

To: 'Michael Incerto'; Bratcher, Mike, EMNRD; 'r@rthicksconsult.com'
Cc: todd.carpenter@solarismidstream.com; 'Alyssa McGuire'
<Alyssa.McGuire@solarismidstream.com>; Teena Robbins
Subject: 1RF-457 RODNEY ROBINSON AST CONTAINMENT. Approved with conditions.

1RF-457 RODNEY ROBINSON AST CONTAINMENT

Mr. Incerto,

NMOCD has reviewed the recycling containment permit application and related documents, submitted by Solaris Water Midstream, LLC OGRID # 371643 on September 30, 2020 for the proposed RODNEY ROBINSON AST CONTAINMENT at Unit Letter B, Section 1, Township 23S, Range 32E in Lea County, New Mexico. The application has been assigned the OCD Administrative Order number **1RF-457**.

Solaris requested variances from 19.15.34 NMAC for the proposed RODNEY ROBINSON AST CONTAINMENT related to 19.15.34. NMAC

The following variances have been approved.

- The variance to 19.15.34.14 NMAC Table I for the use of alternate analytical method 8015/8015M for total petroleum hydrocarbons (TPH) is approved.
- The variance to 19.15.34.14 NMAC Table I for the use of alternate analytical method EPA 300.0 or SM4500 for the analysis of chloride is approved.
- The variance to 19.15.34.12.A (2) NMAC for the no side-slope requirement for the AST containment with vertical walls is approved.
- The variance to 19.15.34.12.A (3) NMAC for the liners to be anchored to the top of the AST steel walls with clips and no anchor trenches is approved.
- The variance to 19.15.34.12 A (4) NMAC for the installation on the AST containment of a 40-mil non-reinforced LLDPE primary liner and a 30-mil non-reinforced LLDPE secondary is approved.
- The variance to 19.15.34.12 A (4) NMAC for the installation on the AST containment of a 40-mil non-reinforced LLDPE primary liner and a 40-mil non-reinforced LLDPE secondary liner is approved.

The following variance has been denied.

- The variance to 19.15.34.13 B (2) NMAC for a 2-feet freeboard has been denied. The containment must operate with the 3-feet freeboard as specified by rule.

The form C-147 and related documents for the proposed RODNEY ROBINSON AST CONTAINMENT 1RF-457 is approved with the following conditions of approval:

- Solaris shall construct, operate, maintain, close, and reclaim the 1RF-457 RODNEY ROBINSON AST CONTAINMENT in compliance with 19.15.34 NMAC.
- The 1RF-457 RODNEY ROBINSON AST CONTAINMENT is approved for five years of operation from the date of permit application. OCD received the permit application on September 30, 2020. The 1RF-457 RODNEY ROBINSON AST CONTAINMENT permit expires on September 30, 2025. If Solaris wishes to extend operations past five years, an annual permit extension request must be submitted using an OCD form C-147 through the OCD Online system by May 9, 2025.

- Solaris cannot receive produced water in the 1RF-457 RODNEY ROBINSON AST CONTAINMENT until after the original copy of the financial assurance has been accepted by OCD.
- Per Rule 19.15.34.15.A.(1), Solaris shall furnish financial assurance in a form acceptable to NMOCD for 1RF-457 RODNEY ROBINSON AST CONTAINMENT in the amount of the recycling containment's estimated closure cost provided in the application. For your upcoming bonding needs, please see our online bond forms: <http://www.emnrd.state.nm.us/OCD/forms.html>
- The financial assurance bond should be mailed to the Oil Conservation Division; ATTN: Eva Mathes, Bonding and Compliance; 1220 South St Frances Drive; Santa Fe, NM 87505. OCD will notify you when the bond has been received and approved.
- Solaris shall notify OCD when construction of the 1RF-457 RODNEY ROBINSON AST CONTAINMENT commences. Solaris shall notify OCD when recycling operations commence and cease at the 1RF-457 RODNEY ROBINSON AST CONTAINMENT.
- A minimum of 3-feet freeboard must be maintained in the recycling containment, at all times during operations.
- If less than 20% of the total fluid capacity is utilized every six months, beginning from the first withdrawal, operation of the facility is considered ceased and notification of cessation of operations should be sent electronically to OCD.Enviro@state.nm.us. An extension to extend the cessation of operation, not to exceed six months, may be submitted using a C-147 form through [OCD Online](#).
- Solaris shall submit monthly reports of recycling and reuse of produced water, drilling fluids, and liquid oil field waste on OCD form C-148 through [OCD Online](#).
- Solaris shall comply with 19.15.29 NMAC Releases in the event of any release of produced water or other oil field wastes at RODNEY ROBINSON AST CONTAINMENT.

Please reference number **1RF-457** in all future communications related to RODNEY ROBINSON AST CONTAINMENT.

Please keep a copy of this electronic communication for your files, as no paper copy of the approval will be delivered. A copy of this electronic communication can be found in 1RF-457 electronic file on OCD Imaging at:

<https://ocdimage.emnrd.state.nm.us/imaging/AEOrderFileView.aspx?appNo=pVV2032831250>

Regards,

Victoria Venegas • Environmental Specialist

Environmental Bureau

EMNRD - Oil Conservation Division

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