

1RF-469 - Facility ID  
[fVV2117939365]

Dominator Above-  
Ground Storage Tank.  
C-147/Conditions of  
Approval

[371643] SOLARIS WATER  
MIDSTREAM, LLC  
June 28, 2021

**Venegas, Victoria, EMNRD**

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**From:** Venegas, Victoria, EMNRD  
**Sent:** Monday, June 28, 2021 2:47 PM  
**To:** 'Teena Robbins'; 'Michael Incerto'; todd.carpenter@solarismidstream.com  
**Cc:** r@rthicksconsult.com; madison@rthicksconsultant.com  
**Subject:** 1RF-469 - Dominator Above-Ground Storage Tank, Facility ID fVV2117939365  
**Attachments:** C-147 1RF-469 - Dominator AST, Facility ID fVV2117939365.pdf

**1RF-469 - Dominator Above-Ground Storage Tank , Facility ID [fVV2117939365](#)**

Ms. Robbins,

NMOCD has reviewed the recycling containment permit application and related documents, submitted by [371643] SOLARIS WATER MIDSTREAM, LLC on March 31, 2021 for the proposed Dominator Above-Ground Storage Tank in Unit Letter O, Section 25, Township 25S, Range 33E, Lea County, New Mexico.

The application has been assigned the OCD Administrative Order number **1RF-469 - Dominator Above-Ground Storage Tank , Facility ID [fVV2117939365](#)**

[371643] SOLARIS WATER MIDSTREAM, LLC requested variances from 19.15.34 NMAC for 1RF-469 - Dominator Above-Ground Storage Tank , Facility ID [fVV2117939365](#) related to 19.15.34. NMAC

The following variances have been 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 of one layer of 40-mil LLDPE non-reinforced geomembrane as a primary liner and a secondary liner comprised of one layer of 30-mil LLDPE non reinforced material 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 with a 200-mil geogrid drainage layer is approved.
- The variance to 19.15.34.14 NMAC Table I for the use of alternate analytical method 8015 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 following variance has been denied.

- The variance to 19.15.34.13 B (2) NMAC for a 2-feet freeboard has been denied. 1RF-469 - Dominator Above-Ground Storage Tank , Facility ID [fVV2117939365](#) must operate with the 3-feet freeboard as specified by rule.

The form C-147 and related documents for 1RF-469 - Dominator Above-Ground Storage Tank , Facility ID [fVV2117939365](#) is approved with the following conditions of approval:

- [371643] SOLARIS WATER MIDSTREAM, LLC shall construct, operate, maintain, close, and reclaim the 1RF-469 - Dominator Above-Ground Storage Tank , Facility ID [fVV2117939365](#) in compliance with 19.15.34 NMAC.
- The 1RF-469 - Dominator Above-Ground Storage Tank , Facility ID [fVV2117939365](#) is approved for five years of operation from the date of permit application. 1RF-469 - Dominator Above-Ground Storage Tank, Facility ID

[fVV2117939365](#) permit expires on March 31, 2026. If [371643] SOLARIS WATER MIDSTREAM, LLC wishes to extend operations past five years, an annual permit extension request must be submitted using an OCD form C-147 through [OCD Online](#) by February 28, 2026.

- [371643] SOLARIS WATER MIDSTREAM cannot receive produced water in 1RF-469 - Dominator Above-Ground Storage Tank, Facility ID [fVV2117939365](#) 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 1RF-469 - Dominator Above-Ground Storage Tank, Facility ID [fVV2117939365](#) consisting of one (1) AST in Unit Letter O, Section 25, Township 25S, Range 33E, Lea County, New Mexico in the amount of \$33,500.00 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 shall notify OCD when construction of 1RF-469 - Dominator Above-Ground Storage Tank, Facility ID [fVV2117939365](#) commences.
- [371643] SOLARIS WATER MIDSTREAM shall notify OCD when recycling operations commence and cease at for 1RF-469 - Dominator Above-Ground Storage Tank, Facility ID [fVV2117939365](#).
- A minimum of 3-feet freeboard must be maintained in the AST 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](mailto: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 OCD form C-148 through [OCD Online](#) even if there is zero activity.
- [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 1RF-469 - Dominator Above-Ground Storage Tank, Facility ID [fVV2117939365](#).

Please reference number for 1RF-469 - Dominator Above-Ground Storage Tank, Facility ID [fVV2117939365](#) in all future communications. A copy of this electronic communication can be found in facility file on OCD Imaging @:

<https://ocdimage.emnrd.state.nm.us/imaging/FacilityFileView.aspx?facility=fVV2117939365>

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](mailto: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 Midstream LLC OGRID #: 371643  
Address: 9811 Katy Freeway, Suite 900, Houston, TX, 77024  
Facility or well name (include API# if associated with a well): Dominator Above-Ground Storage Tank  
OCD Permit Number: 1RF-469 (For new facilities the permit number will be assigned by the district)  
**Facility ID fVV2117939365**  
Office) Qtr/Qtr: O Section: 25 Township: 25S Range: 33E County: Lea  
Surface Owner: ☒ Federal ☐ State ☐ Private ☐ Tribal Trust or Indian Allotment

2.  
☒ **Recycling Facility:**  
Location of (if applicable): Latitude: 32.096648°N Longitude: 103.525092°W approximately (NAD83)  
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) Latitude: 32.096648°N Longitude: 103.525092°W approx. (NAD83)  
☐ For multiple or additional recycling containments, attach design and location information of each containment  
☒ Lined ☐ Liner type: Thickness See Attachment Plate 1 ☒ LLDPE ☐ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
☐ String-Reinforced  
Liner Seams: ☐ Welded ☐ Factory ☐ Other Volume: See Attachment Plate 1 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 \$ \_\$33,500 \_\_\_\_\_ (work on these facilities cannot commence until bonding amounts are approved)
- ☒ Attach closure cost estimate and documentation on how the closure cost was calculated. (See Transmittal Letter)

5.

**Fencing:**

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

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. See Volume 2 for Variances*

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 criteria.

**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.

☐ Yes ☒ No  
☐ NA

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

Within the area overlying a subsurface mine.

☐ Yes ☒ No

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

Within an unstable area.

☐ Yes ☒ No

- Engineering measures incorporated into the design; NM Bureau of Geology & Mineral Resources; USGS; NM Geological Society; topographic map **FIGURE 5**

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).

☐ Yes ☒ No

- Topographic map; visual inspection (certification) of the proposed site **FIGURE 7**

Within 1000 feet from a permanent residence, school, hospital, institution, or church in existence at the time of initial application.

☐ Yes ☒ No

- Visual inspection (certification) of the proposed site; aerial photo; satellite image **FIGURE 8**

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**

☐ Yes ☒ No

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

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

☐ Yes ☒ No

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

9.

**Recycling Facility and/or Containment Checklist:****Instructions:** Each of the following items must be attached to the application. Indicate, by a check mark in the box, that the documents are attached.

- ☒ 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)

10.

**Operator Application Certification:**

I hereby certify that the information and attachments submitted with this application are true, accurate and complete to the best of my knowledge and belief.

Name (Print): Bradley Todd Carpenter Title: Operations ManagerSignature: Todd Carpenter Date: 3/31/2021e-mail address todd.carpenter@solarismidstream.com Telephone: 432-413-0918

11.

OCD Representative Signature: Victoria Venegas Approval Date: 06/28/2021Title: Environmental Specialist OCD Permit Number: 1RF-469 - Facility ID☒ OCD Conditions fVV2117939365☒ Additional OCD Conditions on Attachment

**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 34103

CONDITIONS

Operator: SOLARIS WATER MIDSTREAM, LLC 907 Tradewinds Blvd, Suite B Midland, TX 79706	OGRID: 371643
	Action Number: 34103
	Action Type: [C-147] Water Recycle Short (C-147S)

CONDITIONS

Created By	Condition	Condition Date
vvenegas	None	6/28/2021