

Appendix E

Demonstration of Compliance with
Public Participation Requirements of 40 CFR 123.54

PRIMACY SCHEDULE FOR NEW MEXICO
UNDERGROUND INJECTION CONTROL PROGRAM
(other than Class II wells)

EID proposed Technical Standards and Criteria for Injection Wells (First Draft to EPA, Industry, and Interested Citizens)	July 13, 1981
Proposed Regulation Changes for UIC, Presented to WQCC by EID	July 21, 1981 WQCC Meeting
Public Meeting to Discuss UIC Program and Proposed Regulations	September 15, 1981
Public Meeting to Redraft Proposed Regulations	October 2, 1981
Public Meetings to Receive Additional Input on Draft Regulations	October 29, 1981; November 15, 1981; December 8, 1981
Revised Draft UIC Regulations Presented to WQCC with the Request to WQCC for Public Hearing on Proposed UIC Regulations	January 12, 1982 WQCC Meeting
Draft #1 State Primacy Application to EPA	January 15, 1982
WQCC Public Hearing on Proposed Regulation Changes for UIC (Provided Opportunity for Further Public Discussion & Comments)	March 3, 1982
Draft #2 State Primacy Application to EPA	April 16, 1982
Discussion by WQCC on UIC Changes to Regulations presented at Public Hearing	June 8, 1982
Action by WQCC on UIC Changes to Regulations Presented at Public Hearing	July 21, 1982
Public Notice of State UIC Primacy Application Hearing	Week of August 16, 1982
New Mexico UIC Regulations Effective	September 20, 1982
Joint WQCC-EID-OCD Public Hearing on State UIC Primacy Application (Other than Class II Wells)	September 20, 1982
Action by WQCC on Memorandum of Agreement and Primacy Application	October 12, 1982
Response to Comments and Final State UIC Primacy Application to EPA	Week of Nov. 8, 1982
EPA Public Hearing on NM State Primacy Application (other than Class II Wells)	Mid-December, 1982
Action by EPA on State Primacy Application	February, 1983

ABBREVIATIONS:

EID:	New Mexico Environmental Improvement Division
EPA:	United States Environmental Protection Agency
OCD:	New Mexico Oil Conservation Division
UIC:	Underground Injection Control
WQCC:	New Mexico Water Quality Control Commission

NEW MEXICO WATER QUALITY CONTROL COMMISSION

NOTICE OF PUBLIC HEARING ON PROPOSED REGULATION AMENDMENTS

The New Mexico Water Quality Control Commission will hold a public hearing starting at 9 a.m. on March 3, 1982 in Apodaca Hall (Second Floor Auditorium), PERA Building, Capitol Complex, Santa Fe, New Mexico, and continuing for as many days as necessary to complete the hearing.

The hearing is to consider proposed additions and amendments to the Water Quality Control Commission Regulations pertaining to the following:

1. Section 1-101.H. (Change in the definition of "Director")
2. Section 1-101 (New definitions for Underground Injection Control)
3. Subsection 3-106.C.8. (Additional language for Underground Injection Control)
4. Subsection 3-107.E. (Additional language for Underground Injection Control)
5. Subsection 3-109.E.3. (Additional language for Underground Injection Control)
6. Proposed new Part 5 (Regulations, technical criteria, and performance standards for discharge to the subsurface through certain types of injection wells, "Underground Injection Control")

One set of proposed Underground Injection Control regulations to be considered at this hearing was presented to the Commission jointly by the Environmental Improvement Division (EID) and the Oil Conservation Division (OCD) at the January 12, 1982 Commission meeting. These regulations were developed over the past 9 months at announced public meetings attended by EID, OCD, and U.S. EPA staff, industry representatives, citizens groups, and other interested members of the public. Alternative proposals, presented at the January 12 Commission meeting by Kerr-McGee Nuclear Corporation for Sections 5-103 and 5-202 of proposed Part 5, and by Homestake Mining Company for the Section 1-101 definition of "effluent disposal well", will also be considered at this public hearing.

Copies of the proposed additions and amendments will be available for public review during regular business hours at the Water Pollution Control Bureau, Crown Building, 725 St. Michael's Drive, and the Oil Conservation Division, State Land Office Building, 310 Old Santa Fe Trail, Santa Fe, N.M., and at the following Environmental Improvement Division and Oil Conservation Division offices:

Albuquerque (EID)
4159 Montgomery Blvd., NE
Albuquerque, New Mexico 87109

Gallup (EID)
106 West Hill
Gallup, New Mexico 87301

Artesia (OCD)
324 W. Main
Petroleum Building
Artesia, New Mexico 88210

Hobbs (OCD)
1000 W. Broadway
Hobbs, New Mexico 88240

Aztec (OCD)
1000 Rio Brazos
Aztec, New Mexico 87410

Las Cruces (EID)
1001 North Solano Drive
Las Cruces, New Mexico 88001

Farmington (EID)
724 West Animas
Farmington, New Mexico 87401

Roswell (EID)
200 E. Fifth Street
Roswell, New Mexico 88201

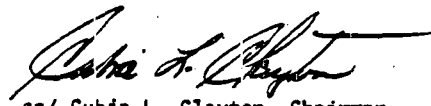
Requests for copies of the proposed additions and amendments and other inquiries should be sent to Joseph A. Pierce, Chief, Water Pollution Control Bureau, P. O. Box 968, Santa Fe, New Mexico 87504-0968, telephone (505) 827-5271, or R.L. Stamets, Technical Support Chief, Oil Conservation Division, P. O. Box 2088, Santa Fe, New Mexico 87503, (505) 827-2434.

The hearing shall be limited to the proposed language changes, amendments thereto, and only those changes in other Subsections which are necessitated to maintain consistency in the Regulations pursuant to the proposed additions and amendments.

All interested persons will be given a reasonable opportunity at the hearing to submit relevant evidence, data, views or arguments, orally or in writing, and to examine persons who testify at the hearing. Written statements to be incorporated into the public record will also be accepted before and at the hearing. Statements to be incorporated into the public record should be addressed to:

Joseph A. Pierce, Chief
Water Pollution Control Bureau
Environmental Improvement Division
P. O. Box 968
Santa Fe, New Mexico 87504-0968

Statements should be titled as follows: "Statements for the Public Record of the Water Quality Control Commission Regulation Hearing on March 3, 1982." Any persons desiring an interpreter for the deaf at the hearing should submit a written request to the EID at least 10 days prior to the hearing. Upon request, a taped transcript of the hearing will be made to be available for listening by the blind.



ss/ Cobia L. Clayton, Chairman
NM Water Quality Control Commission

TO BE PUBLISHED ON OR BEFORE AUGUST 21, 1982

STATE OF NEW MEXICO

NOTICE OF PUBLIC HEARING TO PROVIDE OPPORTUNITY FOR PUBLIC COMMENT

A public hearing before the Environmental Improvement Division of the Health & Environment Department and the Oil Conservation Division of the Energy and Minerals Department has been scheduled for 10 a.m., September 20, 1982 in Apodaca Hall (second floor auditorium) PERA Building, Capitol Complex, Santa Fe, New Mexico, to obtain public comment on the draft State application to the U.S. Environmental Protection Agency (EPA) for Primary Enforcement Authority (Primacy) to administer the Federal Underground Injection Control (UIC) program in New Mexico. Underground injection is the emplacement into wells of fluids for disposal or other purposes. The improper injection of such fluids can cause ground water used for drinking or other purposes to be contaminated.

Since 1979 the state of New Mexico has received grants from the EPA to develop and submit for EPA approval a program that would allow the state of New Mexico to administer directly the UIC provisions of the Federal Safe Drinking Water Act (PL 93-523 as amended). In February of this year New Mexico received EPA approval to administer those portions of the Federal UIC program dealing with underground injections that relate to the production of oil and natural gas. Comments at this hearing will therefore be limited to New Mexico's program to control fluid injection practices other than those related to oil and natural gas production.

The principal part of the New Mexico program to protect ground water from contamination by non-oil and gas underground injection has been the New Mexico Water Quality Control Commission Regulations first adopted in 1977 under the authority of the New Mexico Water Quality Act. Additional UIC amendments were adopted by the Commission July 21, 1982. Additional ground water protection from underground injection is provided by the New Mexico Geothermal Resources Conservation Act and the Surface Mining Act and the regulations adopted thereunder.

Copies of the UIC Primacy Application will be available for public review during regular business hours at the Water Pollution Control Bureau, Environmental Improvement Division, Crown Building, 725 St. Michael's Drive and the Oil Conservation Division, State Land Office Building, 310 Old Santa Fe Trail, Santa Fe, New Mexico and at the following Environmental Improvement Division and Oil Conservation Division offices:

Albuquerque (EID)
4219 Montgomery Blvd., NE
Albuquerque, New Mexico 87109

Grants-Milan (EID)
708 Uranium Avenue
Milan, New Mexico 87020

Artesia (OCD)
324 W. Main
Petroleum Building
Artesia, New Mexico 88210

Hobbs (EID)
414 W. Taylor
Hobbs, New Mexico 88240

Farmington (EID)
724 West Animas
Farmington, New Mexico 87401

Las Cruces (EID)
1001 North Solano Drive
Las Cruces, New Mexico 88001

Gallup (EID)
106 West Hill
Gallup, New Mexico 87301

Roswell (EID)
200 E. Fifth Street
Roswell, New Mexico 88201

One copy at each location will be available to individuals for photocopying at their own expense. Inquiries regarding the applications should be addressed to Roy D. McKeag, Chief, Water Pollution Control Bureau, Post Office Box 968, Santa Fe, New Mexico 87504-0968, telephone (505) 984-0020, or R.L. Stamets, Technical Support Chief, Oil Conservation Division, Post Office Box 2088, Santa Fe, New Mexico 87503, (505) 827-2434.

All interested persons will be given a reasonable opportunity at the hearing to submit relevant oral and written statements and data. A written transcript of the hearing will be made. Written statements to be incorporated into the public record will be accepted before and during the hearing. Statements to be incorporated into the public record should be addressed to:

Roy D. McKeag, Chief
Water Pollution Control Bureau
Environmental Improvement Division
Health & Environment Department
P.O. Box 968
Santa Fe, New Mexico 87504-0968

Statements should be titled as follows: "Statements for the Public Record of the UIC Public Hearing of September 20, 1982." Any person desiring an interpreter for the deaf at the hearing should submit a written request to the EID at least ten (10) days prior to the hearing. Upon request, a taped transcript of the hearing will be made to be available for listening by the blind.