

District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
1301 W. Grand Avenue, 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  
Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

Form C-  
Revised October 10, 2

Submit 2 Copies to appropriate  
District Office in accordance  
with Rule 116 on both  
side of file

### Release Notification and Corrective Action

#### OPERATOR

☐ Initial Report ☒ Final Report

Name of Company: Elm Ridge Exploration	Contact: Amy Mackey	
Address: PO Box 156, Bloomfield, NM 87413	Telephone No.: (505) 632-3476 Ext 201	
Facility Name: West Bisti Coal 15-2	Facility Type: Gas Well	
Surface Owner: Federal	Mineral Owner:	Lease No.: NM 53936

#### LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
K	15	25N	13W	1500	FSL	2310	FWL	San Juan

Latitude 36.398075 Longitude -108.207559

#### NATURE OF RELEASE

Type of Release: Produced Water	Volume of Release: Unknown	Volume Recovered: Unknown
Source of Release: Earth Pit	Date and Hour of Occurrence: Historical	Date and Hour of Discovery: NA
Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required	If YES, To Whom?	
By Whom?	Date and Hour	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	

If a Watercourse was Impacted, Describe Fully.\*

Describe Cause of Problem and Remedial Action Taken.\*

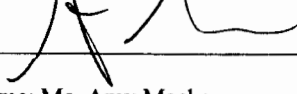
Produced water from a gas well at the above mentioned location formerly discharged into an earthen pit on location. The well has been altered to no longer drain into an earthen pit, but instead into an above ground storage tank (AST).

Describe Area Affected and Cleanup Action Taken.\*

Blow sand was removed from the earthen pit, and approximately one-hundred and two (102) yards of 'production sludge' was removed from the earthen pit. A five (5)-point composite sample was collected from beneath the pit once it was removed. The sample was analyzed in the field for total petroleum hydrocarbons (TPH) via USEPA Method 418.1, and in Envirotech's laboratory for benzene and BTEX via USEPA Method 802.1 and for total chlorides via USEPA Method 4500B. The sample returned results below the 'Pit Rule' standards of 100 mg/kg TPH, 0.2 mg/kg benzene, 50 mg/kg BTEX and 250 mg/kg total chlorides, confirming that a release had not occurred. Analytical results are attached for your reference.

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: 	Approved by District Supervisor:	
Printed Name: Ms. Amy Mackey	Approval Date:	Expiration Date:
Title: Administrative Manager	Conditions of Approval:	
E-mail Address: amackey1@elmridge.net	Attached <input type="checkbox"/>	
Date: <u>11/11/09</u> Phone: 505-632-3476 Ext 201		

\* Attach Additional Sheets If Necessary

6.  
**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 \_\_\_\_\_

7.  
**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)

8.  
**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 19.15.3.103 NMAC

9.  
**Administrative Approvals 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:**

- ☐ Administrative approval(s): Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau office for consideration of approval.
- ☐ Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

10.  
**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. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. Siting criteria does not apply to drying pads or above-grade tanks associated with a closed-loop system.

Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank.  
- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

☐ Yes ☐ No

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).0.

☐ Yes ☐ No

- Topographic map; Visual inspection (certification) of the proposed site

Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.

☐ Yes ☐ No

- (*Applies to temporary, emergency, or cavitation pits and below-grade tanks*) (

☐ NA

Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.  
(*Applies to permanent pits*)

- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image

☐ Yes ☐ No

Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application.

☐ NA

- NM Office of the State Engineer - iWATERS database search; 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.

☐ Yes ☐ No

Within 500 feet of a wetland.

☐ Yes ☐ No

Within the area overlying a subsurface mine.

☐ 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

☐ Yes ☐ No

11.

**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: \_\_\_\_\_

12.

**Closed-loop Systems 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.

- ☐ Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19.15.17.9  
☐ Siting Criteria Compliance Demonstrations (only for on-site closure) - 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: \_\_\_\_\_  
☐ Previously Approved Operating and Maintenance Plan API Number: \_\_\_\_\_ (Applies only to closed-loop system that use above ground steel tanks or haul-off bins and propose to implement waste removal for closure)

13.

**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<sub>2</sub>S, 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

14.

**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 ☐ Closed-loop System  
☐ 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 (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)

15.

**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 F 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 I of 19.15.17.13 NMAC  
☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

16.

**Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:** (19.15.17.13.D NMAC)

**Instructions:** Please identify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if more than two facilities are required.

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Will any of the proposed closed-loop system operations and associated activities occur on or in areas that *will not* be used for future service and operation

☐ Yes (If yes, please provide the information below) ☐ No

*Required for impacted areas which will not be used for future service and operations:*

☐ 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 I of 19.15.17.13 NMAC

☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

17.

**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 may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for guidance.

Ground water is less than 50 feet below the bottom of the buried waste.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> NA
Ground water is between 50 and 100 feet below the bottom of the buried waste	<input type="checkbox"/> Yes <input type="checkbox"/> No
- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> NA
Ground water is more than 100 feet below the bottom of the buried waste.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	<input type="checkbox"/> NA
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).	<input type="checkbox"/> Yes <input type="checkbox"/> No
- Topographic map; Visual inspection (certification) of the proposed site	
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- NM Office of the State Engineer - iWATERS database; Visual inspection (certification) of the proposed site	
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.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- Written confirmation or verification from the municipality; Written approval obtained from the municipality	
Within 500 feet of a wetland.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site	
Within the area overlying a subsurface mine.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division	
Within an unstable area.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map	
Within a 100-year floodplain.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- FEMA map	

18.

**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 F of 19.15.17.13 NMAC
- ☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements 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 Subsection F of 19.15.17.13 NMAC
- ☐ Waste Material Sampling Plan - based upon the appropriate requirements of Subsection F 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 I of 19.15.17.13 NMAC
- ☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

19.

**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): \_\_\_\_\_

Title: \_\_\_\_\_

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

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

E-mail address: \_\_\_\_\_

Telephone: \_\_\_\_\_

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

OCD Representative Signature: \_\_\_\_\_ Approval Date: \_\_\_\_\_

Title: \_\_\_\_\_ OCD Permit Number: \_\_\_\_\_

21.

**Closure Report (required within 60 days of closure completion):** Subsection K of 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: 9/16/09

22.

**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.

23.

**Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:**

*Instructions: Please indentify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized.*

Disposal Facility Name: Envirotech Landfarm #2 Disposal Facility Permit Number: NM-01-0011

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Were the closed-loop system operations and associated activities performed on or in areas that *will not* be used for future service and operations?☐ Yes (If yes, please demonstrate compliance to the items below) ☐ No

Required for impacted areas which will not be used for future service and operations:

- ☒ Site Reclamation (Photo Documentation)  
☒ Soil Backfilling and Cover Installation  
☒ Re-vegetation Application Rates and Seeding Technique

24.

**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) **See Attached**  
☐ Proof of Deed Notice (required for on-site closure)  
☐ Plot Plan (for on-site closures and temporary pits)  
☒ Confirmation Sampling Analytical Results (if applicable) **See Attached**  
☐ Waste Material Sampling Analytical Results (required for on-site closure)  
☒ Disposal Facility Name and Permit Number **Envirotech Landfarm #2 NM-01-0011**  
☒ Soil Backfilling and Cover Installation **See Attached**  
☒ Re-vegetation Application Rates and Seeding Technique **See Attached**  
☒ Site Reclamation (Photo Documentation) **See Attached**

On-site Closure Location: Latitude \_\_\_\_\_ Longitude \_\_\_\_\_ NAD: ☐ 1927 ☐ 1983

25.

**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): Ms. Amy MackeyTitle: Administrative Manager

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

Date: 11/11/09E-mail address: amackey1@clmridge.netTelephone: (505) 632-3476 ext. 201

**Earthen Pit Closure Checklist**

- 1) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close all former earthen pits prior to the closure date agreed upon by the New Mexico Oil Conservation Division (NMOCD) of December 31, 2009.  
**Closure date for the earth pit located at the West Bisti Coal 15-2 well site is September 16, 2009.**
- 2) In accordance with Subsection A of 19.15.17.13 NMAC, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close any earthen pits at a date the division requires because of imminent danger to fresh water, public health or the environment.  
**None of the earthen pits to be closed by Elm Ridge Exploration are deemed an imminent risk to the environment, public health, or to fresh or public water.**
- 3) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close earthen pits first which seem to pose a greater risk to fresh water, public health, or the environment. This will be determined by the locations proximity to surface water sources and distance to groundwater.  
**None of the earthen pits to be closed by Elm Ridge Exploration are deemed an imminent risk to the environment, public health, or to fresh or public water.**
- 4) No less than 60 days prior to any earthen pit closure activities, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the Santa Fe NMOCD office as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (3) NMAC.  
**Notification was provided to Mr. Brad Jones of the NMOCD Santa Fe Office on August 4, 2009, along with a schedule of on-site activities; see attached *Notification Letter*.**
- 5) No less than 24 hours and no greater than one (1) week prior to earthen pit removal, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the appropriate surface owner as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the surface owner by certified mail, return receipt requested, that the operator plans to close an earthen pit. The return receipt will be used to ensure that the surface owner has received written notification no less than 24 hours and no greater than one (1) week prior to the beginning of earth pit closure activities. Evidence of mailing of the notice to the address of the surface owner shown in the county tax records is sufficient to demonstrate compliance with this requirement. Closure activities that will take place on tribal land will have notifications sent by certified mail, return receipt requested, to the appropriate tribal office. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the Bureau of Land Management (BLM) of closure activities for wells located on federal land per a Sundry Notice, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. All notices will be sent in such a way that the surface owner will receive notice at least 24 hours prior to the beginning of closure activities.  
**Notification was provided to the Bureau of Land Management on September 11, 2009; see attached *Sundry Notice and Return Receipt*.**



- 6) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all liquids and/or sludge, to visual extents, prior to closure sampling. Material will be disposed of at Envirotech's Landfarm #2, Permit # NM-01-0011, TNT Environmental Inc. Landfarm, Permit # NM-01-0008, Industrial Ecosystems Inc. (IEI) Landfarm, Permit # NM-01-0010B, or Basin Disposal, Permit # NM-01-0005, depending on the consistence of the material removed, as in accordance with 19.15.17.13 Subsection C Paragraph (1) NMAC.

**On September 11, 2009, approximately one-hundred and two (102) cubic yards of production sludge were removed from the earthen pit and disposed of at Envirotech's NMOCD permitted soil remediation facility, Landfarm #2, Permit # NM-01-0011; see attached *Bill of Lading*.**

- 7) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all on-site equipment associated with this earthen pit unless it is required for some other purpose, as in accordance with 19.15.17.13 Subsection C Paragraph (2) NMAC. The equipment that meets the requirements of 19.15.9.712 Subsection A NMAC and 19.15.9.712 Subsection D Paragraph (1) will be disposed of at San Juan County Regional Landfill. Waste that is classified by 19.15.9.712 Subsection D Paragraph (2) will be sampled accordingly to determine acceptance of this material at the San Juan County Regional Landfill. Waste that is unable to be accepted at the San Juan County Regional Landfill will be submitted to the OCD on a case-by-case basis in accordance with Paragraph (3) of Subsection D of 19.15.9.712.

**All on-site equipment will be used for the continued operation of the West Bisti Coal 15-2 well site; see attached *Field Sheet* and *Site Photographs*.**

- 8) Once the earthen pit is removed to visual extents of contamination, a five (5)-point composite sample will be collected from directly below the liner(s) or at native soil. Additional discrete samples will be collected from any area that is wet, discolored or show other evidence of a release. All samples being collected will be analyzed for benzene and total BTEX via USEPA Method 8021B, TPH via USEPA Method 418.1, and chlorides via USEPA 300.1, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.

**A five (5)-point composite sample was collected of native soil beneath the earthen pit and analyzed in the field for total petroleum hydrocarbons (TPH) via USEPA Method 418.1, and analyzed in the laboratory for benzene and BTEX via USEPA Method 8021B, and for total chlorides via USEPA Method 4500B. The sample returned results below the 100 mg/kg TPH standard, the 0.2 mg/kg benzene standard, the 50 mg/kg BTEX standard and the 250 mg/kg total chloride standard, confirming that a release did NOT occur.**

NAME	Benzene	BTEX	Chlorides	TPH
Pit Rule Standard	0.2 mg/kg	50 mg/kg	250 mg/kg	100 mg/kg
Earth Pit Bottom Composite	0.0011 mg/kg	0.0113 mg/kg	175 mg/kg	28 mg/kg

- 9) Depending on soil sample results the area will be either backfilled or the area will be excavated.

1) If soil samples do not exceed the regulatory standards of 0.2 mg/kg benzene, 50 mg/kg BTEX, 100 mg/kg TPH, and 250 mg/kg or background concentration of chlorides, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.

- i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.

**Completed Form C-141 is attached for your review.**

- ii. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will backfill the excavation or impacted area with non-waste containing, earthen material, in accordance with 19.15.17.13 Subsection E Paragraph (6) NMAC. A soil cover shall be installed for all backfilled excavations consisting of the background thickness of topsoil or one (1) foot of suitable material to establish vegetation at the site, whichever is greater in accordance with Subsections H of 19.15.17.13 NMAC. The operator shall construct the soil cover to the site's existing grade and prevent ponding of water and erosion of the cover material.

**Elm Ridge Exploration has backfilled the excavated area with non-waste containing earthen material, and installed a soil cover of at least one (1) foot thick of suitable material to establish vegetation at this site. The soil cover has been graded in such a way that it conforms to the grade of the natural surroundings, and will prevent ponding of water and erosion of the cover material; see attached *Site Photographs*.**

- iii. All areas of the well site that are no longer utilized on a day to day basis for the production of oil and/or gas, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will substantially restore, recontour and re-vegetate the areas, in accordance with 19.15.17.13 Subsections G and I NMAC. The operator shall notify the division when it has been re-seeded and when it has achieved successful re-vegetation.

**Elm Ridge Exploration has restored, recontoured and re-seeded the excavated area in accordance with BLM standards as outlined in the Memorandum of Understanding (MOU).**

- 2) If soil samples exceed the regulatory standards stated above:

- i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.

**The samples of native soil beneath the earthen pit returned results below the 100 mg/kg TPH standard, the 0.2 mg/kg benzene standard, the 50 mg/kg BTEX standard and the 250 mg/kg total chloride standard, confirming that a release did NOT occur.**



- 10) Elm Ridge Exploration will submit a closure report within 60 days following the earthen pit closure. The closure report will consist of a form C-144 with all supporting data and a form C-141 with all supporting data. The supporting data will include proof of closure notice to the surface owner and the OCD, confirmation sampling analytical results, a site diagram, soil backfilling and cover installation, re-vegetation rates, re-seeding techniques, and site reclamation photo documentation if applicable, along with all other information related to the onsite activities.

**See attached C-144 Closure Form and attached Form C-141 Release Notification Form. Closure report has been submitted prior to November 16, 2009.**

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Sender's Name James McDaniel Phone (505) 632-0615

Company ENVIROTECH

Address 3795 HIGHWAY 64

City FARMINGTON State NM ZIP 87401

2 Your Internal Billing Reference 03056-0241

3 To Recipient's Name Brad Jones Phone (505) 476-3487

Company N.M. Oil Conservation Division

Recipient's Address 1220 S. St. Francis Drive

City Santa Fe State NM ZIP 87505

0401655191

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**Total Packages** 1 **Total Weight** 1.0 **Total Declared Value** \$ .00

519

Rev. Date 10/04/04 © 2004 FedEx-PRINTED IN U.S.A. 004



August 4, 2009

Project No. 03056-0241

Mr. Brad Jones  
New Mexico Oil Conservation Division  
1220 South St. Francis Street  
Santa Fe, New Mexico 87505

Phone (505) 476-3487

**RE: EARTH PIT CLOSURE NOTIFICATIONS AND PROPOSED CLOSURE SCHEDULE**

Dear Mr. Jones,

Envirotech, Inc., on the behalf of Elm Ridge Exploration, would like to submit this notification to begin closure activities at the below mentioned locations. Attached to this document is a proposed closure schedule for the months of August and September of 2009. Should this schedule be approved by your office, closure activities will begin as scheduled, with surface owner notifications being made at a minimum of 24 hours prior to the beginning of closure activities and a maximum of one (1) week prior to closure activities. Additional closure notifications and schedules will be made prior to beginning any closure activities. This letter will act as the closure notification for the following sites:

Bisti Coal 20-2	Bisti Coal 6-1	Bisti Coal 6-2	Bisti Coal 7-1
Bisti Coal 7 COM 2	Bisti Coal 8 COM 1	Bisti Coal 8L COM 2	Bisti Coal 9-1
Bisti Coal 9 COM 2	Bisti Coal 21-1	Bisti Coal 21 COM 2	Bisti Coal 22-2
Bisti Coal 28-1	Bisti Coal 29-1	Bisti Coal 29-2	Bisti Coal 30 COM 1
Bisti Coal 31-1	Bisti Coal 4-1	Bisti Coal 4 COM 2	Bisti Coal 5 COM 1
Bisti Coal 5K COM 2	Carson 10-332	Buena Suerte 3 G COM 1	Buena Suerte 3 L COM 1
Buena Suerte 32 G COM 1	East Bisti Coal 6-1	Buena Suerte 4 L COM 1	Carson Unit 15 COM 323
Carson Unit 206	Carson Unit 313	Pete Morrow 1	Pete Morrow 2
North Bisti Coal 32M COM 2	North Bisti Coal 31-1	Sam Jackson State COM 1	Jeter COM 2
West Bisti Coal 11 F COM 1	West Bisti Coal 12-1	West Bisti Coal 13-1	West Bisti Coal 11-2
West Bisti Coal 10-2	West Bisti Coal 15-1	West Bisti Coal 14 COM 1	West Bisti Coal 15-2
West Bisti Coal 22-2	West Bisti Coal 23-1	West Bisti Coal 22 COM 1	West Bisti Coal 24-1
West Bisti Coal 24 COM 2	West Bisti Coal 25-1	West Bisti Coal 25 2Y	Jicarilla Apache I-11
Sheila Hixon 1	Bisti Coal 16-2		

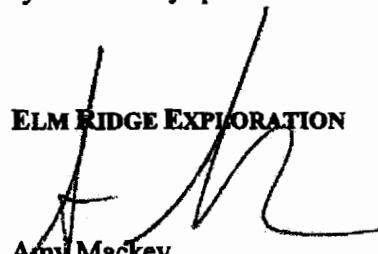
Elm Ridge Exploration is proposing to close the earthen pits at the above listed well locations based on the attached closure schedule.

We appreciate the opportunity to be of service. Should you have any questions or require additional information, please contact our office at (505) 632-0615.

Respectfully Submitted,  
ENVIROTECH, INC.

  
James McDaniel  
Project Scientist  
[jmcdaniel@envirotech-inc.com](mailto:jmcdaniel@envirotech-inc.com)

ELM RIDGE EXPLORATION

  
Amy Mackey  
Administrative Manager  
[amackey1@elmridge.net](mailto:amackey1@elmridge.net)

Attachments: Closure Schedule

# August 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
2	3	4	5	6	7	8
9	10 Blast Coal 20-2 Blast Coal 21-1 Blast Coal 21 COM 2 Blast Coal 22-2 Blast Coal 28-1	11 Blast Coal 20-2 Blast Coal 21-1 Blast Coal 21 COM 2 Blast Coal 22-2 Blast Coal 28-1	12 Blast Coal 20-2 Blast Coal 21-1 Blast Coal 21 COM 2 Blast Coal 22-2 Blast Coal 28-1	13 Blast Coal 20-2 Blast Coal 21-1 Blast Coal 21 COM 2 Blast Coal 22-2 Blast Coal 28-1	14 Blast Coal 20-2 Blast Coal 21-1 Blast Coal 21 COM 2 Blast Coal 22-2 Blast Coal 28-1	15
16	17 Blast Coal 29-1 Blast Coal 29-2 Blast Coal 30 COM 1 Blast Coal 31-1 Blast Coal 4-1 Blast Coal 4 COM 2 Blast Coal 5 COM 1 Blast Coal 5K COM 2 Blast Coal 16-2	18 Blast Coal 29-1 Blast Coal 29-2 Blast Coal 30 COM 1 Blast Coal 31-1 Blast Coal 4-1 Blast Coal 4 COM 2 Blast Coal 5 COM 1 Blast Coal 5K COM 2 Blast Coal 16-2	19 Blast Coal 29-1 Blast Coal 29-2 Blast Coal 30 COM 1 Blast Coal 31-1 Blast Coal 4-1 Blast Coal 4 COM 2 Blast Coal 5 COM 1 Blast Coal 5K COM 2 Blast Coal 16-2	20 Blast Coal 29-1 Blast Coal 29-2 Blast Coal 30 COM 1 Blast Coal 31-1 Blast Coal 4-1 Blast Coal 4 COM 2 Blast Coal 5 COM 1 Blast Coal 5K COM 2 Blast Coal 16-2	21 Blast Coal 29-1 Blast Coal 29-2 Blast Coal 30 COM 1 Blast Coal 31-1 Blast Coal 4-1 Blast Coal 4 COM 2 Blast Coal 5 COM 1 Blast Coal 5K COM 2 Blast Coal 16-2	22
23	24 Blast Coal 6-1 Blast Coal 6-2 Blast Coal 7-1 Blast Coal 7 COM 2 Blast Coal 8 COM 1 Blast Coal 8L COM 2 Blast Coal 9-1 Blast Coal 9 COM 2	25 Blast Coal 6-1 Blast Coal 6-2 Blast Coal 7-1 Blast Coal 7 COM 2 Blast Coal 8 COM 1 Blast Coal 8L COM 2 Blast Coal 9-1 Blast Coal 9 COM 2	26 Blast Coal 6-1 Blast Coal 6-2 Blast Coal 7-1 Blast Coal 7 COM 2 Blast Coal 8 COM 1 Blast Coal 8L COM 2 Blast Coal 9-1 Blast Coal 9 COM 2	27 Blast Coal 6-1 Blast Coal 6-2 Blast Coal 7-1 Blast Coal 7 COM 2 Blast Coal 8 COM 1 Blast Coal 8L COM 2 Blast Coal 9-1 Blast Coal 9 COM 2	28 Blast Coal 6-1 Blast Coal 6-2 Blast Coal 7-1 Blast Coal 7 COM 2 Blast Coal 8 COM 1 Blast Coal 8L COM 2 Blast Coal 9-1 Blast Coal 9 COM 2	29
30	31 Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Blast Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206					

# September 2009

Sun	Monday	Tuesday	Wed	Thurs	Friday	Sat
		1 Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Blati Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206	2 Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Blati Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206	3 Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Blati Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206	4 Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Blati Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206	5
6	7 Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Blati Coal 32M COM 2 Sam Jackson State COM 1 North Blati Coal 31-1 West Blati Coal 11 F COM 1 Jeter COM 2	8 Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Blati Coal 32M COM 2 Sam Jackson State COM 1 North Blati Coal 31-1 West Blati Coal 11 F COM 1 Jeter COM 2	9 Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Blati Coal 32M COM 2 Sam Jackson State COM 1 North Blati Coal 31-1 West Blati Coal 11 F COM 1 Jeter COM 2	10 Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Blati Coal 32M COM 2 Sam Jackson State COM 1 North Blati Coal 31-1 West Blati Coal 11 F COM 1 Jeter COM 2	11 Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Blati Coal 32M COM 2 Sam Jackson State COM 1 North Blati Coal 31-1 West Blati Coal 11 F COM 1 Jeter COM 2	12
13	14 West Blati Coal 12-1 West Blati Coal 13-1 West Blati Coal 11-2 West Blati Coal 10-2 West Blati Coal 14 COM 1 West Blati Coal 15-1 West Blati Coal 15-2 West Blati Coal 22-2	15 West Blati Coal 12-1 West Blati Coal 13-1 West Blati Coal 11-2 West Blati Coal 10-2 West Blati Coal 14 COM 1 West Blati Coal 15-1 West Blati Coal 15-2 West Blati Coal 22-2	16 West Blati Coal 12-1 West Blati Coal 13-1 West Blati Coal 11-2 West Blati Coal 10-2 West Blati Coal 14 COM 1 West Blati Coal 15-1 West Blati Coal 15-2 West Blati Coal 22-2	17 West Blati Coal 12-1 West Blati Coal 13-1 West Blati Coal 11-2 West Blati Coal 10-2 West Blati Coal 14 COM 1 West Blati Coal 15-1 West Blati Coal 15-2 West Blati Coal 22-2	18 West Blati Coal 12-1 West Blati Coal 13-1 West Blati Coal 11-2 West Blati Coal 10-2 West Blati Coal 14 COM 1 West Blati Coal 15-1 West Blati Coal 15-2 West Blati Coal 22-2	19
20	21 West Blati Coal 22 COM 1 West Blati Coal 23-1 West Blati Coal 24-1 West Blati Coal 24 COM 2 West Blati Coal 25-1 West Blati Coal 25 2Y Jicarilla Apache I-11 Shelia Hixon 1	22 West Blati Coal 22 COM 1 West Blati Coal 23-1 West Blati Coal 24-1 West Blati Coal 24 COM 2 West Blati Coal 25-1 West Blati Coal 25 2Y Jicarilla Apache I-11 Shelia Hixon 1	23 West Blati Coal 22 COM 1 West Blati Coal 23-1 West Blati Coal 24-1 West Blati Coal 24 COM 2 West Blati Coal 25-1 West Blati Coal 25 2Y Jicarilla Apache I-11 Shelia Hixon 1	24 West Blati Coal 22 COM 1 West Blati Coal 23-1 West Blati Coal 24-1 West Blati Coal 24 COM 2 West Blati Coal 25-1 West Blati Coal 25 2Y Jicarilla Apache I-11 Shelia Hixon 1	25 West Blati Coal 22 COM 1 West Blati Coal 23-1 West Blati Coal 24-1 West Blati Coal 24 COM 2 West Blati Coal 25-1 West Blati Coal 25 2Y Jicarilla Apache I-11 Shelia Hixon 1	26
27	28	29	30			


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West Bisti Coal 13-1  
03056-0210

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West Bisti Coal 22-2  
03056-0214

West Bisti Coal 15-2  
03056-0213

West Bisti Coal  
15-1

03056-0212

West Bisti Coal  
10-2

03056-0206

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City, State, ZIP+4	1235 La Plata Hwy., Ste. A Farmington, NM 87401
Postmark Here	
9/9/09	
- Alen	

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

#### 1. Article addressed to:

Mr. Mark Kelly  
Bureau of Land Management  
1235 La Plata Hwy., Ste. A  
Farmington, NM 87401

#### 2. Article Number (Transfer only; service label)

7007 1490 0000 5398 9411

PS Form 3811, February 2004

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102585-02-M-154

### COMPLETE THIS SECTION ON DELIVERY

- A. Signature *Tamara Faust* ☐ Agent ☐ Addressee
- B. Received by (Printed Name) *Tamara Faust* ☐ Yes ☒ No
- C. Date of Delivery *9/11*
- D. Is delivery address different from item 1? ☐ Yes ☒ No
- If YES, enter delivery address below:

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- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes





September 8, 2009

Project No. 03056-0213

Mr. Mark Kelly  
Bureau of Land Management  
1235 La Plata Highway, Suite A  
Farmington, New Mexico 87401

Phone: (505) 599-8900


**RE: WEST BISTI COAL 15-2 EARTH PIT CLOSURE NOTIFICATION**

Dear Mr. Kelly,

Please accept this letter and attached Sundry Notice as the necessary surface owner notification for earth pit closure activities at the West Bisti Coal 15-2 well site, owned and operated by Elm Ridge Exploration. The West Bisti Coal 15-2 well site is located in Unit K, Section 15, Township 25N, Range 13W, San Juan County, New Mexico. Closure activities are scheduled to begin on September 14, 2009 and continue through September 18, 2009.

We appreciate the opportunity to be of service. If you have any questions or require additional information, please contact our office at (505) 632-0615.

Respectfully Submitted,  
**ENVIROTECH, INC.**



James McDaniel  
Project Scientist  
[jmcdaniel@envirotech-inc.com](mailto:jmcdaniel@envirotech-inc.com)

Enclosure: Sundry Notice

Cc: Client File No. 03056

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

FORM APPROVED  
OMB No. 1004-0137  
Expires: July 31, 2010

**SUNDRY NOTICES AND REPORTS ON WELLS**  
*Do not use this form for proposals to drill or to re-enter an  
abandoned well. Use Form 3160-3 (APD) for such proposals.*

5. Lease Serial No.  
NM-53936

6. If Indian, Allottee or Tribe Name

**SUBMIT IN TRIPLICATE – Other instructions on page 2.**

1. Type of Well

☐ Oil Well ☒ Gas Well ☐ Other

2. Name of Operator  
Elm Ridge Exploration

3a. Address  
PO Box 156  
Bloomfield, NM 87413

3b. Phone No. (include area code)  
(505) 632-3476

7. If Unit of CA/Agreement, Name and/or No.

8. Well Name and No.  
West Bisti Coal 15-2

9. API Well No.  
30-045-28390

10. Field and Pool or Exploratory Area

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)  
1600 FSL 2310 FWL, 14-16-25N-13W, Lat. 36.598074 long. -108.207568

11. Country or Parish, State  
San Juan County, NM

**12. CHECK THE APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT OR OTHER DATA**

**TYPE OF SUBMISSION**

- ☒ Notice of Intent  
☐ Subsequent Report  
☐ Final Abandonment Notice

**TYPE OF ACTION**

- |   |   |  |   |
|---|---|--|---|
| <input type="checkbox"/> Acidize              | <input type="checkbox"/> Deepen           | <input type="checkbox"/> Production (Start/Resume) | <input type="checkbox"/> Water Shut-Off                           |
| <input type="checkbox"/> Alter Casing         | <input type="checkbox"/> Fracture Treat   | <input type="checkbox"/> Reclamation               | <input type="checkbox"/> Well Integrity                           |
| <input type="checkbox"/> Casing Repair        | <input type="checkbox"/> New Construction | <input type="checkbox"/> Recomplete                | <input checked="" type="checkbox"/> Other Closure of an Earth Pit |
| <input type="checkbox"/> Change Plans         | <input type="checkbox"/> Plug and Abandon | <input type="checkbox"/> Temporarily Abandon       |   |
| <input type="checkbox"/> Convert to Injection | <input type="checkbox"/> Plug Back        | <input type="checkbox"/> Water Disposal            |   |

13. Describe Proposed or Completed Operation: Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recompleat horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports must be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompleat in a new interval, a Form 3160-4 must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has determined that the site is ready for final inspection.)

Elm Ridge Exploration plans to begin closure activities for an earthen pit located at the above mentioned site. All formal notifications have been made. Closure activities are scheduled to being on Monday, September 14, 2009 and last through September 18, 2009.

14. I hereby certify that the foregoing is true and correct. Name (Printed/Typed)  
Ms. Amy Mackey

Title Administrative Manager

Signature

Date 09/08/2009

**THIS SPACE FOR FEDERAL OR STATE OFFICE USE**

Approved by

Title

Date

Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Office

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

(Instructions on page 2)

## GENERAL INSTRUCTIONS

This form is designed for submitting proposals to perform certain well operations and reports of such operations when completed as indicated on Federal and Indian lands pursuant to applicable Federal law and regulations. Any necessary special instructions concerning the use of this form and the number of copies to be submitted, particularly with regard to local area or regional procedures and practices, are either shown below, will be issued by or may be obtained from the local Federal office.

## SPECIFIC INSTRUCTIONS

*Item 4* - Locations on Federal or Indian land should be described in accordance with Federal requirements. Consult the local Federal office for specific instructions.

*Item 13* - Proposals to abandon a well and subsequent reports of abandonment should include such special information as is required by the local Federal office. In addition, such proposals and reports should include reasons for the abandonment; data on any former or present productive zones or other zones with present significant fluid contents not sealed off by cement or otherwise; depths (top and bottom) and method of placement of cement plugs; mud or other material placed below, between and above plugs; amount, size, method of parting of any casing, liner or tubing pulled and the depth to the top of any tubing left in the hole; method of closing top of well and date well site conditioned for final inspection looking for approval of the abandonment.

## NOTICES

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

**AUTHORITY:** 30 U.S.C. 181 et seq., 351 et seq., 25 U.S.C. 396; 43 CFR 3160.

**PRINCIPAL PURPOSE:** The information is used to: (1) Evaluate, when appropriate, approve applications, and report completion of subsequent well operations, on a Federal or Indian lease; and (2) document for administrative use, information for the management, disposal and use of National Resource lands and resources, such as: (a) evaluating the equipment and procedures to be used during a proposed subsequent well operation and reviewing the completed well operations for compliance with the approved plan; (b) requesting and granting approval to perform those actions covered by 43 CFR 3162.3-2, 3162.3-3, and 3162.3-4; (c) reporting the beginning or resumption of production, as required by 43 CFR 3162.4-1(c) and (d) analyzing future applications to drill or modify operations in light of data obtained and methods used.

**ROUTINE USES:** Information from the record and/or the record will be transferred to appropriate Federal, State, local or foreign agencies, when relevant to civil, criminal or regulatory investigations or prosecutions in connection with congressional inquiries or to consumer reporting agencies to facilitate collection of debts owed the Government.

**EFFECT OF NOT PROVIDING THE INFORMATION:** Filing of this notice and report and disclosure of the information is mandatory for those subsequent well operations specified in 43 CFR 3162.3-2, 3162.3-3, 3162.3-4.

The Paperwork Reduction Act of 1995 requires us to inform you that:

The BLM collects this information to evaluate proposed and/or completed subsequent well operations on Federal or Indian oil and gas leases.

Response to this request is mandatory.

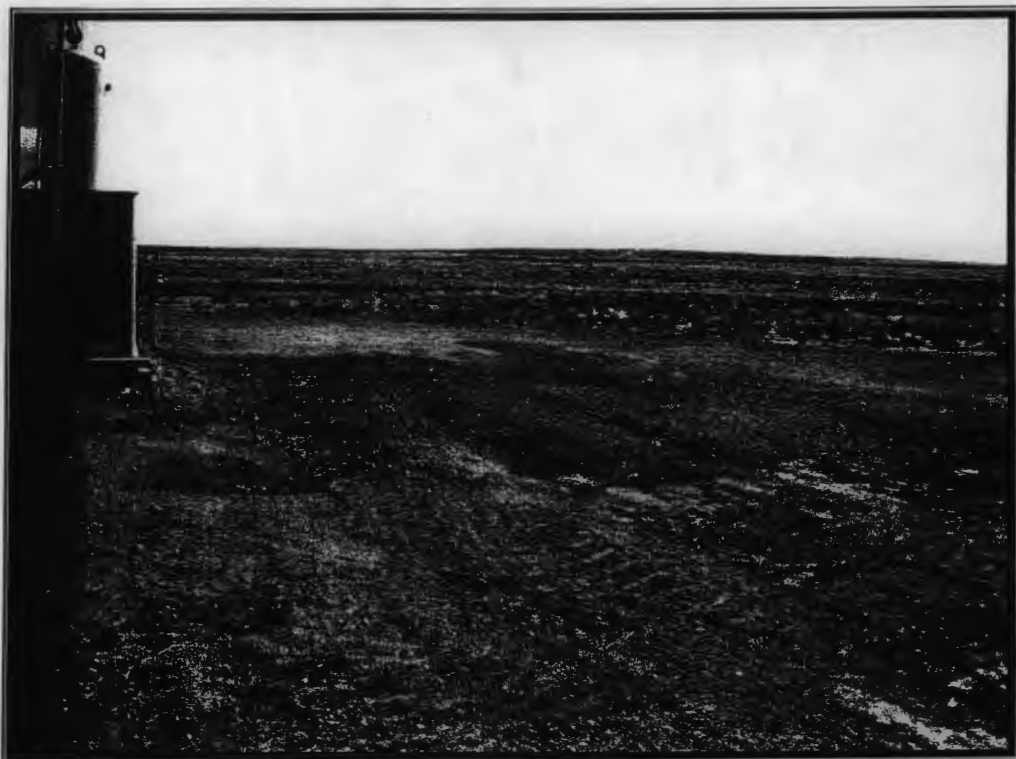
The BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

**BURDEN HOURS STATEMENT:** Public reporting burden for this form is estimated to average 8 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0137), Bureau Information Collection Clearance Officer (WO-630), 1849 C St., N.W., Mail Stop 401 LS, Washington, D.C. 20240

**ELM RIDGE EXPLORATION  
WEST BISTI COAL 15-2  
SEC 15, TWP 25N, RGE 13W  
PROJECT NO. 03056-0213**



**Photo 1: West Bisti Coal 15-2 Well Site**



**Photo 2: Excavated Area After Backfilling and Recontouring**



EPA METHOD 418.1  
TOTAL PETROLEUM  
HYDROCARBONS

Client:	Elm Ridge Exploration	Project #:	03056-0213
Sample No.:	1	Date Reported:	10/12/2009
Sample ID:	Earth Pit Composite	Date Sampled:	9/16/2009
Sample Matrix:	Soil	Date Analyzed:	9/16/2009
Preservative:	Cool	Analysis Needed:	TPH-418.1
Condition:	Cool and Intact		

Parameter	Concentration (mg/kg)	Det. Limit (mg/kg)
Total Petroleum Hydrocarbons	28	5.0

ND = Parameter not detected at the stated detection limit.

References: Method 418.1, Petroleum Hydrocarbons, Total Recoverable, Chemical Analysis of Water and Waste, USEPA Storet No. 4551, 1978.

Comments: **West Bisti Coal 15-2**

Instrument calibrated to 200 ppm standard. Zeroed before each sample

Analyst

Robyn Jones

Printed

James McDaniel

Printed



CONTINUOUS CALIBRATION  
EPA METHOD 418.1  
TOTAL PETROLEUM  
HYDROCARBONS

Cal. Date: 16-Sep-09

Parameter	Standard Concentration mg/L	Concentration Reading mg/L
TPH	100	208
	200	
	500	
	1000	

The accepted percent relative deviation (%RSD) of the calibration factor is less than 20% over the working range.

Analyst

Robyn Jones

Print Name

Review

James McDaniel

Print Name

Date

Date



Client:	ElmRidge	Project #:	03056-0213
Sample ID:	5' Below Pit Comp	Date Reported:	09-21-09
Laboratory Number:	51718	Date Sampled:	09-16-09
Chain of Custody:	7998	Date Received:	09-17-09
Sample Matrix:	Soil	Date Analyzed:	09-18-09
Preservative:	Cool	Date Extracted:	09-17-09
Condition:	Intact	Analysis Requested:	BTEX

Parameter	Concentration (ug/Kg)	Det. Limit (ug/Kg)
Benzene	1.1	0.9
Toluene	1.8	1.0
Ethylbenzene	1.3	1.0
p,m-Xylene	4.3	1.2
o-Xylene	2.8	0.9
<b>Total BTEX</b>	<b>11.3</b>	

ND - Parameter not detected at the stated detection limit.

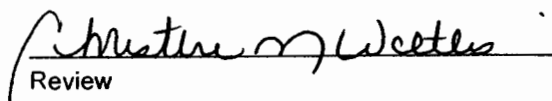
Surrogate Recoveries:	Parameter	Percent Recovery
	Fluorobenzene	99.0 %
	1,4-difluorobenzene	99.0 %
	Bromochlorobenzene	99.0 %

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Method 8021B, Aromatic Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

**Comments: West Bisti Coal 15-2**

  
 Analyst

  
 Review

Client:	N/A	Project #:	N/A
Sample ID:	09-18-BT QA/QC	Date Reported:	09-21-09
Laboratory Number:	51680	Date Sampled:	N/A
Sample Matrix:	Soil	Date Received:	N/A
Preservative:	N/A	Date Analyzed:	09-18-09
Condition:	N/A	Analysis:	BTEX

<b>Benzene</b>	1.1778E+006	1.1802E+006	<b>0.2%</b>	<b>ND</b>	<b>0.1</b>
<b>Toluene</b>	1.0723E+006	1.0744E+006	<b>0.2%</b>	<b>ND</b>	<b>0.1</b>
<b>Ethylbenzene</b>	9.5649E+005	9.5840E+005	<b>0.2%</b>	<b>ND</b>	<b>0.1</b>
<b>p,m-Xylene</b>	2.4071E+006	2.4119E+006	<b>0.2%</b>	<b>ND</b>	<b>0.1</b>
<b>o-Xylene</b>	9.0247E+005	9.0428E+005	<b>0.2%</b>	<b>ND</b>	<b>0.1</b>

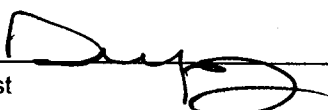
<b>Benzene</b>	<b>ND</b>	<b>ND</b>	<b>0.0%</b>	<b>0 - 30%</b>	<b>0.9</b>
<b>Toluene</b>	<b>ND</b>	<b>ND</b>	<b>0.0%</b>	<b>0 - 30%</b>	<b>1.0</b>
<b>Ethylbenzene</b>	<b>ND</b>	<b>ND</b>	<b>0.0%</b>	<b>0 - 30%</b>	<b>1.0</b>
<b>p,m-Xylene</b>	<b>ND</b>	<b>ND</b>	<b>0.0%</b>	<b>0 - 30%</b>	<b>1.2</b>
<b>o-Xylene</b>	<b>ND</b>	<b>ND</b>	<b>0.0%</b>	<b>0 - 30%</b>	<b>0.9</b>

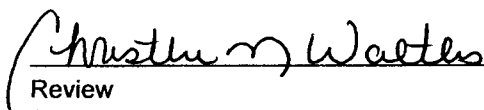
<b>Benzene</b>	<b>ND</b>	<b>50.0</b>	<b>49.6</b>	<b>99.2%</b>	<b>39 - 150</b>
<b>Toluene</b>	<b>ND</b>	<b>50.0</b>	<b>48.0</b>	<b>96.0%</b>	<b>46 - 148</b>
<b>Ethylbenzene</b>	<b>ND</b>	<b>50.0</b>	<b>44.0</b>	<b>88.0%</b>	<b>32 - 160</b>
<b>p,m-Xylene</b>	<b>ND</b>	<b>100</b>	<b>96.0</b>	<b>96.0%</b>	<b>46 - 148</b>
<b>o-Xylene</b>	<b>ND</b>	<b>50.0</b>	<b>47.0</b>	<b>94.0%</b>	<b>46 - 148</b>

ND - Parameter not detected at the stated detection limit.

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.  
 Method 8021B, Aromatic and Halogenated Volatiles by Gas Chromatography Using Photoionization and/or Electrolytic Conductivity Detectors, SW-846, USEPA December 1996.

**Comments:** QA/QC for Samples 51680 - 51684, 51699, 51714, 51715, 51717, and 51718.

Analyst 

  
 Review

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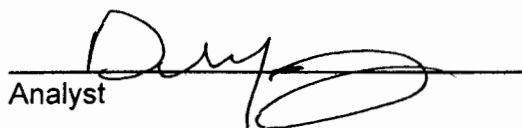
Client:		Project Name / Location:		ANALYSIS / PARAMETERS														
Elmridge		West Bisti Coal 15-2																
Client Address:		Sampler Name:																
R. Jones																		
Client Phone No.:		Client No.:																
03056-0213																		
Sample No./ Identification	Sample Date	Sample Time	Lab No.	Sample Matrix	No./Volume of Containers	Preservative H <sub>2</sub> O <sub>2</sub> , HCl	TPH (Method 8015)	BTEX (Method 8021)	VOC (Method 8260)	RCRA 8 Metals	Cation / Anion	RCI	TCLP with H/P	PAH	TPH (418.1)	CHLORIDE	Sample Cool	Sample Intact
5' Below Pit Comp	9/14/09	9:27	51718	Soil Solid	1-4oz													
				Sludge Aqueous														
				Soil Solid														
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Client:	Elm Ridge	Project #:	03056-0213
Sample ID:	5' Below Pit Comp	Date Reported:	10-12-09
Lab ID#:	51718	Date Sampled:	09-16-09
Sample Matrix:	Soil	Date Received:	09-17-09
Preservative:	Cool	Date Analyzed:	09-18-09
Condition:	Intact	Chain of Custody:	7998

**Parameter****Concentration (mg/Kg)****Total Chloride****175**

Reference: U.S.E.P.A., 4500B, "Methods for Chemical Analysis of Water and Wastes", 1983.  
Standard Methods For The Examination of Water And Waste Water", 18th ed., 1992.

Comments: **West Bisti Coal 15-2.**

  
Analyst  
Review

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Client:		Project Name / Location:		ANALYSIS / PARAMETERS															
Elmridge		West Biethi Coal 15-2																	
Client Address:		Sampler Name:																	
R. Jones																			
Client Phone No.:		Client No.:																	
030560-0213																			
Sample No./ Identification	Sample Date	Sample Time	Lab No.	Sample Matrix	No./Volume of Containers	Preservative HgCl <sub>2</sub> HCl	TPH (Method 8015)	BTEX (Method 8021)	VOC (Method 8260)	RCRA 8 Metals	Cation / Anion	RCI	TCLP with H/P	PAH	TPH (418.1)	CHLORIDE	Date	Time	
5' Below Pit Camp	9/16/09	9:27	51718	Soil Solid	1-4oz												9/17/09	14:54	
				Sludge Aqueous															
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## WHO ORDERED





04253

DATE 9-15-09 JOB# 03056-1213

ENTERED SEP 16 2009

"I certify the material hauled from the above location has not been added to or mixed with, and is the same material received from the above mentioned Generator, and that no additional materials have been added."

NAME James A. [Signature] COMPANY First & Last SIGNATURE [Signature]  
 COMPANY CONTACT Mr. PHONE 202-2011 DATE 11/1/09



MANIFEST #

DATE 4-16-09 JOB# 03056-0213

NOTES:

Guy Robinson

ENTERED SEP 22 2009

DATE *9-16-0*

District I  
1325 N. French Dr., Hobbs, NM 88240  
District II  
1301 W. Grand Avenue, 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

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

Form C-141  
Revised October 10, 2003

Submit 2 Copies to appropriate  
District Office in accordance  
with Rule 116 on back  
side of form

### Release Notification and Corrective Action

#### OPERATOR

☐ Initial Report ☒ Final Report

Name of Company: Elm Ridge Exploration	Contact: Amy Mackey
Address: PO Box 156, Bloomfield, NM 87413	Telephone No.: (505) 632-3476 Ext 201
Facility Name: West Bisti Coal 15-2	Facility Type: Gas Well

Surface Owner: Federal	Mineral Owner:	Lease No.: NM 53936
------------------------	----------------	---------------------

#### LOCATION OF RELEASE

Unit Letter K	Section 15	Township 25N	Range 13W	Feet from the 1500	North/South Line FSL	Feet from the 2310	East/West Line FWL	County San Juan
------------------	---------------	-----------------	--------------	-----------------------	-------------------------	-----------------------	-----------------------	--------------------

Latitude 36.398075 Longitude -108.207559

#### NATURE OF RELEASE


Type of Release: Produced Water	Volume of Release: Unknown	Volume Recovered: Unknown
Source of Release: Earth Pit	Date and Hour of Occurrence: Historical	Date and Hour of Discovery: NA
Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required	If YES, To Whom?	
By Whom?	Date and Hour	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	

If a Watercourse was Impacted, Describe Fully.\*

Describe Cause of Problem and Remedial Action Taken.\*  
Produced water from a gas well at the above mentioned location formerly discharged into an earthen pit on location. The well has been altered to no longer drain into an earthen pit, but instead into an above ground storage tank (AST).

Describe Area Affected and Cleanup Action Taken.\*  
Blow sand was removed from the earthen pit, and approximately one-hundred and two (102) yards of 'production sludge' was removed from the earthen pit. A five (5)-point composite sample was collected from beneath the pit once it was removed. The sample was analyzed in the field for total petroleum hydrocarbons (TPH) via USEPA Method 418.1, and in Envirotech's laboratory for benzene and BTEX via USEPA Method 8021 and for total chlorides via USEPA Method 4500B. The sample returned results below the 'Pit Rule' standards of 100 mg/kg TPH, 0.2 mg/kg benzene, 50 mg/kg BTEX and 250 mg/kg total chlorides, confirming that a release had not occurred. Analytical results are attached for your reference.

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.

Signature: 		<b>OIL CONSERVATION DIVISION</b>	
Printed Name: Ms. Amy Mackey		Approved by District Supervisor:	
Title: Administrative Manager		Approval Date:	Expiration Date:
E-mail Address: amackey1@elmridge.net		Conditions of Approval:	
Date: <u>11/11/09</u> Phone: 505-632-3476 Ext 201		Attached <input type="checkbox"/>	

\* Attach Additional Sheets If Necessary

District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
1301 W. Grand Avenue, 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-144  
July 21, 2008

**For temporary pits, closed-loop systems, and below-grade tanks,** submit to the appropriate NMOCD District Office.  
**For permanent pits and exceptions** submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.

**Pit, Closed-Loop System, Below-Grade Tank, or  
Proposed Alternative Method Permit or Closure Plan Application**

Type of action: ☐ Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method  
☒ Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method  
☐ Modification to an existing permit  
☐ Closure plan only submitted for an existing permitted or non-permitted pit, closed-loop system, below-grade tank, or proposed alternative method

**Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, 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.

Operator: Elm Ridge Exploration OGRID #: 149052  
Address: P.O. Box 156; Bloomfield, NM 87413  
Facility or well name: West Bisti Coal 15-2  
API Number: 3004528390 OCD Permit Number: \_\_\_\_\_  
U/L or Qtr/Qtr K Section 15 Township 25N Range 13W County: San Juan  
Center of Proposed Design: Latitude 36.398075 Longitude -108.207559 NAD: ☐ 1927 ☒ 1983  
Surface Owner: ☒ Federal ☐ State ☐ Private ☐ Tribal Trust or Indian Allotment

2.  
☒ **Pit:** Subsection F or G of 19.15.17.11 NMAC  
Temporary: ☐ Drilling ☐ Workover  
☒ Permanent ☐ Emergency ☐ Cavitation ☐ P&A  
☐ Lined ☒ Unlined Liner type: Thickness \_\_\_\_\_ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
☐ String-Reinforced  
Liner Seams: ☐ Welded ☐ Factory ☐ Other \_\_\_\_\_ Volume: \_\_\_\_\_ bbl Dimensions: L 24' x W 19' x D 5'

3.  
☐ **Closed-loop System:** Subsection H of 19.15.17.11 NMAC  
Type of Operation: ☐ P&A ☐ Drilling a new well ☐ Workover or Drilling (Applies to activities which require prior approval of a permit or notice of intent)  
☐ Drying Pad ☐ Above Ground Steel Tanks ☐ Haul-off Bins ☐ Other \_\_\_\_\_  
☐ Lined ☐ Unlined Liner type: Thickness \_\_\_\_\_ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
Liner Seams: ☐ Welded ☐ Factory ☐ Other \_\_\_\_\_

4.  
☐ **Below-grade tank:** Subsection I of 19.15.17.11 NMAC  
Volume: \_\_\_\_\_ bbl Type of fluid: \_\_\_\_\_  
Tank Construction material:  
☐ 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 \_\_\_\_\_

5.  
☐ **Alternative Method:**  
Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

6.

**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 \_\_\_\_\_

7.

**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)

8.

**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 19.15.3.103 NMAC

9.

**Administrative Approvals 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:**

- ☐ Administrative approval(s): Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau office for consideration of approval.
- ☐ Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

10.

**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. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. Siting criteria does not apply to drying pads or above-grade tanks associated with a closed-loop system.

Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells	
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).0.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- Topographic map; Visual inspection (certification) of the proposed site	
Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- ( <i>Applies to temporary, emergency, or cavitation pits and below-grade tanks</i> ) (	<input type="checkbox"/> NA
Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. ( <i>Applies to permanent pits</i> )	
- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image	
Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, in existence at the time of initial application.	<input type="checkbox"/> Yes <input type="checkbox"/> No
- NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site	<input type="checkbox"/> 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.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within 500 feet of a wetland.	
Within the area overlying a subsurface mine.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within an unstable area.	
- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; Topographic map	<input type="checkbox"/> Yes <input type="checkbox"/> No
Within a 100-year floodplain.	
- FEMA map	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No

11. **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: \_\_\_\_\_

12. **Closed-loop Systems 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.

- ☐ Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19.15.17.9
- ☐ Siting Criteria Compliance Demonstrations (only for on-site closure) - 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: \_\_\_\_\_
- ☐ Previously Approved Operating and Maintenance Plan API Number: \_\_\_\_\_ (Applies only to closed-loop system that use above ground steel tanks or haul-off bins and propose to implement waste removal for closure)

13. **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<sub>2</sub>S, 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

14. **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 ☐ Closed-loop System  
☐ 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 (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)

15. **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 F 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 I of 19.15.17.13 NMAC
- ☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC



16.

**Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:** (19.15.17.13.D NMAC)**Instructions:** Please identify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if more than two facilities are required.

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Will any of the proposed closed-loop system operations and associated activities occur on or in areas that *will not* be used for future service and operations?☐ Yes (If yes, please provide the information below) ☐ No*Required for impacted areas which will not be used for future service and operations:*☐ 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 I of 19.15.17.13 NMAC☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

17.

**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 may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for guidance.

Ground water is less than 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 between 50 and 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

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 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 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 private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, 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

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 500 feet of a wetland.

- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site

☐ 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 &amp; Mineral Resources; USGS; NM Geological Society; Topographic map

☐ Yes ☐ No

Within a 100-year floodplain.

- FEMA map

☐ Yes ☐ No

18.

**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 F of 19.15.17.13 NMAC☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements 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 Subsection F of 19.15.17.13 NMAC☐ Waste Material Sampling Plan - based upon the appropriate requirements of Subsection F 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 I of 19.15.17.13 NMAC☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

19.

**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): \_\_\_\_\_

Title: \_\_\_\_\_

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

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

E-mail address: \_\_\_\_\_

Telephone: \_\_\_\_\_

20.

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

**OCD Representative Signature:** \_\_\_\_\_ **Approval Date:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**OCD Permit Number:** \_\_\_\_\_

21.

**Closure Report (required within 60 days of closure completion):** Subsection K of 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: 9/16/09

22.

**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.

23.

**Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:**

**Instructions:** Please identify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized.

Disposal Facility Name: Envirotech Landfarm #2

Disposal Facility Permit Number: NM-01-0011

Disposal Facility Name: \_\_\_\_\_

Disposal Facility Permit Number: \_\_\_\_\_

Were the closed-loop system operations and associated activities performed on or in areas that *will not* be used for future service and operations?

☐ Yes (If yes, please demonstrate compliance to the items below) ☐ No

Required for impacted areas which will not be used for future service and operations:

- ☒ Site Reclamation (Photo Documentation)  
☒ Soil Backfilling and Cover Installation  
☒ Re-vegetation Application Rates and Seeding Technique

24.

**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) **See Attached**  
☐ Proof of Deed Notice (required for on-site closure)  
☐ Plot Plan (for on-site closures and temporary pits)  
☒ Confirmation Sampling Analytical Results (if applicable) **See Attached**  
☐ Waste Material Sampling Analytical Results (required for on-site closure)  
☒ Disposal Facility Name and Permit Number **Envirotech Landfarm #2 NM-01-0011**  
☒ Soil Backfilling and Cover Installation **See Attached**  
☒ Re-vegetation Application Rates and Seeding Technique **See Attached**  
☒ Site Reclamation (Photo Documentation) **See Attached**

On-site Closure Location: Latitude \_\_\_\_\_ Longitude \_\_\_\_\_ NAD: ☐ 1927 ☐ 1983

25.

**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): Ms. Amy Mackey

Title: Administrative Manager

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

Date: 11/11/09

E-mail address: amackey1@elmrIDGE.net

Telephone: (505) 632-3476 ext. 201

**Earthen Pit Closure Checklist**

- 1) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close all former earthen pits prior to the closure date agreed upon by the New Mexico Oil Conservation Division (NMOCD) of December 31, 2009.  
**Closure date for the earth pit located at the West Bisti Coal 15-2 well site is September 16, 2009.**
- 2) In accordance with Subsection A of 19.15.17.13 NMAC, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close any earthen pits at a date the division requires because of imminent danger to fresh water, public health or the environment.  
**None of the earthen pits to be closed by Elm Ridge Exploration are deemed an imminent risk to the environment, public health, or to fresh or public water.**
- 3) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close earthen pits first which seem to pose a greater risk to fresh water, public health, or the environment. This will be determined by the locations proximity to surface water sources and distance to groundwater.  
**None of the earthen pits to be closed by Elm Ridge Exploration are deemed an imminent risk to the environment, public health, or to fresh or public water.**
- 4) No less than 60 days prior to any earthen pit closure activities, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the Santa Fe NMOCD office as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (3) NMAC.  
**Notification was provided to Mr. Brad Jones of the NMOCD Santa Fe Office on August 4, 2009, along with a schedule of on-site activities; see attached *Notification Letter*.**
- 5) No less than 24 hours and no greater than one (1) week prior to earthen pit removal, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the appropriate surface owner as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the surface owner by certified mail, return receipt requested, that the operator plans to close an earthen pit. The return receipt will be used to ensure that the surface owner has received written notification no less than 24 hours and no greater than one (1) week prior to the beginning of earth pit closure activities. Evidence of mailing of the notice to the address of the surface owner shown in the county tax records is sufficient to demonstrate compliance with this requirement. Closure activities that will take place on tribal land will have notifications sent by certified mail, return receipt requested, to the appropriate tribal office. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the Bureau of Land Management (BLM) of closure activities for wells located on federal land per a Sundry Notice, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. All notices will be sent in such a way that the surface owner will receive notice at least 24 hours prior to the beginning of closure activities.  
**Notification was provided to the Bureau of Land Management on September 11, 2009; see attached *Sundry Notice* and *Return Receipt*.**

- 6) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all liquids and/or sludge, to visual extents, prior to closure sampling. Material will be disposed of at Envirotech's Landfarm #2, Permit # NM-01-0011, TNT Environmental Inc. Landfarm, Permit # NM-01-0008, Industrial Ecosystems Inc. (IEI) Landfarm, Permit # NM-01-0010B, or Basin Disposal, Permit # NM-01-0005, depending on the consistence of the material removed, as in accordance with 19.15.17.13 Subsection C Paragraph (1) NMAC.

**On September 11, 2009, approximately one-hundred and two (102) cubic yards of production sludge were removed from the earthen pit and disposed of at Envirotech's NMOCD permitted soil remediation facility, Landfarm #2, Permit # NM-01-0011; see attached *Bill of Lading*.**

- 7) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all on-site equipment associated with this earthen pit unless it is required for some other purpose, as in accordance with 19.15.17.13 Subsection C Paragraph (2) NMAC. The equipment that meets the requirements of 19.15.9.712 Subsection A NMAC and 19.15.9.712 Subsection D Paragraph (1) will be disposed of at San Juan County Regional Landfill. Waste that is classified by 19.15.9.712 Subsection D Paragraph (2) will be sampled accordingly to determine acceptance of this material at the San Juan County Regional Landfill. Waste that is unable to be accepted at the San Juan County Regional Landfill will be submitted to the OCD on a case-by-case basis in accordance with Paragraph (3) of Subsection D of 19.15.9.712.

**All on-site equipment will be used for the continued operation of the West Bisti Coal 15-2 well site; see attached *Field Sheet* and *Site Photographs*.**

- 8) Once the earthen pit is removed to visual extents of contamination, a five (5)-point composite sample will be collected from directly below the liner(s) or at native soil. Additional discrete samples will be collected from any area that is wet, discolored or show other evidence of a release. All samples being collected will be analyzed for benzene and total BTEX via USEPA Method 8021B, TPH via USEPA Method 418.1, and chlorides via USEPA 300.1, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.

**A five (5)-point composite sample was collected of native soil beneath the earthen pit and analyzed in the field for total petroleum hydrocarbons (TPH) via USEPA Method 418.1, and analyzed in the laboratory for benzene and BTEX via USEPA Method 8021B, and for total chlorides via USEPA Method 4500B. The sample returned results below the 100 mg/kg TPH standard, the 0.2 mg/kg benzene standard, the 50 mg/kg BTEX standard and the 250 mg/kg total chloride standard, confirming that a release did NOT occur.**

NAME	Benzene	BTEX	Chlorides	TPH
Pit Rule Standard	0.2 mg/kg	50 mg/kg	250 mg/kg	100 mg/kg
Earth Pit Bottom Composite	0.0011 mg/kg	0.0113 mg/kg	175 mg/kg	28 mg/kg

- 9) Depending on soil sample results the area will be either backfilled or the area will be excavated.

- 1) If soil samples do not exceed the regulatory standards of 0.2 mg/kg benzene, 50 mg/kg BTEX, 100 mg/kg TPH, and 250 mg/kg or background concentration of chlorides, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.

- i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.

**Completed Form C-141 is attached for your review.**

- ii. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will backfill the excavation or impacted area with non-waste containing earthen material, in accordance with 19.15.17.13 Subsection E Paragraph (6) NMAC. A soil cover shall be installed for all backfilled excavations consisting of the background thickness of topsoil or one (1) foot of suitable material to establish vegetation at the site, whichever is greater in accordance with Subsections H of 19.15.17.13 NMAC. The operator shall construct the soil cover to the site's existing grade and prevent ponding of water and erosion of the cover material.

**Elm Ridge Exploration has backfilled the excavated area with non-waste containing earthen material, and installed a soil cover of at least one (1) foot thick of suitable material to establish vegetation at this site. The soil cover has been graded in such a way that it conforms to the grade of the natural surroundings, and will prevent ponding of water and erosion of the cover material; see attached *Site Photographs*.**

- iii. All areas of the well site that are no longer utilized on a day to day basis for the production of oil and/or gas, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will substantially restore, recontour and re-vegetate the areas, in accordance with 19.15.17.13 Subsections G and I NMAC. The operator shall notify the division when it has been re-seeded and when it has achieved successful re-vegetation.

**Elm Ridge Exploration has restored, recontoured and re-seeded the excavated area in accordance with BLM standards as outlined in the Memorandum of Understanding (MOU).**

- 2) If soil samples exceed the regulatory standards stated above:

- i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.

**The samples of native soil beneath the earthen pit returned results below the 100 mg/kg TPH standard, the 0.2 mg/kg benzene standard, the 50 mg/kg BTEX standard and the 250 mg/kg total chloride standard, confirming that a release did NOT occur.**

- 10) Elm Ridge Exploration will submit a closure report within 60 days following the earthen pit closure. The closure report will consist of a form C-144 with all supporting data and a form C-141 with all supporting data. The supporting data will include proof of closure notice to the surface owner and the OCD, confirmation sampling analytical results, a site diagram, soil backfilling and cover installation, re-vegetation rates, re-seeding techniques, and site reclamation photo documentation if applicable, along with all other information related to the onsite activities.

**See attached C-144 Closure Form and attached Form C-141 Release Notification Form. Closure report has been submitted prior to November 16, 2009.**

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Company ENVIROTECH

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City FARMINGTON State NM ZIP 87401

2 Your Internal Billing Reference 03056-0241

3 To Recipient's Name Brad Jones Phone 5051476-3487

Company N.M. Oil Conservation Division

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City Santa Fe State NM ZIP 87505

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August 4, 2009

Project No. 03056-0241

Mr. Brad Jones  
New Mexico Oil Conservation Division  
1220 South St. Francis Street  
Santa Fe, New Mexico 87505

Phone (505) 476-3487

**RE: EARTH PIT CLOSURE NOTIFICATIONS AND PROPOSED CLOSURE SCHEDULE**

Dear Mr. Jones,

Envirotech, Inc., on the behalf of Elm Ridge Exploration, would like to submit this notification to begin closure activities at the below mentioned locations. Attached to this document is a proposed closure schedule for the months of August and September of 2009. Should this schedule be approved by your office, closure activities will begin as scheduled, with surface owner notifications being made at a minimum of 24 hours prior to the beginning of closure activities and a maximum of one (1) week prior to closure activities. Additional closure notifications and schedules will be made prior to beginning any closure activities. This letter will act as the closure notification for the following sites:

Bisti Coal 20-2	Bisti Coal 6-1	Bisti Coal 6-2	Bisti Coal 7-1
Bisti Coal 7 COM 2	Bisti Coal 8 COM 1	Bisti Coal 8L COM 2	Bisti Coal 9-1
Bisti Coal 9 COM 2	Bisti Coal 21-1	Bisti Coal 21 COM 2	Bisti Coal 22-2
Bisti Coal 28-1	Bisti Coal 29-1	Bisti Coal 29-2	Bisti Coal 30 COM 1
Bisti Coal 31-1	Bisti Coal 4-1	Bisti Coal 4 COM 2	Bisti Coal 5 COM 1
Bisti Coal 5K COM 2	Carson 10-332	Buena Suerte 3 G COM 1	Buena Suerte 3 L COM 1
Buena Suerte 32 G COM 1	East Bisti Coal 6-1	Buena Suerte 4 L COM 1	Carson Unit 15 COM 323
Carson Unit 206	Carson Unit 313	Pete Morrow 1	Pete Morrow 2
North Bisti Coal 32M COM 2	North Bisti Coal 31-1	Sam Jackson State COM 1	Jeter COM 2
West Bisti Coal 11 F COM 1	West Bisti Coal 12-1	West Bisti Coal 13-1	West Bisti Coal 11-2
West Bisti Coal 10-2	West Bisti Coal 15-1	West Bisti Coal 14 COM 1	West Bisti Coal 15-2
West Bisti Coal 22-2	West Bisti Coal 23-1	West Bisti Coal 22 COM 1	West Bisti Coal 24-1
West Bisti Coal 24 COM 2	West Bisti Coal 25-1	West Bisti Coal 25 2Y	Jicarilla Apache I-11
Sheila Hixon 1	Bisti Coal 16-2		

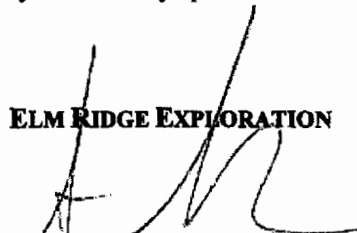
Elm Ridge Exploration is proposing to close the earthen pits at the above listed well locations based on the attached closure schedule.

We appreciate the opportunity to be of service. Should you have any questions or require additional information, please contact our office at (505) 632-0615.

Respectfully Submitted,  
ENVIROTECH, INC.

  
James McDaniel  
Project Scientist  
[jmcdaniel@envirotech-inc.com](mailto:jmcdaniel@envirotech-inc.com)

ELM RIDGE EXPLORATION

  
Amy Mackey  
Administrative Manager  
[amackey1@elmridge.net](mailto:amackey1@elmridge.net)

Attachments: Closure Schedule



# August 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
2	3	4	5	6	7	8
9	10 Bisti Coal 20-2 Bisti Coal 21-1 Bisti Coal 21 COM 2 Bisti Coal 22-2 Bisti Coal 28-1	11 Bisti Coal 20-2 Bisti Coal 21-1 Bisti Coal 21 COM 2 Bisti Coal 22-2 Bisti Coal 28-1	12 Bisti Coal 20-2 Bisti Coal 21-1 Bisti Coal 21 COM 2 Bisti Coal 22-2 Bisti Coal 28-1	13 Bisti Coal 20-2 Bisti Coal 21-1 Bisti Coal 21 COM 2 Bisti Coal 22-2 Bisti Coal 28-1	14 Bisti Coal 20-2 Bisti Coal 21-1 Bisti Coal 21 COM 2 Bisti Coal 22-2 Bisti Coal 28-1	15
16	17 Bisti Coal 29-1 Bisti Coal 29-2 Bisti Coal 30 COM 1 Bisti Coal 31-1 Bisti Coal 4-1 Bisti Coal 4 COM 2 Bisti Coal 5 COM 1 Bisti Coal 5K COM 2 Bisti Coal 16-2	18 Bisti Coal 29-1 Bisti Coal 29-2 Bisti Coal 30 COM 1 Bisti Coal 31-1 Bisti Coal 4-1 Bisti Coal 4 COM 2 Bisti Coal 5 COM 1 Bisti Coal 5K COM 2 Bisti Coal 16-2	19 Bisti Coal 29-1 Bisti Coal 29-2 Bisti Coal 30 COM 1 Bisti Coal 31-1 Bisti Coal 4-1 Bisti Coal 4 COM 2 Bisti Coal 5 COM 1 Bisti Coal 5K COM 2 Bisti Coal 16-2	20 Bisti Coal 29-1 Bisti Coal 29-2 Bisti Coal 30 COM 1 Bisti Coal 31-1 Bisti Coal 4-1 Bisti Coal 4 COM 2 Bisti Coal 5 COM 1 Bisti Coal 5K COM 2 Bisti Coal 16-2	21 Bisti Coal 29-1 Bisti Coal 29-2 Bisti Coal 30 COM 1 Bisti Coal 31-1 Bisti Coal 4-1 Bisti Coal 4 COM 2 Bisti Coal 5 COM 1 Bisti Coal 5K COM 2 Bisti Coal 16-2	22
23	24 Bisti Coal 6-1 Bisti Coal 6-2 Bisti Coal 7-1 Bisti Coal 7 COM 2 Bisti Coal 8 COM 1 Bisti Coal 8L COM 2 Bisti Coal 9-1 Bisti Coal 9 COM 2	25 Bisti Coal 6-1 Bisti Coal 6-2 Bisti Coal 7-1 Bisti Coal 7 COM 2 Bisti Coal 8 COM 1 Bisti Coal 8L COM 2 Bisti Coal 9-1 Bisti Coal 9 COM 2	26 Bisti Coal 6-1 Bisti Coal 6-2 Bisti Coal 7-1 Bisti Coal 7 COM 2 Bisti Coal 8 COM 1 Bisti Coal 8L COM 2 Bisti Coal 9-1 Bisti Coal 9 COM 2	27 Bisti Coal 6-1 Bisti Coal 6-2 Bisti Coal 7-1 Bisti Coal 7 COM 2 Bisti Coal 8 COM 1 Bisti Coal 8L COM 2 Bisti Coal 9-1 Bisti Coal 9 COM 2	28 Bisti Coal 6-1 Bisti Coal 6-2 Bisti Coal 7-1 Bisti Coal 7 COM 2 Bisti Coal 8 COM 1 Bisti Coal 8L COM 2 Bisti Coal 9-1 Bisti Coal 9 COM 2	29
30	31 Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Bisti Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206					

# September 2009

Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
		1 Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Blisti Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206	2 Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Blisti Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206	3 Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Blisti Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206	4 Carson 10-332 Buena Suerte 3 G COM 1 Buena Suerte 3 L COM 1 Buena Suerte 32 G COM 1 Buena Suerte 4 L COM 1 East Blisti Coal 6-1 Carson Unit 15 COM 323 Carson Unit 206	5
6	7 Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Blisti Coal 32M COM 2 Sam Jackson State COM 1 North Blisti Coal 31-1 West Blisti Coal 11 F COM 1 Jeter COM 2	8 Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Blisti Coal 32M COM 2 Sam Jackson State COM 1 North Blisti Coal 31-1 West Blisti Coal 11 F COM 1 Jeter COM 2	9 Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Blisti Coal 32M COM 2 Sam Jackson State COM 1 North Blisti Coal 31-1 West Blisti Coal 11 F COM 1 Jeter COM 2	10 Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Blisti Coal 32M COM 2 Sam Jackson State COM 1 North Blisti Coal 31-1 West Blisti Coal 11 F COM 1 Jeter COM 2	11 Carson Unit 313 Pete Morrow 1 Pete Morrow 2 North Blisti Coal 32M COM 2 Sam Jackson State COM 1 North Blisti Coal 31-1 West Blisti Coal 11 F COM 1 Jeter COM 2	12
13	14 West Blisti Coal 12-1 West Blisti Coal 13-1 West Blisti Coal 11-2 West Blisti Coal 10-2 West Blisti Coal 14 COM 1 West Blisti Coal 15-1 West Blisti Coal 15-2 West Blisti Coal 22-2	15 West Blisti Coal 12-1 West Blisti Coal 13-1 West Blisti Coal 11-2 West Blisti Coal 10-2 West Blisti Coal 14 COM 1 West Blisti Coal 15-1 West Blisti Coal 15-2 West Blisti Coal 22-2	16 West Blisti Coal 12-1 West Blisti Coal 13-1 West Blisti Coal 11-2 West Blisti Coal 10-2 West Blisti Coal 14 COM 1 West Blisti Coal 15-1 West Blisti Coal 15-2 West Blisti Coal 22-2	17 West Blisti Coal 12-1 West Blisti Coal 13-1 West Blisti Coal 11-2 West Blisti Coal 10-2 West Blisti Coal 14 COM 1 West Blisti Coal 15-1 West Blisti Coal 15-2 West Blisti Coal 22-2	18 West Blisti Coal 12-1 West Blisti Coal 13-1 West Blisti Coal 11-2 West Blisti Coal 10-2 West Blisti Coal 14 COM 1 West Blisti Coal 15-1 West Blisti Coal 15-2 West Blisti Coal 22-2	19
20	21 West Blisti Coal 22 COM 1 West Blisti Coal 23-1 West Blisti Coal 24-1 West Blisti Coal 24 COM 2 West Blisti Coal 25-1 West Blisti Coal 25 2Y Jicarilla Apache I-11 Shelia Hixon 1	22 West Blisti Coal 22 COM 1 West Blisti Coal 23-1 West Blisti Coal 24-1 West Blisti Coal 24 COM 2 West Blisti Coal 25-1 West Blisti Coal 25 2Y Jicarilla Apache I-11 Shelia Hixon 1	23 West Blisti Coal 22 COM 1 West Blisti Coal 23-1 West Blisti Coal 24-1 West Blisti Coal 24 COM 2 West Blisti Coal 25-1 West Blisti Coal 25 2Y Jicarilla Apache I-11 Shelia Hixon 1	24 West Blisti Coal 22 COM 1 West Blisti Coal 23-1 West Blisti Coal 24-1 West Blisti Coal 24 COM 2 West Blisti Coal 25-1 West Blisti Coal 25 2Y Jicarilla Apache I-11 Shelia Hixon 1	25 West Blisti Coal 22 COM 1 West Blisti Coal 23-1 West Blisti Coal 24-1 West Blisti Coal 24 COM 2 West Blisti Coal 25-1 West Blisti Coal 25 2Y Jicarilla Apache I-11 Shelia Hixon 1	26
27	28	29	30			


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## Track & Confirm

### Search Results

Label/Receipt Number: 7007 1490 0000 5398 9411

Service(s): Certified Mail™

Status: Delivered

Your item was delivered at 10:36 AM on September 11, 2009 in FARMINGTON, NM 87401.

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Enter Label/Receipt Number.

Go &gt;

### Notification Options

#### Track & Confirm by email

Get current event information or updates for your item sent to:

West Bisti Coal 13-1  
03056-0210

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West Bisti Coal 22-2  
03056-0214

West Bisti Coal 15-2  
03056-0213

West Bisti Coal  
15-1

03056-0212

West Bisti Coal  
10-2

03056-0206

West Bisti Coal  
11-2

03056-0207

West Bisti Coal 12-1  
03056-0209

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For delivery information visit our website at [www.usps.com](http://www.usps.com).

OFFICIAL USE

Postage	\$ 1.73
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.83

Kendra  
03056-0189  
Postmark Here  
9/9/09  
- Alen

Sent To: Mr. Mark Kelly  
Bureau of Land Management  
1235 La Plata Hwy., Ste. A  
Farmington, NM 87401

PS Form 3811, August 2008

See Reverse for Instructions

#### SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

#### 1. Article Addressed to:

Mr. Mark Kelly  
Bureau of Land Management  
1235 La Plata Hwy., Ste. A  
Farmington, NM 87401

#### 2. Article Number (Transfer from service label)

7007 1490 0000 5398 9411

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

#### COMPLETE THIS SECTION ON DELIVERY

- A. Signature: Tamara Faust ☐ Agent ☐ Addressee
- B. Received by (Printed Name): Tamara Faust
- C. Date of Delivery: 9/11
- D. Is delivery address different from item 1? ☐ Yes ☒ No  
If YES, enter delivery address below:

3. Service Type Ret. Rpt.
- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes



September 8, 2009

Project No. 03056-0213

Mr. Mark Kelly  
Bureau of Land Management  
1235 La Plata Highway, Suite A  
Farmington, New Mexico 87401

Phone: (505) 599-8900

**RE: WEST BISTI COAL 15-2 EARTH PIT CLOSURE NOTIFICATION**

Dear Mr. Kelly,

Please accept this letter and attached Sundry Notice as the necessary surface owner notification for earth pit closure activities at the West Bisti Coal 15-2 well site, owned and operated by Elm Ridge Exploration. The West Bisti Coal 15-2 well site is located in Unit K, Section 15, Township 25N, Range 13W, San Juan County, New Mexico. Closure activities are scheduled to begin on September 14, 2009 and continue through September 18, 2009.

We appreciate the opportunity to be of service. If you have any questions or require additional information, please contact our office at (505) 632-0615.

Respectfully Submitted,  
**ENVIROTECH, INC.**



James McDaniel  
Project Scientist  
[jmcdaniel@envirotech-inc.com](mailto:jmcdaniel@envirotech-inc.com)

Enclosure: Sundry Notice

Cc: Client File No. 03056

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

FORM APPROVED  
OMB No. 1004-0137  
Expires: July 31, 2010

**SUNDRY NOTICES AND REPORTS ON WELLS**  
**Do not use this form for proposals to drill or to re-enter an  
abandoned well. Use Form 3160-3 (APD) for such proposals.**

5. Lease Serial No.  
NM-53936

6. If Indian, Allottee or Tribe Name

**SUBMIT IN TRIPLICATE – Other instructions on page 2.**

1. Type of Well

☐ Oil Well ☒ Gas Well ☐ Other

2. Name of Operator  
Elm Ridge Exploration

3a. Address  
PO Box 158  
Bloomfield, NM 87413

3b. Phone No. (include area code)  
(505) 632-3476

4. Location of Well (Footage, Sec., T., R., M., or Survey Description)  
1600 FSL 2310 FWL, K-15-25N-13W, Lat. 36.388074 long. -108.207559

7. If Unit of CA/Agreement, Name and/or No.

8. Well Name and No.  
West Blstl Coal 15-2

9. API Well No.  
30-045-28390

10. Field and Pool or Exploratory Area

11. Country or Parish, State  
San Juan County, NM

**12. CHECK THE APPROPRIATE BOX(ES) TO INDICATE NATURE OF NOTICE, REPORT OR OTHER DATA**

TYPE OF SUBMISSION	TYPE OF ACTION			
<input checked="" type="checkbox"/> Notice of Intent	<input type="checkbox"/> Acidize	<input type="checkbox"/> Deepen	<input type="checkbox"/> Production (Start/Resume)	<input type="checkbox"/> Water Shut-Off
<input type="checkbox"/> Subsequent Report	<input type="checkbox"/> Alter Casing	<input type="checkbox"/> Fracture Treat	<input type="checkbox"/> Reclamation	<input type="checkbox"/> Well Integrity
<input type="checkbox"/> Final Abandonment Notice	<input type="checkbox"/> Casing Repair	<input type="checkbox"/> New Construction	<input type="checkbox"/> Recomplete	<input checked="" type="checkbox"/> Other Closure of an Earth Pit
	<input type="checkbox"/> Change Plans	<input type="checkbox"/> Plug and Abandon	<input type="checkbox"/> Temporarily Abandon	
	<input type="checkbox"/> Convert to Injection	<input type="checkbox"/> Plug Back	<input type="checkbox"/> Water Disposal	

13. Describe Proposed or Completed Operation: Clearly state all pertinent details, including estimated starting date of any proposed work and approximate duration thereof. If the proposal is to deepen directionally or recomple horizontally, give subsurface locations and measured and true vertical depths of all pertinent markers and zones. Attach the Bond under which the work will be performed or provide the Bond No. on file with BLM/BIA. Required subsequent reports must be filed within 30 days following completion of the involved operations. If the operation results in a multiple completion or recompletion in a new interval, a Form 3160-4 must be filed once testing has been completed. Final Abandonment Notices must be filed only after all requirements, including reclamation, have been completed and the operator has determined that the site is ready for final inspection.)

Elm Ridge Exploration plans to begin closure activities for an earthen pit located at the above mentioned site. All formal notifications have been made. Closure activities are scheduled to begin on Monday, September 14, 2009 and last through September 18, 2009.

14. I hereby certify that the foregoing is true and correct. Name (Printed/Typed)  
Ms. Amy Mackey

Title Administrative Manager

Signature

Date 09/08/2009

**THIS SPACE FOR FEDERAL OR STATE OFFICE USE**

Approved by

Title

Date

Conditions of approval, if any, are attached. Approval of this notice does not warrant or certify that the applicant holds legal or equitable title to those rights in the subject lease which would entitle the applicant to conduct operations thereon.

Office

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212, make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

(Instructions on page 2)

## GENERAL INSTRUCTIONS

This form is designed for submitting proposals to perform certain well operations and reports of such operations when completed as indicated on Federal and Indian lands pursuant to applicable Federal law and regulations. Any necessary special instructions concerning the use of this form and the number of copies to be submitted, particularly with regard to local area or regional procedures and practices, are either shown below, will be issued by or may be obtained from the local Federal office.

## SPECIFIC INSTRUCTIONS

*Item 4* - Locations on Federal or Indian land should be described in accordance with Federal requirements. Consult the local Federal office for specific instructions.

*Item 13* - Proposals to abandon a well and subsequent reports of abandonment should include such special information as is required by the local Federal office. In addition, such proposals and reports should include reasons for the abandonment; data on any former or present productive zones or other zones with present significant fluid contents not sealed off by cement or otherwise; depths (top and bottom) and method of placement of cement plugs; mud or other material placed below, between and above plugs; amount, size, method of parting of any casing, liner or tubing pulled and the depth to the top of any tubing left in the hole; method of closing top of well and date well site conditioned for final inspection looking for approval of the abandonment.

## NOTICES

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

**AUTHORITY:** 30 U.S.C. 181 et seq., 351 et seq., 25 U.S.C. 396; 43 CFR 3160.

**PRINCIPAL PURPOSE:** The information is used to: (1) Evaluate, when appropriate, approve applications, and report completion of subsequent well operations, on a Federal or Indian lease; and (2) document for administrative use, information for the management, disposal and use of National Resource lands and resources, such as: (a) evaluating the equipment and procedures to be used during a proposed subsequent well operation and reviewing the completed well operations for compliance with the approved plan; (b) requesting and granting approval to perform those actions covered by 43 CFR 3162.3-2, 3162.3-3, and 3162.3-4; (c) reporting the beginning or resumption of production, as required by 43 CFR 3162.4-1(c) and (d) analyzing future applications to drill or modify operations in light of data obtained and methods used.

**ROUTINE USES:** Information from the record and/or the record will be transferred to appropriate Federal, State, local or foreign agencies, when relevant to civil, criminal or regulatory investigations or prosecutions in connection with congressional inquiries or to consumer reporting agencies to facilitate collection of debts owed the Government.

**EFFECT OF NOT PROVIDING THE INFORMATION:** Filing of this notice and report and disclosure of the information is mandatory for those subsequent well operations specified in 43 CFR 3162.3-2, 3162.3-3, 3162.3-4.

The Paperwork Reduction Act of 1995 requires us to inform you that:

The BLM collects this information to evaluate proposed and/or completed subsequent well operations on Federal or Indian oil and gas leases.

Response to this request is mandatory.

The BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

**BURDEN HOURS STATEMENT:** Public reporting burden for this form is estimated to average 8 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0137), Bureau Information Collection Clearance Officer (WO-630), 1849 C St., N.W., Mail Stop 401 LS, Washington, D.C. 20240

**ELM RIDGE EXPLORATION  
WEST BISTI COAL 15-2  
SEC 15, TWP 25N, RGE 13W  
PROJECT No. 03056-0213**



Photo 1: West Bisti Coal 15-2 Well Site



Photo 2: Excavated Area After Backfilling and Recontouring





**EPA METHOD 418.1  
TOTAL PETROLEUM  
HYDROCARBONS**

Client:	Elm Ridge Exploration	Project #:	03056-0213
Sample No.:	1	Date Reported:	10/12/2009
Sample ID:	Earth Pit Composite	Date Sampled:	9/16/2009
Sample Matrix:	Soil	Date Analyzed:	9/16/2009
Preservative:	Cool	Analysis Needed:	TPH-418.1
Condition:	Cool and Intact		

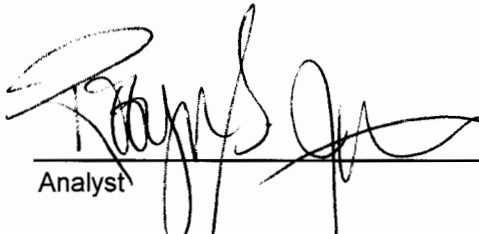
Parameter	Concentration (mg/kg)	Det. Limit (mg/kg)
Total Petroleum Hydrocarbons	28	5.0


ND = Parameter not detected at the stated detection limit.

References: Method 418.1, Petroleum Hydrocarbons, Total Recoverable, Chemical Analysis of Water and Waste, USEPA Storet No. 4551, 1978.

Comments: **West Bisti Coal 15-2**

Instrument calibrated to 200 ppm standard. Zeroed before each sample

  
\_\_\_\_\_  
Analyst  
  
Robyn Jones  
\_\_\_\_\_  
Printed

  
\_\_\_\_\_  
James McDaniel  
\_\_\_\_\_  
Printed





CONTINUOUS CALIBRATION  
EPA METHOD 418.1  
TOTAL PETROLEUM  
HYDROCARBONS

Cal. Date: 16-Sep-09

Parameter	Standard Concentration mg/L	Concentration Reading mg/L
-----------	-----------------------------------	----------------------------------

TPH	100	
	200	208
	500	
	1000	

The accepted percent relative deviation (%RSD) of the calibration factor is less than 20% over the working range.

Analyst

Robyn Jones

Print Name

Review

James McDaniel

Print Name

Date

Date

Client:	ElmRidge	Project #:	03056-0213
Sample ID:	5' Below Pit Comp	Date Reported:	09-21-09
Laboratory Number:	51718	Date Sampled:	09-16-09
Chain of Custody:	7998	Date Received:	09-17-09
Sample Matrix:	Soil	Date Analyzed:	09-18-09
Preservative:	Cool	Date Extracted:	09-17-09
Condition:	Intact	Analysis Requested:	BTEX

Parameter	Concentration (ug/Kg)	Det. Limit (ug/Kg)
Benzene	1.1	0.9
Toluene	1.8	1.0
Ethylbenzene	1.3	1.0
p,m-Xylene	4.3	1.2
o-Xylene	2.8	0.9
<b>Total BTEX</b>	<b>11.3</b>	

ND - Parameter not detected at the stated detection limit.

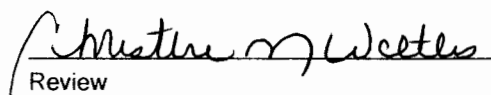
Surrogate Recoveries:	Parameter	Percent Recovery
	Fluorobenzene	99.0 %
	1,4-difluorobenzene	99.0 %
	Bromochlorobenzene	99.0 %

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Method 8021B, Aromatic Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

**Comments: West Bisti Coal 15-2**

  
 Analyst

  
 Review

Client:	N/A	Project #:	N/A
Sample ID:	09-18-BT QA/QC	Date Reported:	09-21-09
Laboratory Number:	51680	Date Sampled:	N/A
Sample Matrix:	Soil	Date Received:	N/A
Preservative:	N/A	Date Analyzed:	09-18-09
Condition:	N/A	Analysis:	BTEX

		C. Cal. BP	% Diff	Blank	Detect
		Accept Range 0 - 15%		Conc	Limit
Benzene	1.1778E+006	1.1802E+006	0.2%	ND	0.1
Toluene	1.0723E+006	1.0744E+006	0.2%	ND	0.1
Ethylbenzene	9.5649E+005	9.5840E+005	0.2%	ND	0.1
p,m-Xylene	2.4071E+006	2.4119E+006	0.2%	ND	0.1
o-Xylene	9.0247E+005	9.0428E+005	0.2%	ND	0.1

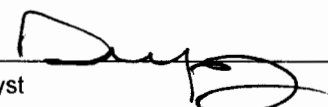
	Discrete	% Diff	Accept Range	Detect Limit	
Benzene	ND	ND	0.0%	0 - 30%	0.9
Toluene	ND	ND	0.0%	0 - 30%	1.0
Ethylbenzene	ND	ND	0.0%	0 - 30%	1.0
p,m-Xylene	ND	ND	0.0%	0 - 30%	1.2
o-Xylene	ND	ND	0.0%	0 - 30%	0.9

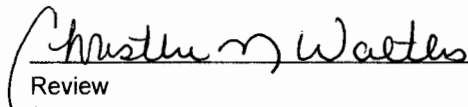
	Known Added	Spiked Sample	% Recovery	Accept Range	
Benzene	ND	50.0	49.6	99.2%	39 - 150
Toluene	ND	50.0	48.0	96.0%	46 - 148
Ethylbenzene	ND	50.0	44.0	88.0%	32 - 160
p,m-Xylene	ND	100	96.0	96.0%	46 - 148
o-Xylene	ND	50.0	47.0	94.0%	46 - 148

ND - Parameter not detected at the stated detection limit.

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.  
 Method 8021B, Aromatic and Halogenated Volatiles by Gas Chromatography Using Photoionization and/or Electrolytic Conductivity Detectors, SW-846, USEPA December 1996.

**Comments:** QA/QC for Samples 51680 - 51684, 51699, 51714, 51715, 51717, and 51718.

Analyst 

Review 

# CHAIN OF CUSTODY RECORD

[illegible]



**envirotech**  
Analytical Laboratory

**Chloride**

Client:	Elm Ridge	Project #:	03056-0213
Sample ID:	5' Below Pit Comp	Date Reported:	10-12-09
Lab ID#:	51718	Date Sampled:	09-16-09
Sample Matrix:	Soil	Date Received:	09-17-09
Preservative:	Cool	Date Analyzed:	09-18-09
Condition:	Intact	Chain of Custody:	7998

**Parameter**

**Concentration (mg/Kg)**

**Total Chloride**

**175**

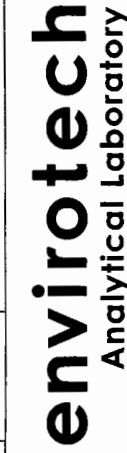
Reference: U.S.E.P.A., 4500B, "Methods for Chemical Analysis of Water and Wastes", 1983.  
Standard Methods For The Examination of Water And Waste Water", 18th ed., 1992.

Comments: **West Bisti Coal 15-2.**

Analyst

Review

# CHAIN OF CUSTODY RECORD

[illegible]

5796 US Highway 64 • Farmington, NM 87401 • 505-632-0615 • [lab@envirotech-inc.com](mailto:lab@envirotech-inc.com)

FIELD REPORT: BGT / PIT CLOSURE VERIFICATION

LOCATION: NAME: West Bisti Coal WELL #: 15-2 TEMP PIT: PERMANENT PIT: ☒ BGT:  
LEGAL ADD: UNIT: K SEC: 15 TWP: 25N RNG: 13W PM: NM  
QTR/FOOTAGE: 1500' FSL 2310' FWL CNTY: SJ ST: NM

EXCAVATION APPROX: 24 ~~48~~ FT. X 19 FT. X 5 FT. DEEP CUBIC YARDAGE: 84  
DISPOSAL FACILITY: Envirotech Ld for #2 REMEDIATION METHOD: Landfarm  
LAND OWNER: Federal API: 304528390 BGT / PIT VOLUME: 84 yds  
CONSTRUCTION MATERIAL: Earth DOUBLE-WALLED, WITH LEAK DETECTION:

LOCATION APPROXIMATELY: 70 FT. 180° FROM WELLHEAD  
DEPTH TO GROUNDWATER:


- TEMPORARY PIT - GROUNDWATER 50-100 FEET DEEP  
BENZENE ≤ 0.2 mg/kg, BTEX ≤ 50 mg/kg, GRO & DRO FRACTION (8015) ≤ 500 mg/kg, TPH (418.1) ≤ 2500 mg/kg, CHLORIDES ≤ 500 mg/kg
- TEMPORARY PIT - GROUNDWATER ≥ 100 FEET DEEP  
BENZENE ≤ 0.2 mg/kg, BTEX ≤ 50 mg/kg, GRO & DRO FRACTION (8015) ≤ 500 mg/kg, TPH (418.1) ≤ 2500 mg/kg, CHLORIDES ≤ 1000 mg/kg
- PERMANENT PIT OR BGT  
BENZENE ≤ 0.2 mg/kg, BTEX ≤ 50 mg/kg, TPH (418.1) ≤ 100 mg/kg, CHLORIDES ≤ 250 mg/kg

FIELD 418.1 ANALYSIS							
TIME	SAMPLE I.D.	LAB NO.	WEIGHT (g)	mL FREON	DILUTION	READING	CALC. (mg/kg)
8:30	200 STD		-	-	-	208	
9:20	5' Below Pit Comp		5	20	4	7	28
		2					
		3					
		4					
		5					
		6					

PERIMETER

FIELD CHLORIDES RESULTS

PROFILE



SAMPLE ID	READING	CALC. (mg/kg)
4' Below	10.6	468
4'6" Below	10.0	376
5' Below	4.8	

PID RESULTS

SAMPLE ID	RESULTS (ppm)
5' Below	0.0



# Bill of Lading

MANIFEST #

PHONE: (505) 632-0615 • 5796 U.S. HIGHWAY 64 • FARMINGTON, NEW MEXICO 87401

DATE 9-5-05 JOB# 03056-1213

[illegible]

“I certify the material hauled from the above location has not been added to or mixed with, and is the same material received from the above mentioned Generator, and that no additional materials have been added.”

NAME James J. Lee COMPANY Lee & Lee SIGNATURE James J. Lee  
 COMPANY CONTACT James J. Lee PHONE 307-301-3000 DATE 9-15-09 9/16/09





envirotech

# Bill of Lading

MANIFEST #

34246

PHONE: (505) 632-0615 • 5796 U.S. HIGHWAY 64 • FARMINGTON, NEW MEXICO 87401

DATE 9-16-09 JOB# 03056-0213

LOAD NO.	COMPLETE DESCRIPTION OF SHIPMENT					TRANSPORTING COMPANY				
	POINT OF ORIGIN	DESTINATION	MATERIAL	GRID	YDS	BBLs	COMPANY	TRK#	TIME	DRIVER SIGNATURE
1	3-20-09	LFH	CRIT + SOL	E-23	13	-	4-4	178	9:41	<i>[Signature]</i>
2	"	"	"	E-23	12	-	4-4	75	9:30	<i>[Signature]</i>
3	"	"	"	E-23	12	-	4-4	178	11:10	<i>[Signature]</i>
4	"	"	"	E-23	13	-	4-4	75	11:50	<i>[Signature]</i>
5	"	"	"	E-23	13	-	4-4	178	13:30	<i>[Signature]</i>
6	"	"	"	E-23	13	-	4-4	75	13:30	<i>[Signature]</i>
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NOTES:

ENTERED SEP 22 2009

"I certify the material hauled from the above location has not been added to or mixed with, and is the same material received from the above mentioned Generator, and that no additional materials have been added."

NAME John McHenry COMPANY Envirotech SIGNATURE [Signature]

COMPANY CONTACT 2241 PHONE 20-2711 DATE 9-16-09

District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
1301 W. Grand Avenue, 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-144  
July 21, 2008

For temporary pits, closed-loop systems, and below-grade tanks, submit to the appropriate NMOCD District Office.  
For permanent pits and exceptions submit to the Santa Fe Environmental Bureau office and provide a copy to the appropriate NMOCD District Office.

**Pit, Closed-Loop System, Below-Grade Tank, or  
Proposed Alternative Method Permit or Closure Plan Application**

Type of action: ☐ Permit of a pit, closed-loop system, below-grade tank, or proposed alternative method  
☒ Closure of a pit, closed-loop system, below-grade tank, or proposed alternative method  
☐ Modification to an existing permit  
☐ Closure plan only submitted for an existing permitted or non-permitted pit, closed-loop system, below-grade tank, or proposed alternative method

**Instructions: Please submit one application (Form C-144) per individual pit, closed-loop system, 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.

Operator: <u>Elm Ridge Exploration</u>	OGRID #: <u>149052</u>
Address: <u>P.O. Box 156; Bloomfield, NM 87413</u>	
Facility or well name: <u>West Bisti Coal 15-2</u>	
API Number: <u>3004528390</u>	OCD Permit Number: _____
U/L or Qtr/Qtr <u>K</u> Section <u>15</u> Township <u>25N</u> Range <u>13W</u> County: <u>San Juan</u>	
Center of Proposed Design: Latitude <u>36.397712</u> Longitude <u>-108.207277</u> NAD: <input type="checkbox"/> 1927 <input checked="" type="checkbox"/> 1983	
Surface Owner: <input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Private <input type="checkbox"/> Tribal Trust or Indian Allotment	

2. ☒ **Pit:** Subsection F or G of 19.15.17.11 NMAC  
Temporary: ☐ Drilling ☐ Workover  
☒ Permanent ☐ Emergency ☐ Cavitation ☐ P&A  
☐ Lined ☒ Unlined Liner type: Thickness \_\_\_\_\_ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
☐ String-Reinforced  
Liner Seams: ☐ Welded ☐ Factory ☐ Other \_\_\_\_\_ Volume: \_\_\_\_\_ bbl Dimensions: L 4' x W 5' x D 6'

3. ☐ **Closed-loop System:** Subsection H of 19.15.17.11 NMAC  
Type of Operation: ☐ P&A ☐ Drilling a new well ☐ Workover or Drilling (Applies to activities which require prior approval of a permit or notice of intent)  
☐ Drying Pad ☐ Above Ground Steel Tanks ☐ Haul-off Bins ☐ Other \_\_\_\_\_  
☐ Lined ☐ Unlined Liner type: Thickness \_\_\_\_\_ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
Liner Seams: ☐ Welded ☐ Factory ☐ Other \_\_\_\_\_

4. ☐ **Below-grade tank:** Subsection I of 19.15.17.11 NMAC  
Volume: \_\_\_\_\_ bbl Type of fluid: \_\_\_\_\_ Manufacturer: \_\_\_\_\_  
Tank Construction material:  
☐ 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 \_\_\_\_\_

5. ☐ **Alternative Method:**  
Submittal of an exception request is required. Exceptions must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

6.

**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 4' hogwire fencing with pipe railing

7.

**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)

8.

**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 19.15.3.103 NMAC

9.

**Administrative Approvals 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:**

- ☐ Administrative approval(s): Requests must be submitted to the appropriate division district or the Santa Fe Environmental Bureau office for consideration of approval.
- ☐ Exception(s): Requests must be submitted to the Santa Fe Environmental Bureau office for consideration of approval.

10.

**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. Requests regarding changes to certain siting criteria may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Applicant must attach justification for request. Please refer to 19.15.17.10 NMAC for guidance. Siting criteria does not apply to drying pads or above-grade tanks associated with a closed-loop system.

Ground water is less than 50 feet below the bottom of the temporary pit, permanent pit, or below-grade tank.

- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells

☐ Yes ☐ No

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 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.

- (*Applies to temporary, emergency, or cavitation pits and below-grade tanks*)

☐ Yes ☐ No  
☐ NA

Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application. (*Applies to permanent pits*)

- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image

☐ Yes ☐ No  
☐ NA

Within 500 horizontal feet of a private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, 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 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.

☐ Yes ☐ No

Within 500 feet of a wetland.

☐ Yes ☐ No

Within the area overlying a subsurface mine.

☐ 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

☐ Yes ☐ No

☐ Yes ☐ No

11.

**Temporary Pits, Emergency Pits, and Below-gr. 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: \_\_\_\_\_

12.

**Closed-loop Systems 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.

- ☐ Geologic and Hydrogeologic Data (only for on-site closure) - based upon the requirements of Paragraph (3) of Subsection B of 19.15.17.9  
☐ Siting Criteria Compliance Demonstrations (only for on-site closure) - 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: \_\_\_\_\_

☐ Previously Approved Operating and Maintenance Plan    API Number: \_\_\_\_\_ (Applies only to closed-loop system that use above ground steel tanks or haul-off bins and propose to implement waste removal for closure)

13.

**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<sub>2</sub>S, 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

14.

**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 ☐ Closed-loop System  
☐ 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 (Exceptions must be submitted to the Santa Fe Environmental Bureau for consideration)

15.

**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 F 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 I of 19.15.17.13 NMAC  
☒ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

16.

**Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-Trucks Only:** (19.15.17.13.D NMAC)

**Instructions:** Please identify the facility or facilities for the disposal of liquids, drilling fluids and drill cuttings. Use attachment if more than two facilities are required.

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Will any of the proposed closed-loop system operations and associated activities occur on or in areas that *will not* be used for future service and operations?

☐ Yes (If yes, please provide the information below) ☐ No

*Required for impacted areas which will not be used for future service and operations:*

☐ 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 I of 19.15.17.13 NMAC

☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

17.

**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 may require administrative approval from the appropriate district office or may be considered an exception which must be submitted to the Santa Fe Environmental Bureau office for consideration of approval. Justifications and/or demonstrations of equivalency are required. Please refer to 19.15.17.10 NMAC for guidance.

Ground water is less than 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 between 50 and 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

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 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 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 private, domestic fresh water well or spring that less than five households use for domestic or stock watering purposes, or within 1000 horizontal feet of any other fresh water well or spring, 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

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 500 feet of a wetland.

- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site

☐ 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

18.

**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 F of 19.15.17.13 NMAC

☐ Construction/Design Plan of Burial Trench (if applicable) based upon the appropriate requirements 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 Subsection F of 19.15.17.13 NMAC

☐ Waste Material Sampling Plan - based upon the appropriate requirements of Subsection F 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 I of 19.15.17.13 NMAC

☐ Site Reclamation Plan - based upon the appropriate requirements of Subsection G of 19.15.17.13 NMAC

19.

**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): Ms. Amy Mackey Title: Administrative Manager

Signature: [Signature] Date: 3-2-09

e-mail address: amackey1@elmridge.net Telephone: (505) 632-3476 Ext. 201

20.

**OCD Approval:** ☐ Permit Application (including closure plan) ☒ Closure Plan (only) ☐ OCD Conditions (see attachment)

OCD Representative Signature: [Signature] Approval Date: 2/10/09

Title: Environmental Engineer OCD Permit Number: \_\_\_\_\_

21.

**Closure Report (required within 60 days of closure completion):** Subsection K of 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: \_\_\_\_\_

22.

**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.

23.

**Closure Report Regarding Waste Removal Closure For Closed-loop Systems That Utilize Above Ground Steel Tanks or Haul-off Bins Only:**

*Instructions: Please identify the facility or facilities for where the liquids, drilling fluids and drill cuttings were disposed. Use attachment if more than two facilities were utilized.*

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Disposal Facility Name: \_\_\_\_\_ Disposal Facility Permit Number: \_\_\_\_\_

Were the closed-loop system operations and associated activities performed on or in areas that *will not* be used for future service and operations?

☐ Yes (If yes, please demonstrate compliance to the items below) ☐ No

*Required for impacted areas which will not be used for future service and operations:*

- ☐ Site Reclamation (Photo Documentation)  
☐ Soil Backfilling and Cover Installation  
☐ Re-vegetation Application Rates and Seeding Technique

24.

**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)  
☐ 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

25.

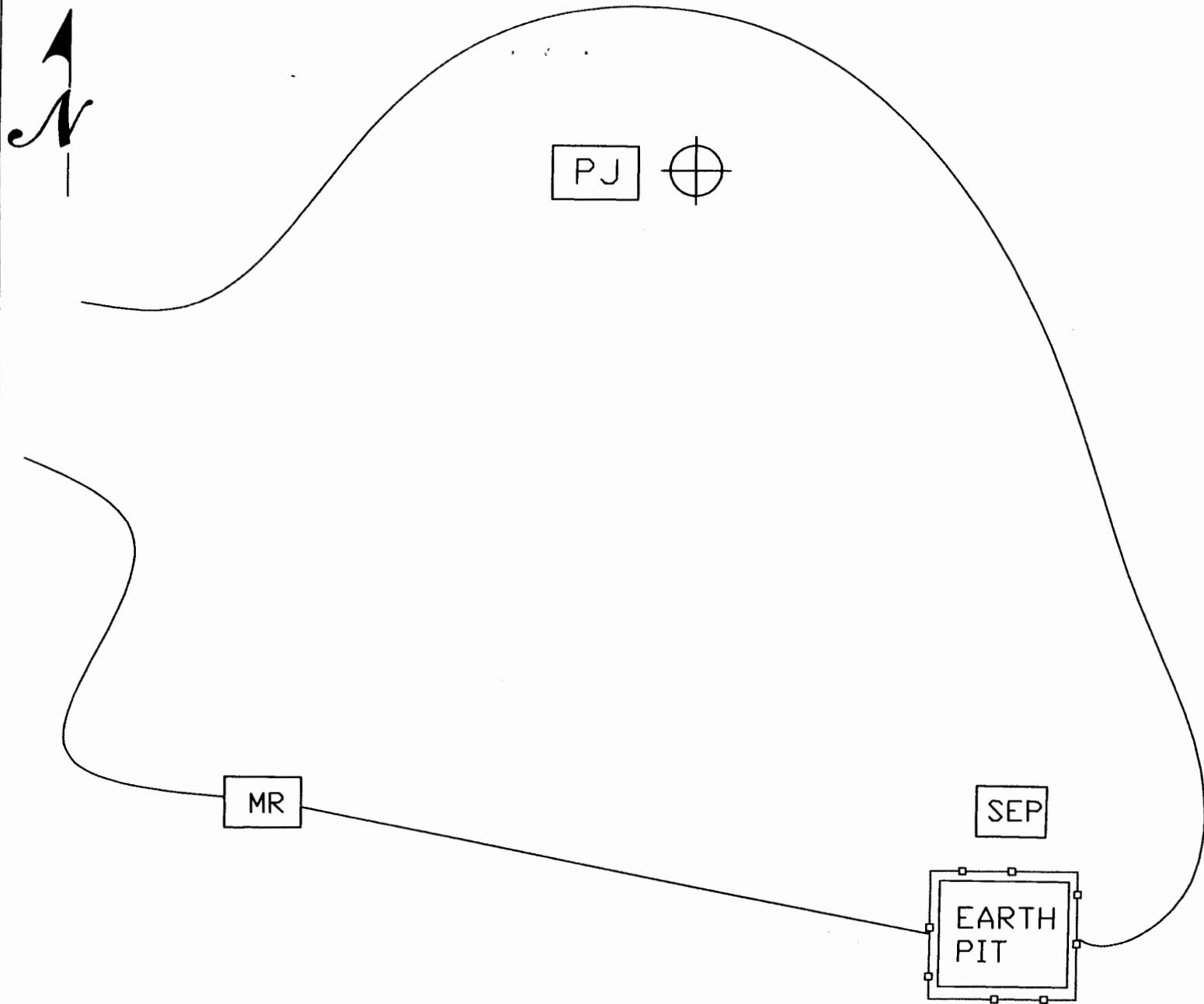
**Operator Closure Certification:**

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.

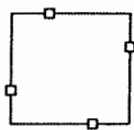
Name (Print): \_\_\_\_\_ Title: \_\_\_\_\_

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

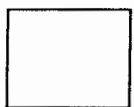
e-mail address: \_\_\_\_\_ Telephone: \_\_\_\_\_



# LEGEND



4' Tall Hogwire  
Fencing



Berm



Well Head

## SITE MAP ELM RIDGE EXPLORATION WEST BISTI COAL 15-2 SEC 15 TWN 25N RGE 13W SAN JUAN COUNTY, NEW MEXICO

SCALE: NTS

PROJECT N003056-0136

FIGURE NO. A

REV

### REVISIONS

NO.	DATE	BY	DESCRIPTION
MAP DRWN	MDD	11/17/08	BASE DRWN

ENVIRONMENTAL SCIENTISTS & ENGINEERS  
**ENVIROTECH**

5796 U.S. HIGHWAY 64, FARMINGTON, NM 87410 505-632-0615

# **EARTHEN PIT CLOSURE PLAN**

**SITE NAME:**

**WEST BISTI COAL 15-2  
UNIT LETTER K, SECTION 15, TOWNSHIP 25N, RANGE 13W  
SAN JUAN COUNTY, NEW MEXICO  
LATITUDE 36.397712 LONGITUDE -108.207277**

**SUBMITTED TO:**

**MR. WAYNE PRICE  
NEW MEXICO OIL CONSERVATION DIVISION  
1220 SOUTH ST. FRANCIS DRIVE  
SANTA FE, NEW MEXICO 87505  
(505) 476-3490**

**SUBMITTED BY:**

**MS. AMY MACKEY  
ELM RIDGE EXPLORATION  
PO BOX 156  
BLOOMFIELD, NEW MEXICO 87413  
(505) 632-3476 EXT. 201**

**JANUARY 2009**



**EARTHEN PIT CLOSURE PLAN  
ELM RIDGE EXPLORATION  
WEST BISTI COAL 15-2  
SAN JUAN COUNTY, NEW MEXICO**

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## **INTRODUCTION**

Elm Ridge Exploration would like to submit a closure plan for the earthen pit at the West Bisti Coal 15-2 well located in the NE ¼ SW ¼ of Section 15, Township 25N, Range 13W, San Juan County, New Mexico. This closure plan has been prepared in conformance with the closure requirements of 19.15.17.13 NMAC.

## **SCOPE OF CLOSURE ACTIVITIES**

The purpose of this closure plan is to provide the details of activities involved in the closure of the permanent unlined pit at the West Bisti Coal 15-2 well site. The following scope of closure activities has been designed to meet this objective:

- 1) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close all former earthen pits prior to the closure date agreed upon by the New Mexico Oil Conservation Division of December 31, 2009.
- 2) In accordance with of Subsection A of 19.15.17.13 NMAC, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close any earthen pits at a date the division requires because of imminent danger to fresh water, public health or the environment.
- 3) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will close earthen pits first which seem to pose a greater risk to fresh water, public health, or the environment. This will be determined by the locations proximately to surface water sources and distance to groundwater.
- 4) No less than 60 days prior to any earthen pit closure activities, Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the Santa Fe NMOCD office as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (3) NMAC.
- 5) No less than 24 hours and no greater than one (1) week prior to earthen pit removal Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will provide written notification to the appropriate surface owner as well as a schedule of on-site activities, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the surface owner by certified mail, return receipt requested, that the operator plans to close a earthen pit. The return receipt will be used to ensure that the surface owner has received written notification no less than 24 hours and no greater than one (1) week prior to the beginning of BGT closure activities. Evidence of mailing of the notice to the address of the surface owner shown in the county tax records is sufficient to demonstrate compliance with this requirement. Closure activities that will take place on tribal land will have notifications sent by certified mail, return receipt requested, to the appropriate tribal office. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will notify the Bureau of Land Management (BLM) of closure activities for wells located on federal land per a Sundry Notice, as in accordance with 19.15.17.13 Subsection J Paragraph (1) NMAC. All notices will be sent in such a way that the surface owner received notice at least 24 hours prior to the beginning of

closure activities.

- 6) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all liquids, and/or sludge, to visual extents, prior to closure sampling. Material will be disposed of at Envirotech's Landfarm #2, Permit # NM-01-0011, TNT Environmental Inc. Landfarm, Permit # NM-01-0008, Industrial Ecosystems Inc. (IEI) Landfarm, Permit # NM-01-0010B or Basin Disposal, Permit # NM-01-0005, depending on the consistence of the material removed, as in accordance with 19.15.17.13 Subsection C Paragraph (1) NMAC .
- 7) Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will remove all on-site equipment associated with this earthen pit unless it is required for some other purpose, as in accordance with 19.15.17.13 Subsection C Paragraph (2) NMAC. The equipment that meets the requirements of 19.15.9.712 Subsection A NMAC and 19.15.9.712 Subsection D Paragraph (1) will be disposed of at San Juan County Regional Landfill. Waste that is classified by 19.15.9.712 Subsection D Paragraph (2) will be sampled accordingly to determine acceptance of this material at the San Juan County Regional Landfill. Waste that is unable to be accepted at the San Juan County Regional Landfill will be submitted to the OCD on a case-by-case basis in accordance with Paragraph (3) of Subsection D of 19.15.9.712.
- 8) Once the earthen pit is removed to visual extents of contamination, a five (5) - point composite sample will be collected from directly below the liner(s) or at native soil. Additional discrete samples will be collected from any area that is wet, discolored or show other evidence of a release. All samples being collected will be analyzed for benzene, and total BTEX via USEPA Method 8021B, TPH via USEPA Method 418.1, and chlorides via USEPA 300.1, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.
- 9) Depending on soil sample results the area will be either backfilled or the area will be excavated.
  - a. If soil samples do not exceed the regulatory standards of 0.2 mg/kg benzene, 50 mg/kg BTEX, 100 mg/kg TPH, and 250 mg/kg or background concentration of chlorides, as in accordance with 19.15.17.13 Subsection C Paragraph (3) NMAC.
    - i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.
    - ii. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will backfill the excavation or impacted area with non-waste containing, earthen material, in accordance with 19.15.17.13 Subsection E Paragraph (6) NMAC. A soil cover shall be installed for all backfilled excavations consisting of the background thickness of topsoil or one foot of suitable material to establish vegetation at the site, whichever is greater in accordance with Subsections H of 19.15.17.13 NMAC. The operator shall construct the soil cover to the site's existing grade and prevent ponding of water and erosion of the cover material.
    - iii. All areas of the well site that are no longer utilized on a day to day basis for the production of oil and/or gas, Elm Ridge Exploration, or a

contractor acting on behalf of Elm Ridge Exploration, will substantially restore, recontour and re-vegetate the areas, in accordance with 19.15.17.13 Subsections G and I NMAC. The operator shall notify the division when it has re-seed and when it has achieved successful re-vegetation. For re-vegetation methods, please see attached re-vegetation plan.

- b. If soil samples exceed the regulatory standards stated above.
  - i. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, shall submit a Form C-141 with the laboratory results so that the division may review the results to determine if additional delineation is required in accordance with Paragraph (4) of Subsection C of 19.15.17.13 NMAC.
  - ii. Activities beyond this point will be in accordance with 19.15.3.116 NMAC and 19.15.11.19 NMAC.

### **REPORTING**

Elm Ridge Exploration will submit a closure report within 60 days following the earthen pit closure. The closure report will consist of a form C-144 with all supporting data and a form C-141 with all supporting data. The supporting data will include proof of closure notice to the surface owner and the OCD, confirmation sampling analytical results, a site diagram, soil backfilling and cover installation, re-vegetation rates, re-seeding techniques, and site reclamation photo documentation if applicable, along with all other information related to the onsite activities.

We appreciate the opportunity to be of service. If you have any questions or require further information, please do not hesitate to contact our office at (505) 632-3476 Ext. 201.

Respectfully Submitted:

**Elm Ridge Exploration**

Amy Mackey

Elm Ridge Exploration

## **Elm Ridge Exploration**

### **Re-Seeding Techniques and Seed Mixture Ratios**

These applied practices by Elm Ridge Exploration will at a minimum comply with the New Mexico Oil Conservation Divisions rule 19.15.17.13, Subsection I NMAC Elm Ridge Exploration has adopted these re-seeding application techniques, ratios, and mixtures as their standard operating procedures.

1. The first growing season after closure of a below grade tank or pit, all areas of the well site not utilized for the production of oil and/or gas on a daily basis will be re-seeded with the specified seed mixture.
2. The seed mixture used will be certified with no primary or secondary noxious weeds in seed mixtures. The seed labels from each bag shall be available for inspection while seed is being sown.
3. The operator shall accomplish seeding by drilling on the contour whenever practical or by other division-approved methods. The operator shall obtain vegetative cover that equals 70% of the native perennial vegetative cover (un-impacted by overgrazing, fire or other intrusion damaging to native vegetation) consisting of at least three native plant species, including at least one grass, but not including noxious weeds, and maintain that cover through two successive growing seasons. During the two growing seasons that prove viability, there shall be no artificial irrigation of the vegetation.
4. Hand seeding with hydro-mulch, excelsior netting, or mulch with netting is required on the cut/fill slopes. Mulch will be spread at a rate of 2,000-3,000 pounds per acre.
5. Compacted areas determined by visual inspection will be ripped to a depth of 12 inches below ground surface and disked to a depth of six (6) inches before seeding. Seeding shall be done with a disk type drill with two (2) boxes for various seed sizes. The drill rows shall be eight (8) to ten (10) inches apart. Seed shall be planted at no less than one-half (1/2) inch deep or more than one (1) inch deep. The seeder shall be followed with a drag, packer, or roller to ensure uniform coverage of the seed and adequate compaction. Drilling shall be done on the contour where possible, but not up and down the slope.
6. Where slopes are too steep for contour drilling a hand seeder shall be used. Seed shall be covered to the depth stated above by whatever means is practical. If the seed is unable to be covered by the means listed above, the prescribed seed mixture amount will be doubled.
7. Elm Ridge Exploration shall repeat seeding or planting until it successfully achieves the required vegetative cover of 70% of the native perennial vegetation cover.

8. Upon abandonment of a well site, if the retention of the access road is not considered necessary for the management and multiple uses of the natural resources, or by the surface owner, it will be ripped a minimum of 12 inches in depth. After ripping, water bars will be installed. All ripped surfaces are to be protected from vehicular travel by construction of a dead end ditch and earthen barricade at the entrance to these ripped areas. Re-seeding of areas affected by the ditch and barriers will be re-seeded if necessary.
9. Elm Ridge Exploration, or a contractor acting on behalf of Elm Ridge Exploration, will inform the division once successful re-vegetation has occurred.