

Natural Gas Pipeline Company of America LLC

October 15, 2021

Mr. Brad Jones
New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

Re: Request for 120-Day Temporary Permission to Discharge

Dear Mr. Jones,

Natural Gas Pipeline Company of America LLC (NGPL) is submitting the following request for a 120-Day Temporary Permission for hydrostatic tests of new pipelines generating less than 25,000 gallons of wastewater per hydrostatic test. Kinder Morgan Inc. owns a 20% interest in NGPL, which is a limited liability company. Kinder Morgan is the "operator" for NGPL. This application was completed using the Oil Conservation Division's (OCD) Guidelines for Hydrostatic Test Dewatering, revised April 21, 2021. A check in the amount of \$150.00 (Check No. 18336) is included with this application to cover the filing and permission fees pursuant to 20.6.2.3114 NMAC.

In order to maintain coverage under the 120-Day Temporary Permission, NGPL will comply with the following conditions:

- 1) The volume of the discharge will be less than 25,000 gallons per hydrostatic test;
- 2) Water from a public/municipal water supply or other OCD approved sources, by written request and analytical results, is used for each hydrostatic test;
- 3) Email or written notification shall be provided to the OCD 72-hours prior to each hydrostatic discharge event; The notice shall contain the following information:
 - a) The proposed location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
 - b) The date of the proposed discharge;
 - c) The volume of the proposed discharge; and
 - d) The source of hydrostatic test water.
- 4) The discharge will not enter any lake, perennial stream, river or their respective tributaries that may be seasonal;
- 5) No discharge shall occur:
 - a) Where ground water is less than 10 feet below ground surface;
 - b) Within 200 feet of a watercourse, lakebed, sinkhole, or playa lake;
 - c) Within an existing wellhead protection area;
 - d) Within 500 feet of a wetland; or
 - e) Within 500 feet from the nearest permanent residence, school, hospital, institution, or church.
- 6) No discharge shall occur to a surface water body without obtaining a National Pollution Discharge Elimination Systems (NPDES) permit from the US EPA, NMED, and OCD prior to the discharge;
- 7) Best management practices shall be implemented to contain the discharge onsite, to ensure that the discharge does not impact adjacent property, and to control erosion;

Mr. Brad Jones – NMOCD – Environmental Bureau
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- 8) The discharge will not cause any fresh water supplies to be degraded or to exceed standards as set forth in Subsections A, B and C of the 20.6.2.3103 NMAC (the Water Quality Regulations);
- 9) NGPL shall report all unauthorized discharges, spills, leaks and releases of hydrostatic test wastewater and conduct corrective action pursuant to the Water Quality Regulations of 20.6.2.1203 NMAC and release notification pursuant to OCD Rule 29 (19.15.29 NMAC);
- 10) The landowner(s) of each proposed discharge and/or collection/retention or alternative discharge location shall be properly notified of the activities prior to each proposed hydrostatic test discharge event; and
- 11) A report, summarizing all hydrostatic test wastewater discharges from new pipe with less than 25,000 gallons per hydrostatic test event, will be submitted to the OCD within 45 days after the temporary permission expiration date and shall contain the following information:
 - (a) The location of hydrostatic test water discharge (Section/Township/Range or GPS coordinates)
 - (b) The date of each discharge;
 - (c) The volume of each discharge; and
 - (d) The source and quality of test water (laboratory analysis, if necessary).

If you have any questions, please contact me at 720-255-9031.

Respectfully,

A handwritten signature in black ink, appearing to read "Meghan Dina". The signature is fluid and cursive, with the first name "Meghan" written in a larger, more prominent script than the last name "Dina".

Meghan Dina
Environmental Specialist – Contract

Natural Gas Pipeline of America
1001 Louisiana Ste 1000
Houston, TX 77002

JP Morgan Chase Bank, N.A.
Dallas, TX
88-88/1113

Check No. 18336

Check Date
10/01/2021

Check Amount
\$ **150.00

One Hundred Fifty AND 00/100

PAY
TO THE
ORDER
OF

WATER QUALITY MANAGEMENT FUND
C/O OIL CONSERVATION DIVISION
1220 S SAINT FRANCIS DR
SANTA FE NM 87505



0034470

Jones, Brad A., EMNRD

From: Jones, Brad A., EMNRD
Sent: Wednesday, October 27, 2021 1:07 PM
To: 'Dina, Meghan (Contractor)'
Cc: Blythe, Amy M (Amy)
Subject: Natural Gas Pipeline Company of America LLC
Attachments: 2021 1027 HBP-43 Natural Gas Pipeline Company of America LLC 120-day TP approval.pdf

Dina,

Please see the attached 120-day temporary permission approval HBP-043. You will also be receiving an email from OCD Permitting soon. If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Brad Jones

Brad A. Jones • Environmental Scientist Specialist - Advanced
Environmental Bureau
EMNRD - Oil Conservation Division
1220 S. Saint Francis Drive | Santa Fe, New Mexico 87505
(505) 469-7486 | brad.a.jones@state.nm.us
www.emnrd.nm.gov

State of New Mexico
Energy, Minerals and Natural Resources Department

Michelle Lujan Grisham
Governor

Sarah Cottrell Propst
Cabinet Secretary

Todd E. Leahy, JD, PhD
Deputy Secretary

Adrienne Sandoval
Director, Oil Conservation Division



October 27, 2021

Ms. Meghan Dina
Natural Gas Pipeline Company of America, LLC
1001 Louisiana Street, Suite 1000
Houston, Texas 77002

**Re: Request for Temporary Permission to Discharge Hydrostatic Test Water
Natural Gas Pipeline Company of America, LLC - OGRID 329155
Permit: HBP – 43**

Dear Ms. Dina:

The New Mexico Oil Conservation Division (OCD) has completed its review of Natural Gas Pipeline Company of America, LLC's (NGPL) submittal, dated October 15, 2021 but submitted via OCD Permitting on October 26, 2021, for approval of a 120-day temporary permission to discharge small quantities of hydrostatic test wastewater generated from the testing of new transmission pipelines of oil and gas or products thereof throughout the State of New Mexico. OCD acknowledges receipt of the filing fee (\$100.00) and temporary permission fee (\$50.00) with a mailed submittal dated October 12, 2021. HBP-034 issued to Natural Gas Pipeline Co. of America, LLC - OGRID 298528 expired August 18, 2021.

Based on the information provided in the request, *temporary permission is hereby granted to NGPL for the discharge of the hydrostatic test wastewater generated from all new pipeline hydrostatic tests* an operator may perform during the approved 120-day period with the following understandings and conditions:

1. the volume of the discharge is less than 25,000 gallons per hydrostatic test;
2. water from a public/municipal water supply or other OCD approved sources, by written request and analytical results, is used for each hydrostatic test;
3. email or written notification must be provided to the OCD 72 hours prior to each hydrostatic discharge event. The notice shall contain the following information:
 - a. the proposed location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
 - b. the date of the proposed discharge;

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- c. the volume of the proposed discharge; and
 - d. the source of hydrostatic test water;
4. no discharge shall enter any lake, perennial stream, river, or their respective tributaries that may be seasonal;
5. no discharge shall occur:
 - a. where ground water is less than 10 feet below ground surface.
 - b. within 200 feet of a watercourse (19.15.2.7.W(4) NMAC), lakebed, sinkhole, or playa lake (19.15.2.7.P(4) NMAC);
 - c. within an existing wellhead protection area (19.15.2.7.W(8) NMAC);
 - d. within 500 feet of a wetland (19.15.2.7.W(9) NMAC); or
 - e. within 500 feet from the nearest permanent residence, school, hospital, institution, or church;
6. no discharge shall occur to a surface water body without obtaining a National Pollution Discharge Elimination Systems (NPDES) permit from the US EPA, NMED, and OCD prior to the discharge;
7. best management practices must be implemented to contain the discharge onsite, to ensure that the discharge does not impact adjacent property, and to control erosion;
8. the discharge does not cause any fresh water supplies to be degraded or to exceed standards as set forth in Subsections A, B, and C of the 20.6.2.3103 NMAC (the Water Quality Regulations);
9. NGPL shall report all unauthorized discharges, spills, leaks, and releases of hydrostatic test wastewater and conduct corrective action pursuant to the Water Quality Regulations of 20.6.2.1203 NMAC and release notification pursuant to OCD Rule 29 (19.15.29 NMAC);
10. the landowner(s) of each proposed discharge and/or collection/retention or alternative discharge location must be properly notified of the activities prior to each proposed hydrostatic test event; and
11. a report, summarizing each test of new pipeline with less than 25,000 gallons per hydrostatic test per discharge event performed within the approved 120-day period, shall be submitted to OCD within 45 days after the temporary permission expiration date and shall contain the following information:
 - a. the location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
 - b. the date of each discharge;
 - c. the volume of each discharge; and
 - d. the source and quality of test water (laboratory analysis, if necessary).

This temporary permission shall expire 120-days after issuance. **This temporary permission will expire on February 24, 2022.** Renewal requests for a 120-day temporary permission to discharge shall be submitted forty-five (45) days prior to the expiration date. A 120-day

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temporary permission may be revoked or suspended for violation of any applicable provisions and/or conditions of this approval.

Please be advised that approval of this request does not relieve NGPL of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve NGPL of its responsibility to comply with any other applicable governmental authority's rules and regulations.

If there are any questions, please do not hesitate to contact me at (505) 469-7486 or brad.a.jones@state.nm.us.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Brad A. Jones', with a stylized flourish at the end.

Brad A. Jones
Environmental Specialist

District I
1625 N. French Dr., Hobbs, NM 88240
Phone:(575) 393-6161 Fax:(575) 393-0720
District II
811 S. First St., Artesia, NM 88210
Phone:(575) 748-1283 Fax:(575) 748-9720
District III
1000 Rio Brazos Rd., Aztec, NM 87410
Phone:(505) 334-6178 Fax:(505) 334-6170
District IV
1220 S. St Francis Dr., Santa Fe, NM 87505
Phone:(505) 476-3470 Fax:(505) 476-3462

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

CONDITIONS

Action 57360

CONDITIONS

Operator: Natural Gas Pipeline Company of America LLC 1001 Louisiana Street Houston, TX 77002	OGRID: 329155
	Action Number: 57360
	Action Type: [UF-HP] HBP Permission (HBP)

CONDITIONS

Created By	Condition	Condition Date
bjones	HBP-043 has been sent to you in a separate email. If you have any questions regarding this matter, please do not hesitate to contact me.	10/27/2021