

2RF-159 -
Facility Number
[fVV2110949066]

EKG Produced
Water Containment
C-147/Conditions of
Approval

[371643] SOLARIS WATER
MIDSTREAM, LLC

May 21, 2021

Venegas, Victoria, EMNRD

From: Venegas, Victoria, EMNRD
Sent: Friday, May 21, 2021 2:31 PM
To: 'Teena Robbins'; Michael Incerto; LeighP.Barr, EMNRD
Cc: Sanchez, Daniel J., EMNRD; r@rthicksconsult.com; Enviro, OCD, EMNRD
Subject: 2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066].
Conditions of approval.
Attachments: C-147 Signed 05.21.2021 2RF-159 EKG Containment.pdf

2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066]. Conditions of approval.

Ms. Robbins,

NMOCD has reviewed the recycling containment application and related documents, submitted by [371643] SOLARIS WATER MIDSTREAM, LLC on March 5, 2021, for **2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066]** in Unit Letter F, Section 29, T-24S, R-28E, in Eddy County, New Mexico.

The form C-147 and related documents for 2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066] is approved with the following conditions of approval:

- [371643] SOLARIS WATER MIDSTREAM, LLC shall construct, operate, maintain, close, and reclaim the 2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066] in compliance with 19.15.34 NMAC.
- The 2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066] is approved for five (5) years of operation from the date of permit application. 2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066] permit expires on March 5, 2026. If [371643] SOLARIS WATER MIDSTREAM, LLC wishes to extend operations past five (5) years, an annual permit extension request must be submitted using an OCD form C-147 through the [OCD Online](#) system by February 5, 2026.
- [371643] SOLARIS WATER MIDSTREAM cannot receive produced water in 2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066] until after the original copy of the financial assurance has been accepted by OCD.
- Per Rule 19.15.34.15.A.(1) operators without existing financial assurance pursuant to 19.15.8 NMAC shall furnish financial assurance acceptable to the division in the amount of the recycling containment's estimated closure cost. The total closure cost estimate for 2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066] consisting of one (1) inground containments in in Unit Letter F, Section 29, T-24S, R-28E, in Eddy County, New Mexico in the amount of \$ \$47,200.00, satisfies the requirements of NMAC 19.15.34.15.A.(1).
- 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.
- [371643] SOLARIS WATER MIDSTREAM, LLC shall notify OCD when construction of 2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066] commences.
- [371643] SOLARIS WATER MIDSTREAM, LLC shall notify OCD when recycling operations commence and cease at the 2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066].
- 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](#).
- [371643] SOLARIS WATER MIDSTREAM, LLC shall submit monthly reports of recycling and reuse of produced water drilling fluids and liquid oil field waste on via [OCD Online](#) on form C-148 even if there is zero activity. Form C-148 is available for download at the OCD website at:
<http://www.emnrd.state.nm.us/OCD/forms.html>.
- [371643] SOLARIS WATER MIDSTREAM, LLC shall comply with 19.15.29 NMAC Releases in the event of any release of produced water or other oil field wastes at 2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066].

Please reference number **2RF-159 - EKG Produced Water Containment Facility Number [fVV2110949066]** in all future communications. 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 the facility file on OCD Imaging at:

<https://ocdimaging.emnrd.state.nm.us/imaging/FacilityFileView.aspx?facility=fVV2110949066>

Please let me know if you any further questions,
Regards,

Victoria Venegas • Environmental Specialist

Environmental Bureau

EMNRD - Oil Conservation Division

811S. First St. | Artesia, NM 88210

(575) 909-0269 | Victoria.Venegas@state.nm.us

<http://www.emnrd.state.nm.us/OCD/>



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

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

Form C-147
Revised April 3, 2017

Recycling Facility and/or Recycling Containment

Type of Facility: ☐ Recycling Facility ☒ Recycling Containment*
Type of action: ☐ Permit ☒ Registration
☐ Modification ☐ Extension
☐ Closure ☐ Other (explain) _____

* At the time C-147 is submitted to the division for a Recycling Containment, a copy shall be provided to the surface owner.

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.

1.
Operator: Solaris Water Midstream, LLC OGRID #: 371643
Address: 811 Katy Freeway, Suite 700 Houston, Texas 77024
Facility or well name (include API# if associated with a well): EKG Produced Water Containment
OCD Permit Number: 2RF-149- 2RF-159 (For new facilities the permit number will be assigned by the district office) **Facility #**
VV. 05/21/2021 **FV2110949066**
U/L or Qtr/Qtr F Section 29 Township 24S Range 28E County: Eddy
Surface Owner: ☐ Federal ☐ State ☒ Private ☐ Tribal Trust or Indian Allotment

2.
☐ **Recycling Facility:**
Location of (if applicable): Latitude 32.117435 Longitude -104.075971 Landes Recycling Facility °
Proposed Use: ☐ Drilling* ☐ Completion* ☐ Production* ☐ Plugging *
**The re-use of produced water may NOT be used until fresh water zones are cased and cemented*
☐ Other, requires permit for other uses. Describe use, process, testing, volume of produced water and ensure there will be no adverse impact on groundwater or surface water.
☐ Fluid Storage
☐ Above ground tanks ☐ Recycling containment ☐ Activity permitted under 19.15.17 NMAC explain type _____
☐ Activity permitted under 19.15.36 NMAC explain type: _____ ☐ Other explain _____
☐ For multiple or additional recycling containments, attach design and location information of each containment
☐ **Closure Report (required within 60 days of closure completion):** ☐ Recycling Facility Closure Completion Date: _____

3.
☒ **Recycling Containment:**
☐ Annual Extension after initial 5 years (attach summary of monthly leak detection inspections for previous year)
Center of Recycling Containment (if applicable) Lat 32.1893287°N Long 104.1132493°W
☒ For multiple or additional recycling containments, attach design and location information of each containment
☒ Lined ☐ Liner type: Thickness See Drawings ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other _____
☐ String-Reinforced
Liner Seams: ☐ Welded ☐ Factory ☐ Other Volume: See Drawings Dimensions _____
☐ Recycling Containment Closure Completion Date: _____

4.

Bonding:

- ☐ Covered under bonding pursuant to 19.15.8 NMAC per 19.15.34.15(A)(2) NMAC (These containments are limited to only the wells owned or operated by the owners of the containment.)
- ☒ Bonding in accordance with 19.15.34.15(A)(1). Amount of bond \$__See Transmittal Letter_____ (work on these facilities cannot commence until bonding amounts are approved)
- ☐ Attach closure cost estimate and documentation on how the closure cost was calculated.

5.

Fencing:

- ☒ Four-foot height, four strands of barbed wire evenly spaced between one and four feet
- ☒ Alternate. Please specify: __Game Fence_____

6.

Signs:

- ☒ 12"x 24", 2" lettering, providing Operator's name, site location, and emergency telephone numbers
- ☐ Signed in compliance with 19.15.16.8 NMAC

7.

Variances:

Justifications and/or demonstrations that the proposed variance will afford reasonable protection against contamination of fresh water, human health, and the environment.

Check the below box only if a variance is requested:

- ☐ Variance(s): Requests must be submitted to the appropriate division district for consideration of approval. If a Variance is requested, include the variance information on a separate page and attach it to the C-147 as part of the application.
- If a Variance is requested, it must be approved prior to implementation.***

8.

Siting Criteria for Recycling Containment

Instructions: The applicant must provide attachments that demonstrate compliance for each siting criteria below as part of the application. Potential examples of the siting attachment source material are provided below under each criterion.

General siting

Ground water is less than 50 feet below the bottom of the Recycling Containment.

NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells **FIGURES 1-2**

☐ Yes ☒ No
☐ 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.

- Written confirmation or verification from the municipality; written approval obtained from the municipality **FIGURE 3**

☐ Yes ☒ No
☐ NA

Within the area overlying a subsurface mine.

- Written confirmation or verification or map from the NM EMNRD-Mining and Minerals Division **FIGURE 4**

☐ Yes ☒ No

Within an unstable area.

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; topographic map **FIGURE 5a, 5b, and 5c.**

☐ Yes ☒ No

Within a 100-year floodplain. FEMA map **FIGURE 6**

☒ 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 **FIGURE 7**

☐ Yes ☒ No

Within 1000 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 **FIGURE 8**

☐ Yes ☒ No

Within 500 horizontal feet of a spring or a fresh water well used for domestic or stock watering purposes, in existence at the time of initial application. **FIGURES 1 and 7**

- NM Office of the State Engineer - iWATERS database search; visual inspection (certification) of the proposed site

☐ Yes ☒ No

Within 500 feet of a wetland. **FIGURE 9**

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

☐ Yes ☒ No

Recycling Facility and/or Containment Checklist:

☒ Design Plan - based upon the appropriate requirements.

☒ Operating and Maintenance Plan - based upon the appropriate requirements.

☒ Closure Plan - based upon the appropriate requirements.

☒ Site Specific Groundwater Data -

☒ Siting Criteria Compliance Demonstrations –

☒ **Certify that notice of the C-147 (only) has been sent to the surface owner(s)**

Operator Application Certification:

Name (Print): Bradley Todd Carpenter Title: Operations Manager
Signature: *Bradley Todd Carpenter* Date: 01/19/21
e-mail address: todd.carpenter@solarismidstream.com Telephone: (432) 203-9020

OCD Representative Signature: Victoria Venegas Approval Date: 05/20/2021

Title: Environmental Specialist OCD Permit Number: 2RF-159

☒ OCD Conditions _____ Facility #: fVV2110949066
☒ Additional OCD Conditions on Attachment _____