Bandit 15 Federal Com 002H (Site), in response to the denial of the original Closure Request, dated January 30, 2023 and outlined in the approved *Remediation Work Plan (RWP)*, dated March 17, 2023. In the denial, the New Mexico Oil Conservation Division (NMOCD) expressed concern that depth to groundwater was not adequately determined. Based on the additional investigation of depth to groundwater, COG is requesting closure for Incident Number NAPP2231139799.

Details regarding the release, Site characterization, and remediation activities can be referenced in the original *Closure Request* submitted on January 30, 2023. On February 17, 2023, the NMOCD denied the original *Closure Request* for the following reason:

Closure Report Denied. The depth to groundwater has not been adequately determined. When nearby wells are used to determine depth to groundwater, the wells should be no further than ½ mile away from the site, and data should be no more than 25 years old, and well construction information should be provided in the submission. The responsible party may choose to remediate to the most stringent levels listed in Table 1 of 19.15.29 NMAC in lieu of drilling to determine the depth to groundwater. Release has not been sufficiently addressed. Please resubmit a revised closure report to the OCD portal by March 17, 2023.

The February 17, 2023 denial requested submittal of a revised closure report by March 17, 2023; however, it was not possible to coordinate land access with the Bureau of Land Management (BLM), permit drilling of a boring with the New Mexico Office of the State Engineer (NMOSE), and schedule a drilling contractor within the limited timeframe provided. A *RWP* was submitted on March 17, 2023 in lieu of a Closure Request, to allow time to complete the depth to water boring. The *RWP* proposed installation of a boring to investigate depth to water and confirm the Site Closure Criteria.

DEPTH TO GROUNDWATER DETERMINATION

On April 12, 2023, a borehole (BH01) was advanced to a depth of 108 feet below ground surface (bgs) via air rotary drill rig. The borehole was located approximately 0.04 miles north of the Site and is depicted on Figure 1. A field geologist logged and described soils continuously. The borehole lithologic/soil sampling log is included in Appendix A. The borehole was left open for over 72 hours to allow for potential slow infill of groundwater. After the 72-hour waiting period without observing groundwater, it was confirmed that groundwater beneath the Site is greater than 100 feet bgs. The borehole was properly abandoned using hydrated bentonite chips. Based on the confirmed depth to water greater than 100 feet bgs, the Table 1 Closure Criteria identified in the original Closure Request are applicable and appropriate for protection of groundwater at this Site.

CLOSURE REQUEST

A soil boring installed within 0.04 miles of the Site confirmed depth to groundwater greater than 108 feet bgs; therefore, the Site-specific Closure Criteria presented in the original Closure Request was correctly applied. Based on excavation of impacted to below the confirmed Site Closure Criteria, COG respectfully requests closure for Incident Number NAPP2231139799. The Final C-141 is included in Appendix B.

If you have any questions or comments, please contact Ms. Kalei Jennings at (817) 683-2503 or kjennings@ensolum.com.

Sincerely,
Ensolum, LLC

Hadlie Green
Project Geologist

Aimee Cole
Senior Managing Scientist

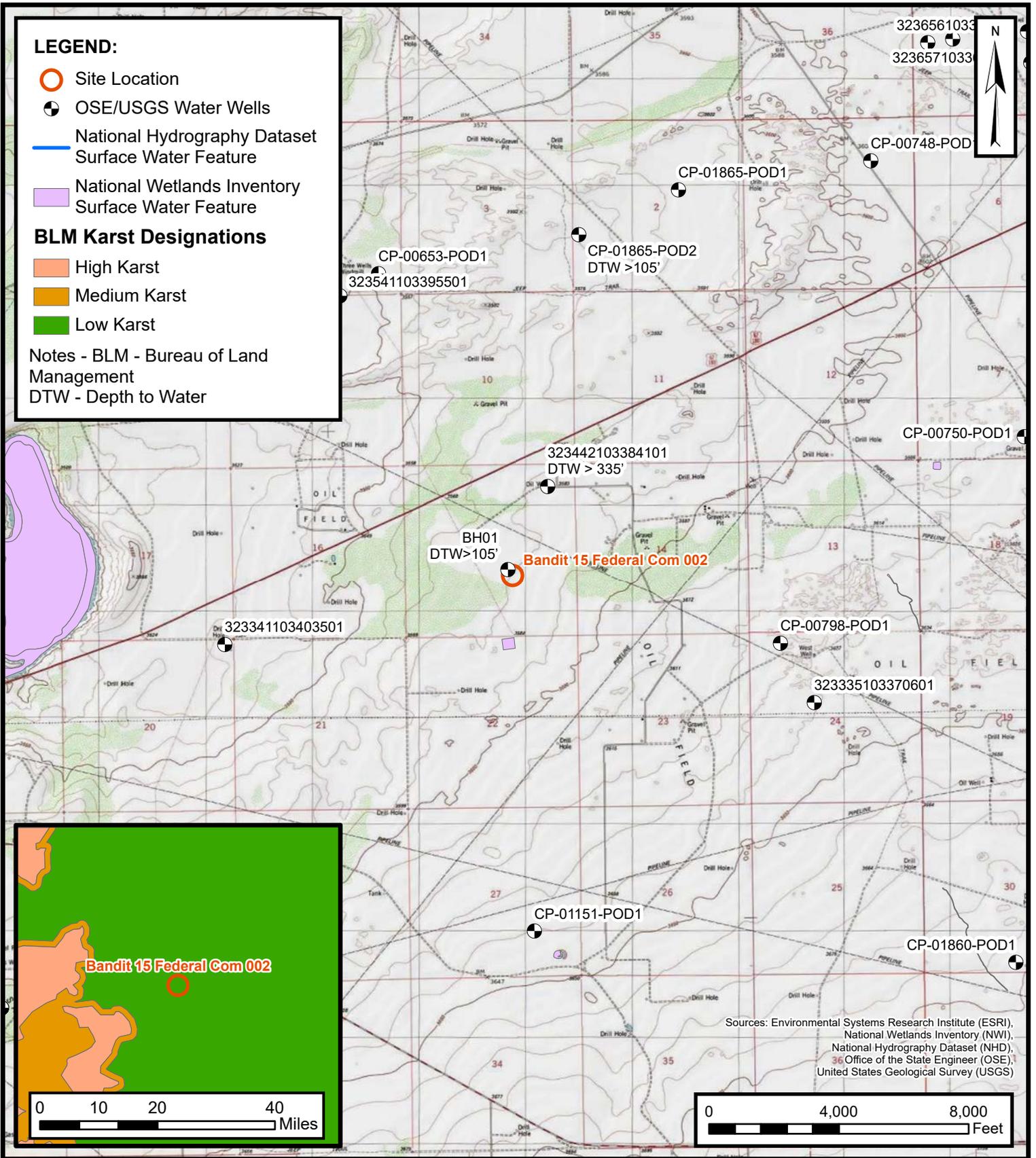
cc: Jacob Laird, COG Operating, LLC
Bureau of Land Management

Attachments:

- Figure 1 Site Location Map
- Appendix A Lithologic / Soil Sampling Log
- Appendix B Final C-141



FIGURES



Site Location Map

COG Operating, LLC
 Bandit 15 Federal Com 002
 Incident Number: NAPP2231139799
 Unit J, Section 15, T20S, R33E
 Lea County, New Mexico

FIGURE
1



APPENDIX A

Lithologic Soil Sampling Log

							Sample Name: BH01		Date: 4/12/2023	
							Site Name: Bandit 15 Federal Com 002H			
							Incident Number: NAPP2231139799			
							Job Number: 03D2024108			
LITHOLOGIC / SOIL SAMPLING LOG							Logged By: Peter Van Patten		Method: Air Rotary	
Coordinates: 32.340567,-103.639398							Hole Diameter:		Total Depth: 108'	
Comments: SAA: Same as above. No water was observed within the soil boring after at least 72 hours. On 4/17/2023 the boring was plugged and abandoned using hydrated bentonite chips.										
Moisture Content	Chloride (ppm)	Vapor (ppm)	Staining	Sample ID	Sample Depth (ft bgs)	Depth (ft bgs)	USCS/Rock Symbol	Lithologic Descriptions		
Dry	-	-	N	-	-	0	SP-SM	Sand (surface sample): dark tan, brown, fine grain, poorly graded, few gravel, no stain, no odor		
Dry	-	-	N	-	-	10	CHHE	Caliche: off white, light tan, pinkish tan, no stain, no odor		
Dry	-	-	N	-	-	20	CHHE	SAA (Same as above)		
Dmp	-	-	N	-	-	30	SP-SM	Sand: light tan, tan, fine grain, poorly graded, few gravel, slightly damp, no stain, no odor		
Dry	-	-	N	-	-	40	SP-SM	Sand/Silt (Red Beds): brownish red, very fine - clay grain, poorly graded, low plasticity, cohesive, no stain, no odor		
Dry	-	-	N	-	-	50	SP-SM	Sand/Silt: reddish brown, gray banding, very fine-silt grain, slightly cohesive, no stain no odor		
Dry	-	-	N	-	-	60	SP-SM	SAA		
Dry	-	-	N	-	-	70	SP-SM	SAA		
Dry	-	-	N	-	-	80	SP-SM	SAA		
Dry	-	-	N	-	-	90	SP-SM	Sand/Silt: reddish tan, gray, rusty red, very fine grain, poorly graded, non cohesive, no stain, no odor		
Dry	-	-	N	-	-	100	SP-SM	SAA		
								TD at 108' below ground surface		



APPENDIX B

Final C-141

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

Form C-141
Revised August 24, 2018
Submit to appropriate OCD District office

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

Incident ID	NAPP2231139799
District RP	
Facility ID	fAPP2202651171
Application ID	

Release Notification

Responsible Party

Responsible Party	COG Operating, LLC	OGRID	229137
Contact Name	Charles Beauvais	Contact Telephone	(575) 988-2043
Contact email	Charles.R.Beauvais@ConocoPhillips.com	Incident # (assigned by OCD)	NAPP2231139799
Contact mailing address	600 West Illinois Avenue, Midland, Texas 79701		

Location of Release Source

Latitude 32.5709 Longitude -103.6487
(NAD 83 in decimal degrees to 5 decimal places)

Site Name	Bandit 15 Federal Com 002H	Site Type	Tank Battery
Date Release Discovered	November 1, 2022	API# (if applicable)	

Unit Letter	Section	Township	Range	County
J	15	20S	33E	Lea

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)	2.26	Volume Recovered (bbls)	0
<input checked="" type="checkbox"/> Produced Water	Volume Released (bbls)	0.25	Volume Recovered (bbls)	0
	Is the concentration of dissolved chloride in the produced water >10,000 mg/l?	<input checked="" 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

The release was a result of an illegal dumping by unknown operator.
This illegal dumping occurred on pad. Evaluation will be made of the spill area.

State of New Mexico
Oil Conservation Division

Incident ID	NAPP2231139799
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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 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>Brittany N. Esparza</u> Title: <u>Environmental Technician</u> Signature: <u></u> Date: <u>11/07/2022</u> email: <u>Brittany.Esparza@ConocoPhillips.com</u> Telephone: <u>(432) 221-0398</u>
<u>OCD Only</u> Received by: <u>Jocelyn Harimon</u> Date: <u>11/07/2022</u>

Spill Calculation - Subsurface Spill - Rectangle											Remediation Recommendation	
Convert Irregular shape into a series of rectangles	Length (ft.)	Width (ft.)	Average Depth (in.)	On/Off Pad (dropdown)	Soil Spilled-Fluid Saturation (%)	Estimated volume of each area (bbl.)	Total Estimated Volume of Spill (bbl.)	Percentage of Oil if Spilled Fluid is a Mixture (%)	Total Estimated Volume of Spilled Oil (bbl.)	Total Estimated Volume of Spilled Liquid other than Oil (bbl.)	Total Estimated Contaminated Soil, uncompacted, 25% (yd ³ .)	Current Rule of Thumb - RMR Handover Volume, (yd ³ .)
Rectangle A	75.0	60.0	0.3	Off-Pad✓	15.02%	16.69	2.51	90%	2.26	0.25	4.34	750
Rectangle B				On-Pad✓	10.50%	0.00	0.00		0.00	0.00	0.00	
Rectangle C				On-Pad✓	10.50%	0.00	0.00		0.00	0.00	0.00	
Rectangle D				✓		0.00					0.00	
Rectangle E				✓		0.00					0.00	
Rectangle F				✓		0.00					0.00	
Rectangle G				✓		0.00					0.00	
Rectangle H				✓		0.00					0.00	
Rectangle I				✓		0.00					0.00	
Released to Imaging: 11/7/2022 3:12:02 PM				✓		0.00					0.00	
Total Subsurface Volume Released:							2.51		2.26	0.25	4.34	BU

District I
 1625 N. French Dr., Hobbs, NM 88240
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District III
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 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 156620

CONDITIONS

Operator: COG OPERATING LLC 600 W Illinois Ave Midland, TX 79701	OGRID: 229137
	Action Number: 156620
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
jharimon	None	11/7/2022

Incident ID	NAPP2231139799
District RP	
Facility ID	fAPP2202651171
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?	_>108_ (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
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 checked="" 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 checked="" 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 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
Are the lateral extents of the release overlying a subsurface mine?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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 not 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 1/2-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	NAPP2231139799
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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: Jacob Laird Title: Environmental Engineer
Signature: *Jacob Laird* Date: 4/27/2023
email: Jacob.Laird@conocophillips.com Telephone: 575-703-5482

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: *Nelson Velez* Date: 07/21/2023
Printed Name: Nelson Velez Title: Environmental Specialist – Adv

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State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505

CONDITIONS

Action 212307

CONDITIONS

Operator: COG OPERATING LLC 600 W Illinois Ave Midland, TX 79701	OGRID: 229137
	Action Number: 212307
	Action Type: [C-141] Release Corrective Action (C-141)

CONDITIONS

Created By	Condition	Condition Date
nvez	None	7/21/2023