



AE Order Number Banner

Report Description

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App Number: pGVG0811936510

1RP - 493

PRIDE ENERGY COMPANY



New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor

Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



AUGUST 29, 2008

Deadline Enclosed- Response Required

Mr. James Bruce
P.O. Box 1056
Santa Fe, NM 87501
Via Facsimile (505-982-2151) and U.S. Mail

**RE: REQUEST FOR RECONSIDERATION
PRIDE ENERGY - INBE 13 NO. 1 BURIAL TRENCH
UNIT LETTER G, SECTION 13, TOWNSHIP 11 SOUTH, RANGE 33 EAST
LEA COUNTY, NEW MEXICO
OCD CASE NO. 1R493**

Dear Mr. Bruce:

We are in receipt of your letter dated August 28, 2008, in which you have extended, on behalf of your client, Mr. Matthew L. Pride, of Pride Energy Company, a "Request for Reconsideration," of the OCD's requirements as outlined in the previously-issued Letters of Violation relating to the above-referenced site. Your Request is hereby **DENIED** on the following basis:

Your client has now been given two separate opportunities to comply with its obligations regarding the submission of the subject remediation plan, and has failed and refused to do so. The subject remediation plan was as originally requested in our letter of May 1, 2008, and as was requested a second time in our letter of August 15, 2008 which provided a deadline of today, August 29, 2008 for submission thereof. The response dated August 28, 2008 failed to meet the deadline set out in the most recently issued Letter of Violation in that it did not include the required remediation plan.

The Oil Conservation Division will not allow Pride to continue to delay complying with OCD requirements. Pride's conduct in repeatedly failing and refusing to submit the required remediation plan pursuant to OCD Rule 116D constitutes knowing and willful violation of Division Rules.



Mr. James Bruce
August 15, 2008
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The OCD now considers Pride to be **intentionally** operating in violation of OCD Rules and is preparing to take enforcement action against Pride. The OCD will withhold filing an enforcement action against Pride until the end of business, September 5, 2008. If, however, Pride has still failed to comply with OCD's requirements as specifically articulated in our Letter of Violation dated May 1, 2008 by the end of business, September 5, 2008, the OCD will be taking enforcement action against Pride and will be seeking penalties, to be calculated from the original due date of the remediation plan (July 1, 2008).

Sincerely,

Mikal Altomare, Assistant General Counsel

MA/gvg

cc: Wayne Price, Environmental Bureau Chief
Daniel Sanchez, Compliance and Enforcement Manager
Gail MacQuesten, Assistant General Counsel
Larry Johnson, OCD District 1