

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.

4138

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.

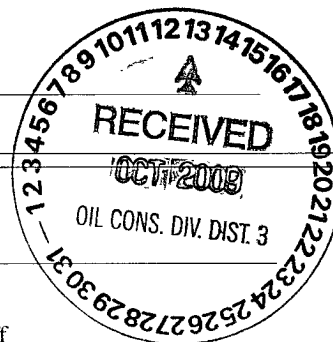
1.  
Operator: Koch Exploration Company, LLC OGRID #: 12807  
Address: PO Box 489, Aztec, NM 87410  
Facility or well name: A B Geren 6C  
API Number: 30-045-35023 OCD Permit Number: \_\_\_\_\_  
U/L or Qtr/Qtr J Section 29 Township 29N Range 9W County: San Juan  
Center of Proposed Design: Latitude 36° 41' 44.87" N Longitude 107° 48' 2.15" W 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 (Pre-set) ☐ P&A  
☐ Lined ☐ Unlined Liner type: Thickness \_\_\_\_\_ mil ☐ LLDPE ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
☐ String-Reinforced  
Liner Seams: ☐ Welded ☐ Factory ☐ Other \_\_\_\_\_ Volume: \_\_\_\_\_ bbl Dimensions: L \_\_\_\_\_ x W \_\_\_\_\_ x D \_\_\_\_\_

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): **Cavitation Pit for Pre-set** 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.<br>- NM Office of the State Engineer - iWATERS database search; USGS; Data obtained from nearby wells                                                                                                                                                                                       | <input type="checkbox"/> Yes <input type="checkbox"/> 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).<br>- Topographic map; Visual inspection (certification) of the proposed site                                                                                                                                   | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within 300 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.<br>(Applies to temporary, emergency, or cavitation pits and below-grade tanks)<br>- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image                                                                                          | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> NA |
| Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.<br>(Applies to permanent pits)<br>- Visual inspection (certification) of the proposed site; Aerial photo; Satellite image                                                                                                                                         | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> 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.<br>- NM Office of the State Engineer - iWATERS database search; Visual inspection (certification) of the proposed site | <input type="checkbox"/> Yes <input type="checkbox"/> 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.<br>- Written confirmation or verification from the municipality; Written approval obtained from the municipality                                                                                            | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within 500 feet of a wetland.<br>- US Fish and Wildlife Wetland Identification map; Topographic map; Visual inspection (certification) of the proposed site                                                                                                                                                                                                                                              | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within the area overlying a subsurface mine.<br>- Written confirmation or verification or map from the NM EMNRD-Mining and Mineral Division                                                                                                                                                                                                                                                              | <input type="checkbox"/> Yes <input type="checkbox"/> No                                |
| Within an unstable area.<br>- 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.<br>- FEMA map                                                                                                                                                                                                                                                                                                                                                              | <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: JFJ Landfarm, LLCDisposal Facility Permit Number: NM-01-0010Disposal Facility Name: Basin Disposal, Inc. / Key DisposalDisposal Facility Permit Number: NM-01-005 / NM-01-009Will 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): John ClarkTitle: District Superintendent

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

Date: 10-12-09e-mail address: clark23j@kochind.comTelephone: (505) 334-9111

20.

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

OCD Representative Signature: \_\_\_\_\_

Approval Date: 10-14-09

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: \_\_\_\_\_

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: \_\_\_\_\_

**Koch Exploration Company, LLC**  
**Cavitation Pit for Closed-Loop Location**  
**Attachment to Form C-144**  
**A. B. Geren 6C API #30-045-35023**

**Design:**

Koch Exploration Company, LLC (KEC) will use a cavitation pit plan to pre-set the surface casing on locations where a closed-loop system will be used. The drill cuttings from this operation will be stockpiled on the surface.

**Operations and Maintenance:**

The cavitation pit will be operated and maintained as follows:

1. Only Fresh water and air will be used in the drilling of the surface casing.
2. The Cement used will be Type I-II plus 20% Fly Ash (ready mix) 14.5# 1.61 yield with 7.41 gal/sk, a MSDS is attached for each of the additives used.
3. All of the fluids will be removed within 48hrs after drilling.
4. A representative five point composite sample will be taken of the drill cuttings, after the setting of the surface casing is complete, using sampling tools and all samples will be tested per Subsection B of 19.15.17.13(B)(1)(b). In the event that the testing criteria is not met, all contents will be dug and hauled per Subparagraph (a) of Paragraph (1) of Subsection B of 19.15.17.13 i.e.

| Components | Tests Method              | Limit (mg/Kg) |
|------------|---------------------------|---------------|
| Benzene    | EPA SW-846 8021B or 8260B | 0.2           |
| BTEX       | EPA SW-846 8021B or 8260B | 50            |
| TPH        | EPA SW-846 418.1          | 2500          |
| GRO/DRO    | EPA SW-846 8015M          | 500           |
| Chlorides  | EPA 300.1                 | 500           |

5. The NMOCD will be notified via email of the test results of the cavitation surface as follows:

| Components | Tests Method              | Limit (mg/Kg) | Results |
|------------|---------------------------|---------------|---------|
| Benzene    | EPA SW-846 8021B or 8260B | 0.2           |         |
| BTEX       | EPA SW-846 8021B or 8260B | 50            |         |
| TPH        | EPA SW-846 418.1          | 2500          |         |
| GRO/DRO    | EPA SW-846 8015M          | 500           |         |
| Chlorides  | EPA 300.1                 | 500           |         |

**Closure Plan:**

1. The NMOCD will be notified of the sample results and the intent to start the closure process 3-7 days prior to the drill cuttings being transported, moved, or distributed on location.
2. In the event the criteria are not met, all solids will be removed and disposed of at JFJ Landfarm (Permit #NM-01-0010), and liquids will be removed and disposed of at Basin Disposal Facility (Permit #NM-01-005) or Key Disposal (Permit #NM-01-0009).
3. Testing results will be submitted with the Closure Report of the well locations Closed-Loop Permit on Form C-144.

**KEC is aware that approval of this plan does not relieve KEC of liability should operations result in pollution of surface water, ground water, or the environment. Nor does approval relieve KEC of its responsibility to comply with any other applicable governmental authority's rules and regulations.**



## MATERIAL SAFETY DATA SHEET

### 1. CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

Product Name: Fly Ash

Manufacturer's Name and Address:

Phoenix Cement Company  
8800 E. Chaparral Rd. Suite 155  
Scottsdale, AZ 85250-2606

24-Hour Emergency Telephone: CHEMTREC: 1-800-424-9300

Customer Service: 480-850-5767

Chemical Name: Mixture

Chemical Formula: Complex mixture of inorganic minerals including metals and silica

### 2. COMPOSITION/INFORMATION ON INGREDIENTS

| <u>Chemical</u>                                                                 | <u>Percent</u> |
|---------------------------------------------------------------------------------|----------------|
| Various inorganic minerals of varying composition<br>including amorphous silica | >88            |
| Free crystalline silica (CAS 14808-60-7)                                        | <11            |

Note: These products are by-products of coal combustion. 1. This MSDS covers many products. Individual composition of hazardous constituents will vary. 2. Composition is variable depending on coal source and power plant characteristics. 3. This product is not expected to have a significant respirable particle size distribution. However, various material handling operations may produce dust with respirable particles.

Phoenix Cement Company  
Fly Ash

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### 3. HAZARDS IDENTIFICATION

#### POTENTIAL HEALTH EFFECTS

##### Short-term effects (Acute effects)

**Inhalation:** Dust may cause upper respiratory tract irritation, coughing, sneezing, and dryness.

**Oral or Swallowed:** Unlikely under normal conditions of use. Swallowing fly ash may cause abdominal discomfort.

**Eyes:** Irritating to eyes causing watering and redness

**Skin:** Irritating to skin - can cause irritant/contact dermatitis from mechanical abrasion or alkaline composition.

##### Repeated exposure effects (chronic or long-term effects)

**Inhalation:** Repeated inhalation of dust containing crystalline silica (quartz) can cause bronchitis, silicosis (scarring of the lung) and lung cancer. Silica may also increase the risk of scleroderma (a disease affecting the connective tissue of the skin, joints, blood vessels and internal organs). Studies have shown that smoking increases the risk of bronchitis, silicosis, and lung cancer in persons exposed to crystalline silica. Scientist/health professionals recommend that all storage and work areas should be smoke free zones. Inhalation of high levels of fly ash dust may result in severe inflammation of the small airways of the lung and asthma-like symptoms.

**Oral or Swallowed:** No long-term effects expected.

**Eyes:** No long-term effects expected.

**Skin:** No long-term effects expected, except in hypersensitive individuals who may develop an allergic dermatitis.

##### Carcinogenicity Listings: Crystalline silica - respirable

|                            |                    |
|----------------------------|--------------------|
| NTP:                       | Known carcinogen   |
| OSHA:                      | Not listed         |
| IARC:                      | Group 1 carcinogen |
| California Proposition 65: | Known carcinogen   |

Phoenix Cement Company  
Fly Ash

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#### 4. FIRST AID MEASURES

##### Eyes:

Immediately flush eyes with a directed stream of water for at least 15 minutes, forcibly holding eyelids apart to ensure complete irrigation of all eye and lid tissues. Washing eyes within several seconds is essential to achieve maximum effectiveness. If symptoms persist get medical attention.

##### Skin:

Immediately flush contaminated areas with water. Remove contaminated clothing and footwear. Wash contaminated areas with plenty of soap and water. Wash clothing before reuse. Discard footwear that cannot be decontaminated. If irritation or rash persist or worsens seek medical attention.

##### Inhalation:

Remove to fresh air if safe to transport. Otherwise, attempt to provide fresh air by ventilation. If breathing is difficult, have trained person administer oxygen. If respiration or pulse has stopped, have a trained person administer basic life support (cardio-pulmonary resuscitation/automatic external defibrillator) and call for emergency services immediately.

##### Ingestion:

Never give anything by mouth to an unconscious person. If swallowed, do not induce vomiting. Give large quantities of water. If vomiting occurs spontaneously, keep airway clear and give more water. If symptoms persist get medical attention.

Notes to physician: No specialized procedures. Treat for clinical symptoms.

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#### 5. FIRE FIGHTING MEASURES

Flash Point: Not Determined

Method: Not applicable

Autoignition Temperature: Not Determined

Flammable limits in air, by % volume

Upper: Not Determined

Lower: Not Determined

##### Extinguishing Media:

This product is noncombustible. Use extinguishing media appropriate for surrounding material.

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Fire Fighting Procedures:

Evacuate all unnecessary personnel. Shut down motors, pumps, electrical service and eliminate all sources of ignition. Use water spray if appropriate or appropriate extinguishing media for fires where water is not appropriate. Wear NIOSH/MSHA approved positive pressure self-contained breathing apparatus and full protective clothing.

Fire and Explosion Hazard

None known.

Sensitivity to Mechanical Impact:

Material is not sensitive.

Sensitivity to Static Discharge:

This material is not sensitive to static discharges.

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## 6. ACCIDENTAL RELEASE MEASURES

Personal Precautions:

People performing the cleanup should have personal protective equipment sufficient to keep material away from skin and to prevent inhalation.

Environmental Precautions and Methods for Cleaning Up:

Clean up material for use or disposal. Dampen with water mist to control dust (airborne dust) before removal. Do not use compressed air to move material. If loaded on trucks, wet down ash to prevent dusting during transport.

Avoid discharges to storm waters, sewer drains, and other waterways.

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## 7. HANDLING AND STORAGE

Handling:

Avoid breathing dust, use with adequate ventilation. In dusty environments (greater than the PEL/TLV) wear NIOSH/MSHA approved respiratory protection and tight fitting goggles. Local exhaust can be used, if necessary, to control airborne dust levels. Avoid actions that may generate dust.

Do not get in eyes, on skin, or clothing. Wash thoroughly after handling material. When handling moist or wet product skin protection is required. Impervious boots or shoe coverings should be used if material is anticipated to contact feet.

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**Storage:**

Store in a cool, dry, ventilated area away from ignition sources (sparks and flame).

**8. EXPOSURE CONTROLS/PERSONAL PROTECTION****Engineering Controls:**

Use local exhaust when feasible. Use dust collector for situations that may generate dust.

**Personal Protection:**

**Respiratory:** If airborne levels are expected to exceed the PEL/TLV use a NIOSH/MSHA approved respirator.

**Eye/Face:** Use safety goggles in dusty operations.

**Skin:** Normal work gloves to prevent excessive contact with skin. On a regular bases, wash work-clothes.

**Other:** Recommend coveralls in high concentration conditions. Wet-wash work areas periodically to minimize dust

| Hazardous Component<br>(Specific Chemical Identity,<br>Common Name(s)) | OSHA PEL                                                                                                                | ACGIH TLV                               | Other Limits<br>Recommended   |
|------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-------------------------------|
| Silica, Amorphous (SiO <sub>2</sub> )<br>CAS 7631-86-9                 | 80 mg/m <sup>3</sup> / %SiO <sub>2</sub> (total dust)                                                                   | 10 mg/m <sup>3</sup><br>(total dust)    | NIOSH:<br>8 mg/m <sup>3</sup> |
| Silica, Crystalline (SiO <sub>2</sub> )<br>CAS 148-086-97              | 30 mg/m <sup>3</sup><br>(%SiO <sub>2</sub> )+2(total dust)<br>mg/m <sup>3</sup> / (%SiO <sub>2</sub> )+2(resp.<br>dust) | 100.1 mg/m <sup>3</sup><br>(resp. dust) | 0.05 mg/m <sup>3</sup>        |

**9. PHYSICAL AND CHEMICAL PROPERTIES**

**Appearance and odor:** Light to dark gray, tan or charcoal colored powder of varying textures with no distinctive odor.

**Specific gravity:** 1.8 to 2.7

**Vapor density:** Not applicable

**Vapor Pressure:** Not applicable

**Evaporation rate:** Not applicable

**% Volatiles by weight:** Not applicable

**Boiling point:** >2000°F

**Melting point:** >1400°F

**Solubility in water (% by weight):** 0.5%

**pH (in water):** 9 - 11

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Octanol/water partition coefficient: Not determined

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## 10. STABILITY AND REACTIVITY

**Chemical stability:** Stable

**Reacts with (materials to avoid/incompatibility):** None known

**Hazardous polymerization:** Will not occur

**Hazardous decomposition products:** None expected under normal conditions

**Conditions to Avoid:** Any condition that may generate excessive dust

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## 11. TOXICOLOGICAL INFORMATION

**Acute or short-term:** This product is expected to cause irritation of the eyes, skin, and mucous membranes. Product may cause sneezing and coughing if inhaled. Swallowing this product may produce gastrointestinal discomfort. Inhalation of this product may produce irritation of the upper respiratory tract and asthma-like responses in some individuals.

**Chronic or long-term:** This product contains crystalline silica, which upon long-term exposure to levels above the PEL/TLV may produce bronchitis, silicosis, a fibrotic (scarring) disease of the lungs, and potentially lung cancer. Studies have shown that smoking increases the risk of these diseases.

This product may also increase the risk of scleroderma for which the causes are unknown, but some reports link over exposure to silica in combination with other chemicals to this disease.

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## 12. ECOLOGICAL INFORMATION

**Toxicity:** No data available. This material is believed to be non-toxic to aquatic life.

**Persistence:** No data available. This material is believed to be unlikely to persist in the environment.

**Bioaccumulation:** No data available. This material is believed to be unlikely to bioaccumulate.

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### 13. DISPOSAL CONSIDERATIONS

This product is not classified as a hazardous waste under RCRA or CERCLA. The material may be land filled; however, material should be covered to minimize generation of airborne dust. Ensure that all federal, state, and local regulations are followed.

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### 14. OTHER INFORMATION

#### HMIS Hazard Ratings:

Health Hazard: 1

Fire Hazard: 0

Reactivity: 0

**NOTE:** Users are advised to make their own determinations as to the suitability of the information in this data sheet in relation to their particular purposes and specific circumstances. Each user should read the data sheet and consider the information in the context of how the product will be handled and used in the workplace and in conjunction with other substances or products. Individual responsibility must be taken as to proper use and handling of the product. The manufacturer makes no warranty expressed or implied regarding the accuracy of the information in this data sheet, or the results to be obtained in the use of the product.