

NM1 - _____ 38 _____

OCD REQUEST CLOSURE PLAN

JUNE 30, 2023

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

Dylan Fuge
Director, Oil Conservation Division



Certified Mail Receipt # 7018 0040 0000 3405 7359

June 30, 2023

Saunders Land Farm, L.L.C.
206 Hinson Road
Lovington, New Mexico 88260

RE: Request for Closure

**Saunders Land Farm, L.L.C. - Permit: NM1-38
W/2 of the SW/4 of Section 7, Township 14 South, Range 34 East, NMPM,
Lea County, New Mexico**

Dear Facility Representative:

The Oil Conservation Division's (OCD) review of the administrative record, on OCD Online Imaging (<https://ocdimage.emnrd.nm.gov/Imaging/AEOrderFileView.aspx?appNo=pEEM0421131796>), confirms that the last correspondence submitted by Saunders Land Farm, L.L.C. (Saunders) to OCD was the vadose zone monitoring results from an April 21, 2008 sampling event. No additional correspondence has been submitted to OCD since 2008. This would include the required quarterly vadose zone monitoring demonstrations, semi-annual treatment zone monitoring demonstrations, and/or any updated contact information. OCD conducted an inspection of the site on June 7, 2023 and reviewed available satellite imagery. OCD's inspection revealed vegetation growing in the landfarm cells (confirmation that the required bi-weekly tilling has not been performed) and the entry gate has been welded shut. Satellite images resulted in the discovery that the bi-weekly tilling required by Permit NM1-38 has not occurred since 2011. Based upon the review of the administrative record, the review of available satellite imagery, and the June 7, 2023 OCD site inspection, OCD has determined that Saunders ceased operations of the surface waste management facility under Permit NM1-38 prior to July 2011. In accordance with the Closure conditions of the existing permit, NM1-38, OCD is requesting the submittal of a closure and post-closure care plan.

Pursuant to Condition 1 of the Closure conditions of Permit NM1-038, "The OCD Santa Fe and Hobbs offices must be notified when operation of the facility is discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Within six (6) months of discontinuing use or within 30 days of deciding to dismantle the facility a closure plan must be submitted to the OCD Santa Fe office. The operator must complete cleanup of constructed facilities and restoration of the

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facility site within the following six (6) months, unless an extension of time is granted by the Director.”

In accordance with Condition 2 of the Closure conditions of Permit NM1-38: “The closure plan to be submitted must include the following procedures:


- a. When the facility is to be closed no new material may be accepted.
- b. Existing landfarm soils will be remediated until they meet the OCD standards in effect at the time of closure.
- c. The treatment zone soils (or vadose zone by Part 36) within each five (5) acre cell must be sampled at two (2) to three (3) feet below the native ground surface and must be analyzed for total petroleum hydrocarbons (TPH), volatile aromatic organics (BTEX), major cations/anions and Water Quality Control Commission (WQCC) metals.
- d. Contaminated soils exceeding OCD closure standards for the site must be removed or remediated.
- e. The area will be contoured, seeded with native grasses, and allowed to return to its natural state. If the landowner desires to keep existing structures, berms, or fences for future alternative uses the structures, berms, or fences may be left in place.
- f. Closure will be pursuant to all OCD requirements in effect at the time of closure, and any other applicable local, state and/or federal regulations.”

At a minimum, the closure and post-closure plan must address and demonstrate compliance with the following requirements of 19.15.36 NMAC: Subsections B, D, E, F, and G of 19.15.36.15 NMAC; Subsections A, B, C(4), and F of 19.15.36.18 NMAC; and Subsection A of 19.15.36.20 NMAC.

Saunders Land Farm, L.L.C. must register as a facility operator with OCD at the following hyperlink (<https://wwwapps.emnrd.nm.gov/OCD/OCDPermitting/default.aspx>), obtain an OGRID number account, and setup an account password in order to submit the closure and post-closure plan through OCD E-Permitting. The closure and post-closure plan must be submitted to the OCD, within 60 days of certified mail receipt of this letter, through the OCD E Permitting portal as a “[C-137] Non-Fee SWMF Submittal” for OCD’s review and consideration of approval.

If there are any questions regarding this matter, please do not hesitate to contact me at (505) 469-7486 or brad.a.jones@emnrd.nm.gov.

Respectfully,



Brad A. Jones
Environmental Specialist - Advanced

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

CONDITIONS

Action 345753

CONDITIONS

Operator: Saunders Land Farm, L.L.C. 4624 W Pinson Rd. Hobbs, NM 88242	OGRID: 332537
	Action Number: 345753
	Action Type: [C-137] Non-Fee SWMF Submittal (SWMF NON-FEE SUBMITTAL)

CONDITIONS

Created By	Condition	Condition Date
joseph.kennedy	None	5/20/2024