

HITP - 039

**TEMPORARY
PERMISSION
2013-2014**

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

David Martin
Cabinet Secretary-Designate

Brett F. Woods, Ph.D.
Deputy Cabinet Secretary

Jami Bailey
Division Director
Oil Conservation Division



May 13, 2013

Mr. Jim Allred
DCP Midstream, L.P.
139 W. US Hwy 62-180
Hobbs, New Mexico 88240

Re: Hydrostatic Test Individual Temporary Permission HITP-039
DCP Midstream, L.P.
Berry Booster Pipeline Project
Location: NW/4, SE/4 of Section 28, Township 21 South, Range 34 East, NMPM,
Lea County, New Mexico

Dear Mr. Allred:

The Oil Conservation Division (OCD) has received DCP Midstream, L.P.'s (DCP) notice of intent, dated May 8, 2013, for authorization to collect, withdraw, and dispose of approximately 1,613 barrels (68,502 gallons) of wastewater generated from a hydrostatic test of an approximately 4.54 mile section of new 8-inch natural gas transmission pipeline, located between the Berry Booster site and DCP's P-Line pipeline; approximately 14.9 miles northwest of Jal, New Mexico. The proposed collection location is within DCP's pipeline right-of way, adjacent to the P-Line/Berry Booster Discharge Line tie-in, within the NW/4, SE/4 of Section 28, Township 21 South, Range 34 East, NMPM, Lea County, New Mexico. No surface discharge is proposed by DCP. The hydrostatic test wastewater will be discharged from the pipeline into frac tanks for temporary storage, transferred from the frac tanks to an OCD approved water hauler, and delivered to R360 Permian Basin LLC for disposal. OCD acknowledges the receipt of the filing fee (\$100.00) and the temporary permission fee (\$150.00) from a submittal dated May 8, 2013.

Based on the information provided in the request, temporary permission is hereby granted for the collection, retention, and disposal of the hydrostatic test wastewater generated from the pipeline test with the following understandings and conditions:

1. DCP will be testing approximately 4.54 miles of a new 8-inch natural gas transmission pipeline, located between the Berry Booster site and DCP's P-Line pipeline; approximately 14.9 miles northwest of Jal, New Mexico;

2. DCP shall ensure no discharge will occur at the hydrostatic test wastewater collection location: within DCP's pipeline right-of way, adjacent to the P-Line/Berry Booster Discharge Line tie-in, within the NW/4, SE/4 of Section 28, Township 21 South, Range 34 East, NMPM, Lea County, New Mexico;
3. DCP will acquire the hydrostatic test water from the City of Eunice, New Mexico;
4. DCP will generate approximately 1,613 barrels (68,502 gallons) of hydrostatic test wastewater from the test event that will be slowly discharged via a system of flexible hoses and temporary piping discharged into four (4) 500 barrel frac tanks for temporary storage, while awaiting being transferred to R360 Permian Basin LLC (Permit NM1-006/Order # 9166) for disposal;
5. DCP shall ensure that the temporary storage tanks shall have impermeable secondary containment (e.g., liners - geomembrane and berms – hay bales or a secondary containment tank), which will contain a volume of at least one-third greater than the total volume of the largest tank or one-third greater than the total volume of all tanks that are inter-connected, whichever is greater;
6. DCP will have personnel on-site to oversee and control the transfer and utilize collection pans placed below the collection points to prevent an unauthorized release;
7. DCP will not discharge any hydrostatic test wastewater generated from the test event to the ground or within the easement right-of-way;
8. DCP will not be analyzing the hydrostatic test wastewater because of the following: there will be no discharge the wastewater to the surface or surface water; the wastewater has been demonstrated to be RCRA exempt waste; ; and the proposal is to transfer the wastewater to R360 Permian Basin LLC (Permit NM1-006/Order # 9166) for disposal;
9. DCP will ensure the transfer the hydrostatic test wastewater via an OCD approved C-133 water hauler to R360 Permian Basin LLC (Permit NM1-006/Order # 9166) for disposal;
10. DCP shall remove all hydrostatic test wastewater from the collection/retention location within ten (10) calendar days of the completion of the hydrostatic test;
11. DCP shall restore any surface area impacted or disturb from the approved activities;
12. DCP shall implement best management practices to prevent unauthorized releases during the transfer/collection activities;
13. DCP shall ensure that the transfer/collection activities do 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 New Mexico Water Quality Control Commission Regulations);
14. DCP must properly notify the landowner(s) of the proposed collection/retention of the approved activities prior to the hydrostatic test event; and

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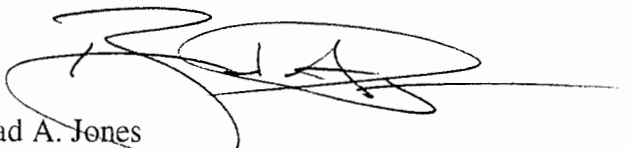
15. DCP shall report all unauthorized discharges, spills, leaks and releases of hydrostatic test water and conduct corrective action pursuant to OCD Rule 29 (19.15.29 NMAC).

It is understood that the hydrostatic test will begin approximately June 10, 2013. This temporary permission will expire within 120 calendar days of its issue date. Temporary permission may be revoked or suspended for violation of any applicable provisions and/or conditions.

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

If there are any questions regarding this matter, please do not hesitate to contact me at (505) 476-3487 or brad.a.jones@state.nm.us.

Sincerely,



Brad A. Jones
Environmental Engineer

BAJ/baj

Cc: OCD District I Office, Hobbs
Daniel Borne, DCP Midstream, LP, 370 17th Street, Suite 2500, Denver, CO 80202