

1RF-24 -  
Libby Berry Fee SWD  
#1 FACILITY ID  
[fOY1801835611]  
C-147 Annual  
Extension

[372603] DKL Field Services  
04/20/2023



April 6, 2023

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

**Re: DKL Field Services, LLC Libby Recycling Facility C-147 Extension**

To Whom It May Concern:

On behalf of DKL Field Services, LLC, ENVIROTECH ENGINEERING & CONSULTING, INC. respectfully submits the enclosed C-147 form and summary of monthly inspections and leak detection for the Libby Recycling Facility. For original site plans and submittals, please refer to the facility's original registration application, OCD Registration number 1RF-024, approved on January 18<sup>th</sup>, 2018. In accordance with NMAC 19.15.34.10 RECYCLING CONTAINMENTS, DKL Field Services, LLC wishes to seek a one-year extension to the facility.

**NMAC 19.15.34.10 RECYCLING CONTAINMENTS**

C. Registered recycling containments may be operated for five years from the date on which the registration is filed with the division. The operator may extend the allowed time on an annual basis thereafter with division approval if, 30 days prior to the registration expiration, the operator files a form C-147 with an attached summary showing all monthly inspections at the containment, including the monitoring of the leak detection system, showing the containment's integrity has not been compromised.

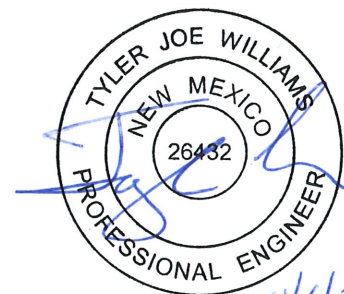
DKL Field Services, LLC intends to begin operations at this facility two weeks (14 days) after filing this extension request unless otherwise notified by NMOCD. Should you have any questions or require additional information, please do not hesitate to contact me at your convenience.

Sincerely,  
**ENVIROTECH ENGINEERING & CONSULTING, INC.**

Tyler Williams, P.E.  
 President

*Enclosures*

*Updated C-147 Form  
 Summary of Monthly Inspections and Leak Detection Reports*



022315-00

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 *Annual extension from 12/04/2022*  
☐ Modification ☒ Extension *to 12/04/2023*  
☐ Closure ☐ Other (explain) *11/04/20/2023*

\* 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: DKL Field Services, LLC (For multiple operators attach page with information) OGRID #: 372603  
Address: 7102 Commerce Way, Brentwood, TX 37027  
Facility or well name (include API# if associated with a well): Libby Berry Fee SWD #1  
OCD Permit Number: (1RF-024) (For new facilities the permit number will be assigned by the district office)  
U/L or Qtr/Qtr SW/4 Section 26 Township 20 South Range 34 East County: Lea  
Surface Owner: ☐ Federal ☐ State ☒ Private ☐ Tribal Trust or Indian Allotment

2.  
☐ **Recycling Facility:**  
Location of recycling facility (if applicable): Latitude 32.543858° Longitude -103.525344° 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 32.544383° Longitude -103.526851° NAD83  
☐ For multiple or additional recycling containments, attach design and location information of each containment  
☒ Lined ☐ Liner type: Thickness 60/60/60 mil ☐ LLDPE ☒ HDPE ☐ PVC ☐ Other \_\_\_\_\_  
☐ String-Reinforced  
Liner Seams: ☒ Welded ☐ Factory ☐ Other Field Welded Seams Volume: 279,558 bbl Dimensions: L 810' x W 810' x D 13'  
☐ 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 \$ 2,192,173 (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 6' game fence with 4" mesh

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 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

☐ 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

Within the area overlying a subsurface mine.

☐ Yes ☒ No

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

Within an unstable area.

☐ Yes ☒ No

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

Within a 100-year floodplain. FEMA map

☐ 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

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

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.

☐ Yes ☒ No

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

Within 500 feet of a wetland.

☐ 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): Harry Lewis Title: Sr. Director, EHS  
Signature: [Signature] Date: Apr 7, 2023  
e-mail address: harry.lewis@delteklogistics.com Telephone: 469.704.7379

11.

OCD Representative Signature: Victoria Venegas Approval Date: 04/20/2023

Title: Environmental Specialist OCD Permit Number: 1RF-24

- ☒ OCD Conditions
- ☒ Additional OCD Conditions on Attachment



April 6, 2023

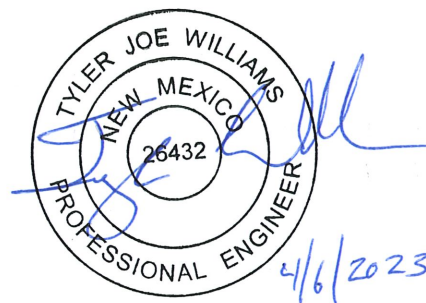
State of New Mexico  
Energy, Minerals, and Natural Resources Department  
Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

**Re: DKL Field Services, LLC Libby Recycling Facility C-147 Liner Repair**

To Whom It May Concern:

On March 21<sup>st</sup>, 2023, ENVIROTECH personnel were dispatched to Southeast New Mexico to provide 3<sup>rd</sup> party oversight at the Libby Recycle Facility (1RF-024). ENVIROTECH personnel observed the installation of a new primary liner at the facility to remedy a reported liner failure. The liner was repaired/replaced in a manner approved by V. Venegas of NMOCD following the manufacturer's and DKL's liner installation specifications. The liner repair/replacement was completed on March 29<sup>th</sup>, 2023. A copy of the full CQA report generated by ENVIROTECH can be submitted upon request of NMOCD.

Tyler Williams, P.E.  
License #26432  
President  
ENVIROTECH ENGINEERING & CONSULTING  
2500 N. 11<sup>th</sup> St  
Enid, OK 73701





3 Bear Energy - Libby Water Recycling and Containment Facility												
WEEKLY READINGS												
Operators	Date	Visual/Weekly	Containment	Liner Integrity	DAILY		Containment	Pond Water Level Gauge	Water Level	Record Weekly	Sump Riser Integrity	Sump Level
					Visual/Daily	Leak Detection						
Initials												
blo	7/1/2022	YES	YES	Yes	4	GOOD	4	4	0.1	1157.91	GOOD	Filling Pit
blo	7/2/2022	YES	YES	Yes	5	GOOD	5	5	0.15	1157.91	GOOD	Filling Pit
blo	7/3/2022	YES	YES	Yes	5	GOOD	5	5	0.55	1157.91	GOOD	Filling Pit
blo	7/4/2022	YES	YES	Yes	5	GOOD	5	5	0.75	1157.91	GOOD	Filling Pit
blo	7/5/2022	YES	YES	Yes	5	GOOD	5	5	1.2	1157.91	GOOD	pumped sump out-4bbbls
blo	7/6/2022	YES	YES	Yes	6	GOOD	6	6	0.8	1157.91	GOOD	Filling Pit
blo	7/7/2022	YES	YES	Yes	6	GOOD	6	6	0.9	1157.91	GOOD	pumped sump out-8bbbls
blo	7/8/2022	YES	YES	Yes	6	GOOD	6	6	0.75	1157.91	GOOD	Filling Pit
blo	7/9/2022	YES	YES	Yes	6	GOOD	6	6	1.2	1157.91	GOOD	Filling Pit
blo	7/10/2022	YES	YES	Yes	6	GOOD	6	6	2.17	1157.91	GOOD	pumped sump out-20
blo	7/11/2022	YES	YES	Yes	6	GOOD	6	6	5.5	1157.91	GOOD	pumped sump out-89
blo	7/12/2022	YES	YES	Yes	6	GOOD	6	6	3.63	1157.91	GOOD	pumped sump out-50
blo	7/13/2022	YES	YES	Yes	6	GOOD	6	6	3.48	1157.91	GOOD	pumped sump out-46
blo	7/14/2022	YES	YES	Yes	6	GOOD	6	6	3.78	1157.91	GOOD	pumped sump out-40
blo	7/15/2022	YES	Possible Breach	6	6	GOOD	6	6	3.7	1157.91	GOOD	begin to empty pit
blo	7/16/2022	YES	Possible Breach	6	6	GOOD	6	6	3.7	1157.91	GOOD	empty pit
blo	7/17/2022	YES	Possible Breach	6	6	GOOD	6	6	3.7	1157.91	GOOD	empty pit
blo	7/18/2022	YES	Possible Breach	6	6	GOOD	6	6	3.7	1157.91	GOOD	empty pit
blo	7/19/2022	YES	Possible Breach	6	6	GOOD	6	6	3.7	1157.91	GOOD	empty pit
blo	7/20/2022	YES	Possible Breach	5	5	GOOD	5	5	3.7	1157.91	GOOD	empty pit
blo	7/21/2022	YES	Possible Breach	5	5	GOOD	5	5	3.7	1157.91	GOOD	empty pit
blo	7/22/2022	YES	Possible Breach	5	5	GOOD	5	5	3.7	1157.91	GOOD	empty pit
blo	7/23/2022	YES	Possible Breach	5	5	GOOD	5	5	3.7	1157.91	GOOD	empty pit
blo	7/24/2022	YES	Possible Breach	5	5	GOOD	5	5	3.7	1157.91	GOOD	empty pit
blo	7/25/2022	YES	Possible Breach	5	5	GOOD	5	5	3.7	1157.91	GOOD	empty pit
blo	7/26/2022	YES	Possible Breach	5	5	GOOD	5	5	3.7	1157.91	GOOD	empty pit
blo	7/27/2022	YES	Possible Breach	5	5	GOOD	5	5	3.5	1157.91	GOOD	empty pit
blo	7/28/2022	YES	Possible Breach	5	5	GOOD	5	5	3.5	1157.91	GOOD	empty pit
blo	7/29/2022	YES	Possible Breach	5	5	GOOD	5	5	3.5	1158.91	GOOD	empty pit
blo	7/30/2022	YES	Possible Breach	4	4	GOOD	4	4	3.5	1159.91	GOOD	empty pit
blo	7/31/2022	YES	Possible Breach	4	4	GOOD	4	4	3.5	1159.91	GOOD	empty pit
Notes Turned on pump, Performed bucket test, Water rate is 10-12 GPM out Leak Detction.												

**Venegas, Victoria, EMNRD**

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**From:** Venegas, Victoria, EMNRD  
**Sent:** Thursday, April 20, 2023 3:02 PM  
**To:** Harry Lewis; twilliams@envirotechconsulting.com; Mitchell Ratke  
**Subject:** 1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [fOY1801835611]  
**Attachments:** C-147 1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [fOY1801835611] 04.20.2023.pdf

**1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [fOY1801835611]**

Good afternoon Mr. Lewis,

NMOD has reviewed the determination of registration/permit annual extension request Application ID 205171, for 1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [fOY1801835611], received from [372603] DKL Field Services, LLC on 04/07/2023. The registration/permit extension request is approved with the following conditions of approval:

- 1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [fOY1801835611] is approved for one (1) year of operation from the date of the previous registration/permit expiration date of December 4, 2022. The new registration/permit expiration date is December 4, 2023.
- [372603] DKL Field Services, LLC will continue to operate, maintain, and close the 1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [fOY1801835611] in compliance with 19.15.34 NMAC, to include but not limited to the performance of weekly inspections regardless of fluid levels in the containment; recording of detailed inspection reports; removal of debris, foreign objects and oil from the containment; and monthly reporting of recycling and reuse of produced water, drilling fluids, and liquid oil field waste via from C-148.
- [372603] DKL Field Services, LLC will maintain a liquid level in the containment that is at least equal to the weight of the liner plus 20%. [372603] DKL Field Services, LLC may maintain a higher liquid level if they choose.
- If less than 20% of the total fluid capacity is utilized every consecutive six months, operation of the facility is considered ceased and notification of cessation of operations should be sent electronically to [OCD Online](#). An request to extend the cessation of operations, not to exceed six months, may be submitted using a C-147 Long form through the [OCD Online](#) system.
- A minimum of 3-feet freeboard must be maintained in the recycling containment at all times.
- [372603] DKL Field Services, LLC will comply with 19.15.29 NMAC Releases in the event of any release of produced water or produced water or other oil field wastes at 1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [fOY1801835611] [372603] DKL Field Services, LLC will comply with all other OCD rules.
- [372603] DKL Field Services, LLC must perform weekly inspections of the containment and leak detection system.
- If [372603] DKL Field Services, LLC wishes to extend the registration/permit past the December 4, 2023, a registration/permit extension request must be submitted to OCD. Extension requests are reviewed on a case-by-case basis and evaluated on their merit. Extensions are considered for a maximum length of one year. Additional requests must be submitted to OCD through [OCD Online](#) on a Form C-147 (long form) as an Extension request and should include a formal extension request letter, a summary of the prior registration/permit period inspection reports, and the copies of the detailed inspection records for the prior permit period. The extension request should be submitted no later than November 4, 2023.

Please let me know if you have any further questions or concerns.

Regards,

**Victoria Venegas** • Environmental Specialist  
Environmental Bureau  
EMNRD - Oil Conservation Division  
(575) 909-0269 | [Victoria.Venegas@emnrd.nm.gov](mailto:Victoria.Venegas@emnrd.nm.gov)



<https://www.emnrd.nm.gov/oed/>



**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 205171

**CONDITIONS**

Operator: DKL Field Services, LLC 310 Seven Springs Way Brentwood, TN 37027	OGRID: 372603
	Action Number: 205171
	Action Type: [C-147] Water Recycle Long (C-147L)

**CONDITIONS**

Created By	Condition	Condition Date
vvenegas	• 1RF-24 - Libby Berry Fee SWD #1 FACILITY ID [FOY1801835611] is approved for one (1) year of operation from the date of the previous registration/permit expiration date of December 4, 2022. The new registration/permit expiration date is December 4, 2023. • If [372603] DKL Field Services, LLC wishes to extend the registration/permit past the December 4, 2023, a registration/permit extension request must be submitted to OCD no later than November 4, 2023.	4/20/2023