

District I  
1625 N. French Dr., Hobbs, NM 88240  
District II  
811 S. First St., Artesia, NM 88210  
District III  
1000 Rio Brazos Road, Aztec, NM 87410  
District IV  
1220 S. St. Francis Dr., Santa Fe, NM 87505

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

NM OIL CONSERVATION

ARTESIA DISTRICT

Form C-141  
Revised August 8, 2011

DEC 20 2016

Submit 1 Copy to appropriate District Office in  
accordance with 19.15.29 NMAC.

RECEIVED

Release Notification and Corrective Action

*NAB/1635834232*

OPERATOR		X Initial Report	Final Report
Name of Company: Burnett Oil Co., Inc.	<i>3080</i>	Contact: Johnny Titsworth	
Address: Burnett Plaza-Ste 1500, 801 Cherry St-Unit 9, Fort Worth, TX 76102		Telephone No. (432) 425-2891	
Facility Name Jackson B 5 TB		Facility Type Tank Battery	
Surface Owner: BLM		Mineral Owner: BLM	API No. 30-015-36146

LOCATION OF RELEASE

Unit Letter P	Section 1	Township 17S	Range 30E	Feet from the 1145	North/South Line FSL	Feet from the 1283	East/West Line FEL	County Eddy
------------------	--------------	-----------------	--------------	-----------------------	-------------------------	-----------------------	-----------------------	----------------

Latitude: 32.85980 Longitude: -103.92088

NATURE OF RELEASE

Type of Release: oil/pw	Volume of Release 8/13	Volume Recovered 3/7
Source of Release: Heater Treater	Date and Hour of Occurrence: 12/18/16 10:00 am	Date and Hour of Discovery 12/18/16 10:30 am
Was Immediate Notice Given? X Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom? BLM - S. Tucker & OCD- H. Patterson	
By Whom? Johnny Titsworth	Date and Hour: 12/19/16 7:30 am	
Was a Watercourse Reached? <input type="checkbox"/> Yes X No	If YES, Volume Impacting the Watercourse.	
If a Watercourse was Impacted, Describe Fully.*  N/A		
Describe Cause of Problem and Remedial Action Taken.* The heater treater over pressurized and gasket blew out. All standing fluid has been picked up, and vessel will be repaired. The impacted area will be remediated to regulatory standards.		
Describe Area Affected and Cleanup Action Taken.* The impacted area is approx. 75'x35' with a 75'x100' overspray area to the North of the facility. The area will be sampled and remediated to regulatory standards		
I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOC 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 NMOC 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, NMOC 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: 	OIL CONSERVATION DIVISION	
Printed Name: Johnny Titsworth	Approved by Environmental Specialist: 	
Title: HSE Coordinator	Approval Date: 12/23/16	Expiration Date: N/A
E-mail Address: jtitsworth@burnettoil.com	Conditions of Approval: <i>See attached</i>	Attached <input checked="" type="checkbox"/>
Date: 12/19/16	Phone: (432) 425-2891	

\* Attach Additional Sheets If Necessary

2RP-4044

Operator/Responsible Party,

The OCD has received the form C-141 you provided on **12/20/2016** regarding an unauthorized release. The information contained on that form has been entered into our incident database and remediation case number ~~19P-4047~~ has been assigned. **Please refer to this case number in all future correspondence.**

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

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

Release characterization is the first phase of corrective action unless the release is ongoing or is of limited volume and all impacts can be immediately addressed. Proper and cost-effective remediation typically cannot occur without adequate characterization of the impacts of any release. Furthermore, the Division has the ability to impose reasonable conditions upon the efforts it oversees. **As such, the Division is requiring a workplan for the characterization of impacts associated with this release be submitted to the OCD District II office in Artesia on or before 2/1/2017. If and when the release characterization workplan is approved, there will be an associated deadline for submittal of the resultant investigation report. Modest extensions of time to these deadlines may be granted, but only with acceptable justification.**

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

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

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

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

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

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

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

**Jim Griswold**

OCD Environmental Bureau Chief

1220 South St. Francis Drive

Santa Fe, New Mexico 87505

505-476-3465

[jim.griswold@state.nm.us](mailto:jim.griswold@state.nm.us)

## **Patterson, Heather, EMNRD**

---

**From:** Johnny Titsworth <jtitsworth@burnettoil.com>  
**Sent:** Tuesday, December 20, 2016 10:20 AM  
**To:** Patterson, Heather, EMNRD; Bratcher, Mike, EMNRD; Weaver, Crystal, EMNRD; Tucker, Shelly  
**Cc:** Kyle Adams; Leslie Garvis  
**Subject:** RE: Jackson B 5 TB  
**Attachments:** JB 5 initial C -1414 12.18.16.pdf

Sorry about that.

jt

---

**From:** Patterson, Heather, EMNRD [mailto:Heather.Patterson@state.nm.us]  
**Sent:** Tuesday, December 20, 2016 10:18 AM  
**To:** Johnny Titsworth <jtitsworth@burnettoil.com>  
**Subject:** RE: Jackson B 5 TB

No attachment...

Heather Patterson  
Environmental Specialist  
NMOCD District II  
Office (575)748-1283 ext.101  
Cell (575)703-0228

---

**From:** Johnny Titsworth [mailto:jtitsworth@burnettoil.com]  
**Sent:** Monday, December 19, 2016 2:52 PM  
**To:** Bratcher, Mike, EMNRD <mike.bratcher@state.nm.us>; Patterson, Heather, EMNRD <Heather.Patterson@state.nm.us>; Weaver, Crystal, EMNRD <Crystal.Weaver@state.nm.us>; Tucker, Shelly <stucker@blm.gov>  
**Cc:** Kyle Adams <KAdams@burnettoil.com>; Leslie Garvis <lgarvis@burnettoil.com>  
**Subject:** Jackson B 5 TB

All  
Here is the C-141 for the above location. If there are any questions or concern, feel free to contact us.

**Johnny Titsworth**  
HSE COORDINATOR

**BURNETT OIL CO., INC.**  
P.O. Box 188  
CR 220 North  
Loco Hills, NM 88255  
MOBILE: (432)-425-2891  
EMAIL: [jtitsworth@burnettoil.com](mailto:jtitsworth@burnettoil.com)

This message is intended only for the person(s) to which it is addressed and may contain privileged, confidential and/or insider information. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer. Any disclosure, copying, distribution, or the taking of any action concerning the contents of this message and any attachment(s) by anyone other than the named recipient(s) is strictly prohibited.

This message is intended only for the person(s) to which it is addressed and may contain privileged, confidential and/or insider information. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer. Any disclosure, copying, distribution, or the taking of any action concerning the contents of this message and any attachment(s) by anyone other than the named recipient(s) is strictly prohibited.

**Patterson, Heather, EMNRD**

---

**From:** Johnny Titsworth <jtitsworth@burnettoil.com>  
**Sent:** Monday, December 19, 2016 7:38 AM  
**To:** Bratcher, Mike, EMNRD; Weaver, Crystal, EMNRD; Tucker, Shelly; Patterson, Heather, EMNRD  
**Cc:** Kyle Adams; Leslie Garvis  
**Subject:** Jackson B 5 TB

All  
Yesterday we had a release at the Jackson B 5 TB. All of the standing fluid was picked up. Once I have all the information, a C-141 will be submitted. Thanks, and let us know if there are any questions.

**Johnny Titsworth**  
HSE COORDINATOR

**BURNETT OIL CO., INC.**  
P.O. Box 188  
CR 220 North  
Loco Hills, NM 88255  
MOBILE: (432)-425-2891  
EMAIL: [jtitsworth@burnettoil.com](mailto:jtitsworth@burnettoil.com)

This message is intended only for the person(s) to which it is addressed and may contain privileged, confidential and/or insider information. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer. Any disclosure, copying, distribution, or the taking of any action concerning the contents of this message and any attachment(s) by anyone other than the named recipient(s) is strictly prohibited.