

**GW-202**

# **Questionnaire 2012**

State of New Mexico  
Energy, Minerals and Natural Resources Department

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Susana Martinez  
Governor

John Bemis  
Cabinet Secretary

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

Jami Bailey  
Division Director  
Oil Conservation Division



**OCTOBER 17, 2012**

Mr. David Sherman  
Pro-Kem Lovington Facility  
P.O. Box 1506  
Lovington, NM 88260

Dear Mr. Sherman:

Based on your responses given to the "Oil & Gas Facilities Questionnaire for Determination of a WQCC Discharge Permit" and a file review, the Oil Conservation Division (OCD) has determined that one of your facilities with an expired or soon to be expired permit does not require a Water Quality Control Commission (WQCC) Discharge Permit. This means that the WQCC Discharge Permit **GW - 202** (Pro-Kem Lovington Facility) is hereby rescinded and you are not required to proceed with the renewal of this expired or soon to expire WQCC Discharge Permit. OCD will close this permit in its database.

Previously, Pro-Kem has conducted abatement of ground water contamination at this facility under the authority of its WQCC Discharge Permit, pursuant to 20.6.2.4000 through 20.6.2.4115 NMAC (PREVENTION AND ABATEMENT OF WATER POLLUTION). OCD has determined that Pro-Kem does not intentionally discharge at this facility; therefore, no WQCC Discharge Permit is required. However, because of existing ground water contamination at this facility, OCD is requiring Thriftway to continue to abate pollution of ground water pursuant to 19.15.30 NMAC (REMEDIATION). The new Abatement Plan case number for the former **GW - 202** facility is **AP - 119**. Please use this Abatement Plan case number in all future correspondence. Please contact Glenn von Gonten at 505-476-3488 to discuss how Pro-Kem may complete abatement of the remaining ground water contamination at this facility.

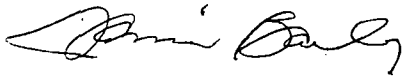
Because this WQCC Discharge Permit is no longer valid, you may be required to obtain a separate permit(s) for other processes at your facility, such as: pits, ponds, impoundments, below-grade tanks; waste treatment, storage and disposal operations; and landfarms and landfills. OCD will make an inspection of your facility to determine if any of these existing processes may require a separate permit under OCD's Oil, Gas, and Geothermal regulations. If OCD determines that a separate permit(s) is required, then a letter will be sent to you indicating what type of permit is required.

Please keep in mind, if your facility has any discharges that would require a WQCC Discharge Permit now or in the future, then you will be required to renew or obtain a WQCC Discharge Permit. If you have any questions regarding this matter, please contact Glenn von Gonten at 505-476-3488.

October 17, 2012

Page 2

Thank you for your cooperation.

A handwritten signature in black ink, appearing to read "Jami Bailey". The signature is fluid and cursive, with the first name "Jami" and last name "Bailey" clearly distinguishable.

**Jami Bailey**  
Director

JB/gvg

AW-202



# New Mexico Energy, Minerals and Natural Resources Department

**Susana Martinez**  
Governor

John H. Bemis  
Cabinet Secretary-Designate

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

Jami Bailey  
Division Director  
Oil Conservation Division



May 12, 2011

## Oil & Gas Facilities Questionnaire for Determination of a WQCC Discharge Permit

Only Water Quality Control Commission-regulated systems will be incorporated into the OCD's WQCC Permits, while OCD regulated systems will be handled under separate permit(s). A current discharge permit is valid until its normal expiration date or November 15, 2012, whichever is later. All facilities with processes subject to the Water Quality Act must have permits in place by November 16, 2012. H2S Contingency Plans; pits, ponds, above and/or below-grade tanks; waste treatment, storage and disposal; and landfills may require separate permitting under the OCD Oil, Gas, and Geothermal regulations.

Proper completion and timely submission of this questionnaire is requested **for all facilities with discharge permit expiration dates before November 15, 2012**. Please complete and submit a separate questionnaire for each facility **before July 15, 2011**.

• **Name of the owner or operator of the facility**

David Sherman

• **Point of contact**

Name David Sherman

Telephone 575-444-5271

Email prokem@windstream.net

Mailing address P.O. Box 1506

Lovington, NM

• **Facility name** Pro-Kem, Inc.

• **Facility location**

Unit Letter, Section, Township, Range Section 15, Township 16S, Range 36E, SE1/4, NW1/4

Street address (if any) 2400 South Main

Lovington, NM

- **Facility type**
- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Refinery               | <input type="checkbox"/> Gas Plant      | <input type="checkbox"/> Compressor                 |
| <input type="checkbox"/> Crude Oil Pump Station | <input type="checkbox"/> Injection Well | <input checked="" type="checkbox"/> Service Company |
| <input type="checkbox"/> Geothermal             | <input type="checkbox"/> Abatement      |   |
| <input type="checkbox"/> Other (describe) _____ |   |   |

• **Current and Past Operations** (please check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Impoundments  | <input type="checkbox"/> Treatment Plant | <input type="checkbox"/> Waterflood          |
| <input type="checkbox"/> Disposal Well | <input type="checkbox"/> Brine Well      | <input checked="" type="checkbox"/> Wash Bay |

Oil Conservation Division \* 1220 South St. Francis Drive  
\* Santa Fe, New Mexico 87505

\* Phone: (505) 476-3440 \* Fax (505) 476-3462 \* <http://www.emnrd.state.nm.us>

☐ Steam Cleaning

☐ Groundwater Remediation

• Facility Status ☒ Active ☐ Idle ☐ Closed

• Does this facility currently have a discharge permit? ☒ Yes ☐ No

If so, what is the permit number? GW-202

• Are there any routine activities at the facility which intentionally result in materials other than potable water being released either onto the ground or directly into surface or ground water?

(This includes process activities, equipment maintenance, or the cleanup of historic spills.)

☐ Yes ☒ No

If so, describe those activities including the materials involved, the frequency of discharge, and the estimated volume per discharge event.

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• What is the depth below surface to shallowest ground water in the area? 60 feet

• Are there any water supply, groundwater monitoring, or recovery wells at the facility?

Water supply ☐ Monitoring ☒ Recovery ☐

If these wells are registered with the Office of the State Engineer (OSE), what are the OSE well numbers? \_\_\_\_\_

• Are abatement actions ongoing? No

• Are there any active or inactive UIC wells present as part of the federal Underground Injection Control program associated with this facility? ☐ Yes ☒ No

If so, what are the API numbers assigned to those wells?

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• Are there any sumps at the facility? ☒ Yes ☐ No

Number of sumps with volume less than 500 gallons one

Use and contents No use Rain water only

Is secondary containment incorporated into the design? ☐ Yes ☒ No

Number of sumps with volume greater than 500 gallons \_\_\_\_\_

Use and contents \_\_\_\_\_

Is secondary containment incorporated into the design? ☐ Yes ☐ No

- Does the facility incorporate any underground lines other than electrical conduits, freshwater, natural gas for heating, or sanitary sewers? ☐ Yes ☒ No

If so, what do those buried lines contain?

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**THIS FORM IS DUE TO THE OIL CONSERVATION DIVISION BY JULY 15, 2011.**

Questions? Please contact Glenn VonGonten at 505-476-3488 or Carl Chavez at 505-476-3490.

Thank you for your cooperation.

**JAMI BAILEY**  
Director



# New Mexico Energy, Minerals and Natural Resources Department

**Susana Martinez**  
Governor

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Cabinet Secretary

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

Jami Bailey  
Division Director  
Oil Conservation Division



**MARCH 1, 2012**

Mr. Gerald Phillips  
Pro-Kem Inc.  
P.O. Box 1506  
Lovington, NM 88260

Dear Mr. Phillips:

The Oil Conservation Division's (OCD) records indicate that the following Water Quality Control Commission (WQCC) Discharge Permit has already expired or will soon expire.

**GW-202      Pro-Kem - Lovington Facility**

OCD has revised its permitting policies. These changes may affect the renewal of your discharge permit(s). Please submit an "Oil & Gas Facilities Questionnaire for Determination of a WQCC Discharge Permit" for each of your facilities (see attachment and OCD's "Notifications and Announcements" at <http://www.emnrd.state.nm.us/oed>). Please submit the completed Questionnaires within 30 days of your receipt of this letter. Based on your response, OCD will determine whether you will need to submit a discharge permit renewal. If OCD determines that you no longer are required to operate under a WQCC Discharge Permit, you may be required to obtain a separate permit(s) for other processes at your facility, such as: pits, ponds, impoundments, below-grade tanks; waste treatment, storage and disposal operations; and landfarms and landfills. OCD will determine if any of these existing processes may require a separate permit under OCD's Oil, Gas, and Geothermal regulations. If OCD determines that a separate permit(s) is required, then a letter will be sent to you indicating what type of permit is required.

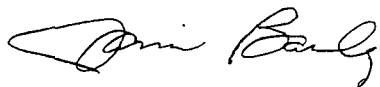
Please keep in mind, if your facility has any discharges that would require a WQCC Discharge Permit now or in the future, then you will be required to renew or obtain a WQCC Discharge Permit.

Mr. Phillips

Page 2

If you have any questions regarding this matter, please contact Glenn von Gonten at 505-476-3488.

Thank you for your cooperation.

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**Jami Bailey**

Director

JB/gvg

Attachment