

**COMPLAINT  
OIL FIELD  
WASTE NEAR  
CITY FRESH  
WATER**



**NEW MEXICO ENERGY, MINERALS  
& NATURAL RESOURCES DEPARTMENT**

OFFICE OF THE SECRETARY  
2040 South Paseo Blvd.  
Santa Fe, New Mexico 87501  
(505) 827-8888

**Jennifer A. Salisbury**  
CABINET SECRETARY

Certified Mail: P 209 878 098

February 3, 1998

Mr. Saeed Afghahi  
Avra Oil Company (AOC)  
P.O. Box 3193  
Midland, Texas 79702

**Subject: Complaint concerning improper disposal of oilfield waste near a City Fresh Water Wellhead Protection (WHP) area.**

**Re: AOC well and tank battery located at UL I-sec 7-Ts16s-R34e.**

Dear Mr. Afghahi:

New Mexico Oil Conservation Division (NMOCD) has received a complaint from the New Mexico Environmental Department and the City of Carlsbad, NM concerning improper disposal of oilfield waste into an unlined pit and no berms around the tank battery at the above referenced location. The complainant's concern is the fact that AOC's operations at the above referenced location is in close proximity to a public water supply well owned by the City of Carlsbad, NM. Please note the US EPA and the State of NM monitors such wells and well head protection areas.

The NMOCD has performed an inspection of the above referenced facility and has noted the following deficiencies of your operations.

1. AOC is utilizing an unlined pit for disposal. The pit was noted to contain oily contaminated soils and RCRA non-exempt waste, such as buckets, cans, spray cans, used oil filters, thread protectors, etc. (See attached photo).
2. AOC has no signs which is required pursuant to NMOCD rules.
3. The tank battery does not have berms around it.

**As a result of these findings AOC is hereby ordered to perform the following action items:**

- A. Due to the RCRA non-exempt waste noted in the pit, AOC shall make a hazardous waste determination on the contents of the pit. This determination shall be pursuant to EPA RCRA 40 CFR part 261. Please note this determination must be made prior to any off-site disposal of this waste, and/or any closure activities. AOC shall provide to the NMOCD the results of its findings. If the contents of the pit is hazardous then AOC shall notify the NMED Hazardous Waste & Radioactive Materials Bureau (HRMB).
- B. Please submit to the NMOCD for approval a work plan which will describe in detail how AOC plans on closing the pit. The work plan shall include site assessment data, clean-up technology to be used, sampling and testing methods, and a schedule of activities. This plan can be pursuant to NMOCD Guidelines. After NMOCD receives AOC's plan then NMOCD will approve as is or with conditions.
- C. AOC shall install the required signs pursuant to NMOCD rule 103.
- D. Pursuant to NMOCD rule 310 and the fact that AOC is in close proximity to the City of Carlsbad's fresh water well, AOC will be required to dyke/berm this facility.

**Please note AOC will have 60 days from receipt of this letter to perform and submit the required action items listed above. NMOCD can grant extensions to this deadline for good cause shown. Failure to comply with this request may result in AOC being issued a "Notice of Violation."**

If you require any further information or assistance please do not hesitate to call or write this office. (505-393-6161).

Sincerely Yours,



Chris Williams-NMOCD District I Supervisor

lwp/cw; file avra

cc: Roger Anderson-Environmental Bureau Chief, Santa Fe, NM  
Barry S. Birch-NMED Carlsbad, NM  
Kenny White- City of Carlsbad, NM

attachments: copy of pictures, complaint report.

OIL CONSERVATION DIVISION  
COMPLAINT FORM

PERSON COMPLAINING:

NAME: BARRY BIRCH - NMED  
ADDRESS: CARLSBAD NM

INFORMATION TAKEN BY:

TAKEN BY: RU PRICE  
DATE: 1/14/78 TIME: \_\_\_\_\_  
IN PERSON: \_\_\_\_\_ BY PHONE: X

PHONE: 505-885-7023

COMPLAINT: OIL FIELD CONTAMINATION NEAR CITY OF CARLSBAD  
(WHP) AREA. FRESH WATER WELL L-4566

COMMENTS: NMCD WILL MEET AT SITE

- INVESTIGATION -

INVESTIGATOR: WAYNE PRICE  
DATE: 1/15/78 ~ 2 PM  
TIME: \_\_\_\_\_

DESCRIBE INVESTIGATION AND FINDINGS: MEET BARRY BIRCH - NMED +  
KENNY WHITE - CITY OF CARLSBAD NM AT L-4566 NEAR  
AVRA WELL #1 ST 7 ML 2 - SEC 9-TS 16S-R34E. - FOUND  
OILY WORKOVER PIT LININGS, NO PIT, NON-EXHAUST WASTE  
IN PIT. TANKS ARE NOT REMOVED, THIS SITE <1000 FT TO  
CITY FRESH WATER SUPPLY WELL OPERATED BY CITY OF CARLSBAD NM  
AVRA OIL CO. - NO SIGNS!  
ALSO TRAIL HAS NEARBY OIL PIPELINE! TOOK PICTURES!

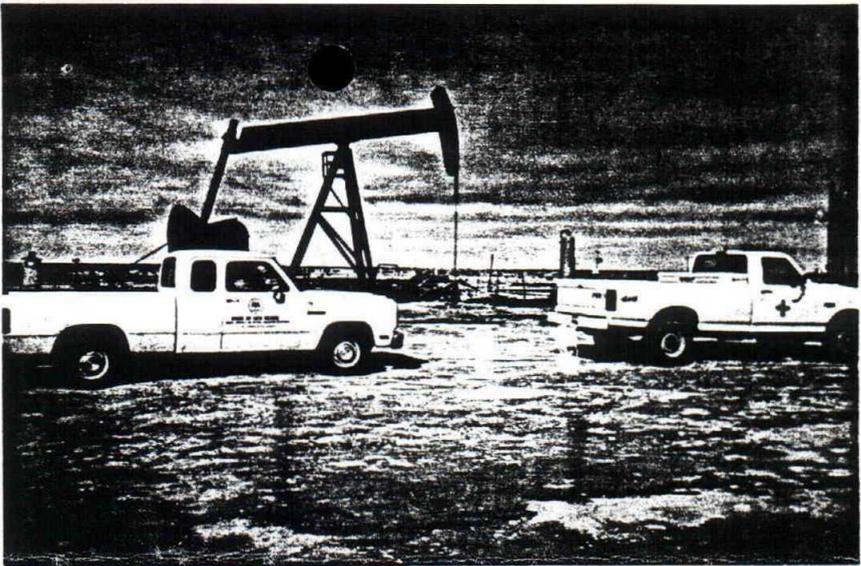
- FOLLOW-UP -

DATE: FEB 3, 1978  
TIME: \_\_\_\_\_

ACTION TAKEN: NMCD WILL SEND COMPLAINT LETTER TO  
AVRA OIL CO - PIT ISSUE! WILL COVER TRAIL  
ON WHP ISSUE!

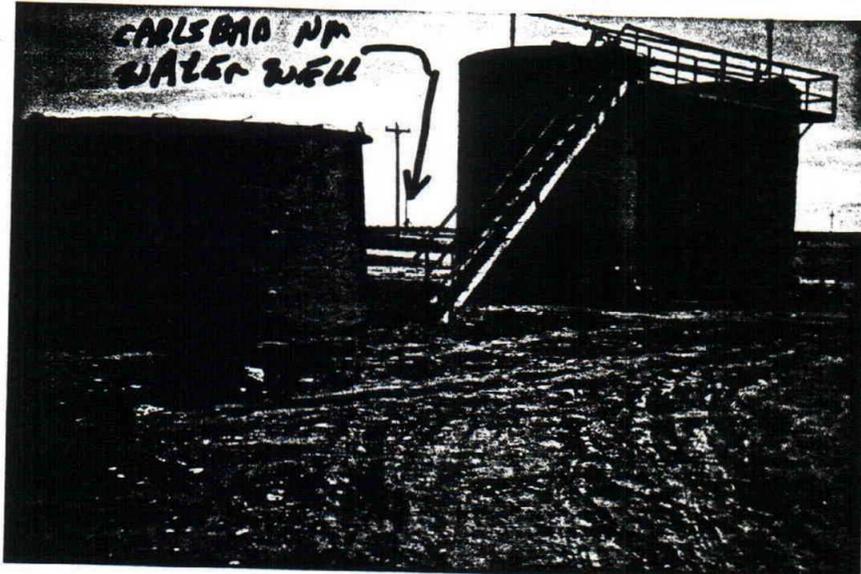
NMOCID: ID#. 022915 By: W Price #1  
Date/Time: Jan 15, 1998 2 pm  
Site/Co. Aura Oil Co.  
Location: UL I-Sec 7-Ts16s-R34E  
Subject: Complaint from NMED & City  
of Carlsbad, NM-Oil in U"IP area.

#1



NMOCID: ID#. 022915 By: W Price #6  
Date/Time: Jan 15, 1998 2 pm  
Site/Co. Aura Oil Co.  
Location: UL I-Sec 7-Ts16s-R34E  
Subject: Looking SE. TK Battery.  
bkgd shows Carlsbad, NM water well.

#6

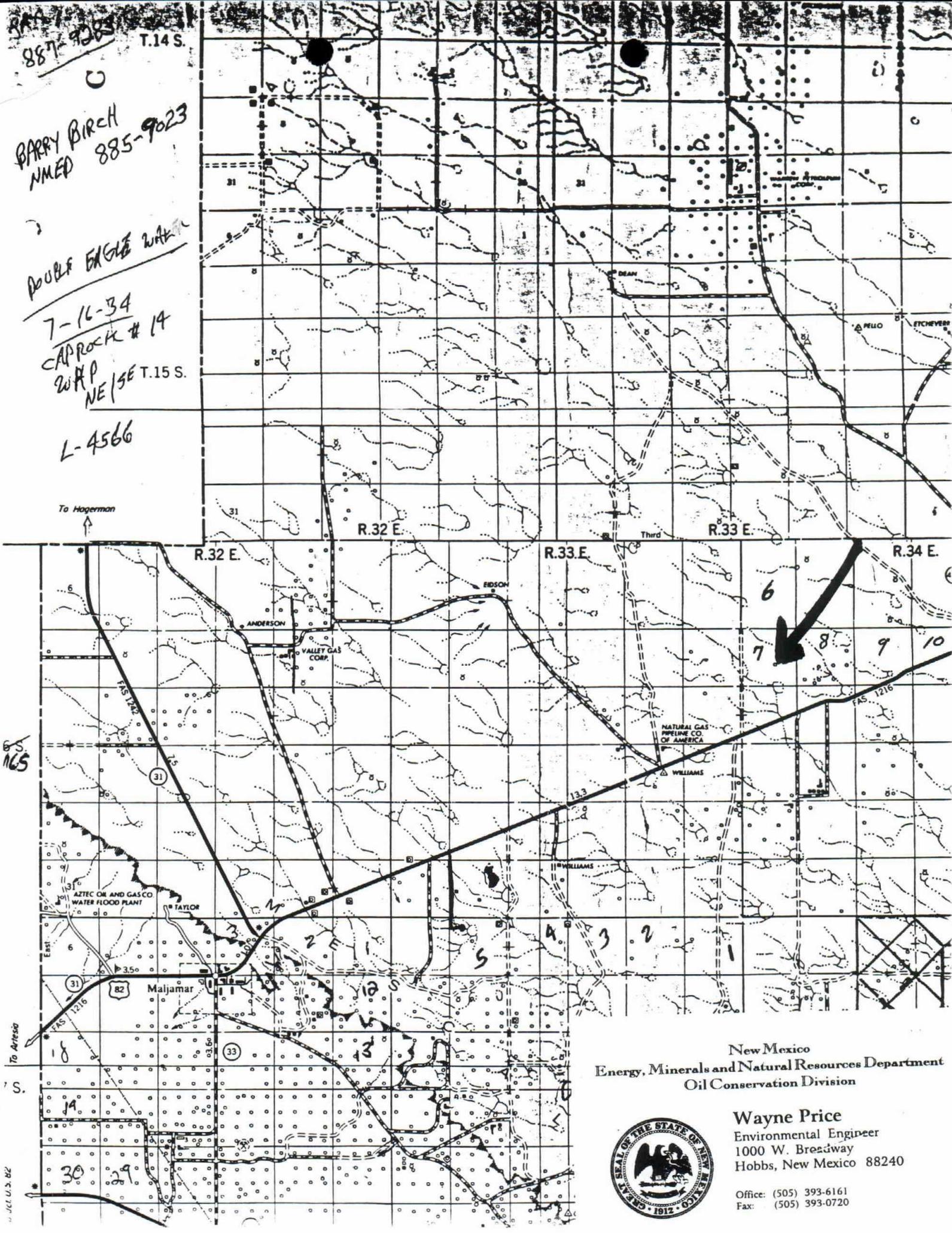


NMOCID: ID#. 022915 By: W Price #5  
Date/Time: Jan 15, 1998 2 pm  
Site/Co. Aura Oil Co.  
Location: UL I-Sec 7-Ts16s-R34E  
Subject: Look North, Near Well head.  
Unlined pit with non-exempt waste.

#5



887-9283  
 T.14 S.  
 BARRY BIRCH  
 NMED 885-9023  
 DOUBLE ENGINE WATER  
 7-16-34  
 CAPROCK # 14  
 WAPP  
 NE/SE T.15 S.  
 L-4566



New Mexico  
 Energy, Minerals and Natural Resources Department  
 Oil Conservation Division



Wayne Price  
 Environmental Engineer  
 1000 W. Broadway  
 Hobbs, New Mexico 88240

Office: (505) 393-6161  
 Fax: (505) 393-0720