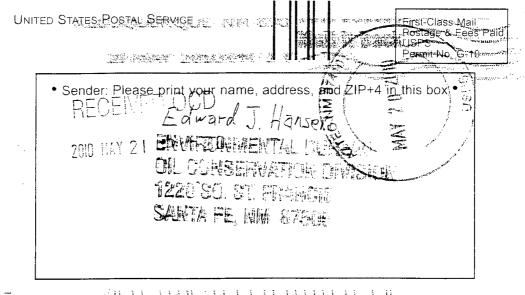
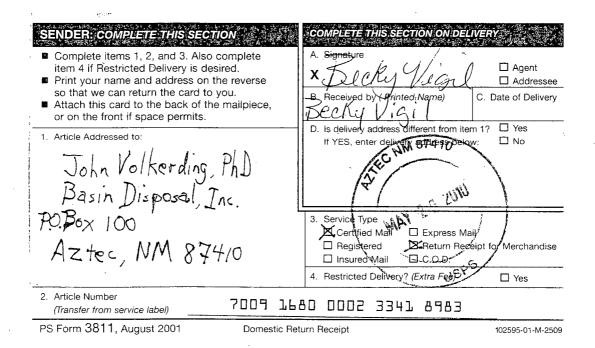
# NM1 - 5

# MAJOR MODIFICATION Application (June 11, '09) General Correspondence

# 2009 - 2010









Bill Richardson Governor

Jon Goldstein Cabinet Secretary

Jim Noel Deputy Cabinet Secretary Mark Fesmire Division Director Oil Conservation Division



CERTIFIED MAIL - RETURN RECEIPT REQUESTED #7009 1680 0002 3341 8983

May 19, 2010

John Volkerding, PhD Basin Disposal, Inc. P.O. Box 100 Aztec, NM 87410

Dear Dr. Volkerding:

Pursuant to the Surface Waste Management Facilities Rule, 19.15.36 NMAC (Part 36), the Oil Conservation Division (OCD) hereby approves the permit for a major modification to your permit (NM1-005) for the Basin Disposal Facility in accordance with 19.15.36.12 NMAC contingent upon the conditions specified in the enclosed permit. Enclosed are two copies of the permit with the conditions of approval. Please sign and return one copy to the Oil Conservation Division Santa Fe Office within 30 days of receipt of this letter.

Please keep in mind that this permit will not be final until the permit is signed by an appropriate representative of Basin Disposal, Inc. (Basin) and a copy returned to the OCD. Also, please note that the financial assurance as specified in the permit must be submitted to the OCD within 30 days of receipt of this permit before the permit will be final (i.e., become effective) in accordance with 19.15.36.11 NMAC.

OCD has considered your comments of May 10, 2010 regarding OCD's Tentative Decision in this matter and has incorporated some of the comments in this final permit as follows:

Page 1, Condition 1A

For the comment regarding the size of the proposed evaporation ponds, OCD has changed this condition: "...approximately 4 acres each" to now read "...approximately <u>2</u> acres each". This was a typographical error.

## Page 8, Condition 9E

For the comment regarding the 3-foot freeboard for Pond #1, the OCD has changed this condition: "The Owner/Operator shall clearly mark the liner of each existing pond to indicate the required-3-foot freeboard within 90 days of issuance of this Permit..." to now read "The Owner/Operator shall clearly mark the liner of each existing pond (i.e., Pond #1) to indicate a 3-foot freeboard within the term of this Permit. A 3-foot freeboard in Pond #1 shall be required at that time.".



John Volkerding, PhD Basin Disposal, Inc. May 19, 2010 Page 2

OCD may impose reasonable conditions for permits. This condition is to be effective within the permit term (i.e., 10 years). This should be ample time for Basin to have both of the "new" ponds become operational (thereby eliminating the need for Pond #1 to maintain a 2-foot freeboard). The intent of this condition is to have the facility eventually meet the technical standards of Part 36.

## Page 9, Condition 10C

For the comment regarding the 3-foot freeboard for Pond #1, OCD has changed this condition: "The Owner/Operator shall clearly mark the liner of each existing pond to indicate the required 3-foot freeboard in accordance with permit condition 9E within <del>90 days of issuance</del> of this Permit..." to now read "The Owner/Operator shall clearly mark the liner of each existing pond (i.e., Pond #1) to indicate <u>a</u> 3-foot freeboard in accordance with permit condition 9E within the term of this Permit. <u>A 3-foot freeboard in Pond #1 shall be required at that time</u>." {see Condition 9E above}.

## Page 9, (now on Page 8,), Condition 9K

For the comment regarding the additional forms required to be submitted, OCD has changed this condition: "...currently submitted to the Division's Environmental Bureau" to now read "...currently submitted to the Division".

Basin is required to submit forms C-120-A and C-118 for your surface waste management facility pursuant to 19.15.7 NMAC. Form C-115 (which is currently submitted to the Division by Basin) is required for the SWD well, which is permitted separately from the surface waste management facility. Also, the form C-118 (for treatment facilities; i.e., for your facility, oil separation in tanks) is required in addition to form C-112 (for storage facilities), which Basin currently submits to the OCD. This change is to reflect that Basin currently submits forms C-112 and C-115 to the Division (as opposed to the Environment Bureau specifically).

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

If you have any questions, please contact Edward Hansen of my staff at (505-476-3489) or Email edwardj.hanesn@state.nm.us. On behalf of the staff of the OCD, I wish to thank you and your staff for your cooperation during this permit modification application review.

Sincerely,

Glenn von Gonten Acting Environmental Bureau Chief

GvG:EJH:ejh

enclosures (2)

## SURFACE WASTE MANAGEMENT FACILITY PERMIT (NM1-005) MAJOR MODIFICATION

## 1. GENERAL PROVISIONS.

A. PERMITTEE AND PERMITTED FACILITY: The Oil Conservation Division (Division) of the Energy, Minerals and Natural Resources Department issues this surface waste management permit, including a major modification, NM1-005, (Permit) to Basin Disposal, Inc. (Owner/Operator), P.O. Box 100, Aztec, New Mexico 87410, located at 200 Montana Street, Bloomfield, New Mexico 87413 to construct, operate, and close the Basin Disposal, Inc, Surface Waste Management Facility (Facility) located in Section 3, Township 29 North, Range 11 West, NMPM, San Juan County, New Mexico. The Facility is located approximately 3 miles north of the intersection of Highways 550 and 64.

The existing 28 acres ± commercial surface waste management facility includes an evaporation pond, 12 receiving tanks, 3 oily water receiving tanks, 3 skimmed oil tanks, 3 oil heating tanks, 2 sludge settling tanks, 7 oil sales tanks, 3 filtered water tanks, 4 bleach tanks, 1 concrete sludge stabilization station, 2 covered below-grade tanks, and various support facilities including an office, a maintenance building, roads, and a storm water detention basin. Also, within the facility boundaries is an UIC Class II injection well (which is permitted separately by Division order R-8524, API No. 30-045-26862) for the disposal of produced water at the Facility. The major modification includes the addition of 2 evaporation ponds (approximately 2 acres each) constructed with 60-mil high density polyethylene (HDPE) primary liner, leak detection, and secondary liner systems. In addition, 6 additional oil field waste liquid receiving tanks and 2 oil sales tanks will be installed at the Facility.

**B. SCOPE OF PERMIT:** The Division regulates the disposition of water produced or used in connection with the drilling for or producing of oil or gas or both and to direct surface or subsurface disposal of the water in a manner that will afford reasonable protection against contamination of fresh water supplies designated by the state engineer pursuant to authority granted in the Oil and Gas Act (Chapter 70, Article 2 NMSA 1978) at Section 70-2-12(B)(15) NMSA 1978.

The Division regulates the disposition of nondomestic wastes resulting from the exploration, development, production or storage of crude oil or natural gas to protect the public health and the environment pursuant to authority granted in the Oil and Gas Act (Chapter 70, Article 2 NMSA 1978) at Section 70-2-12(B)(21) NMSA 1978.

The Division regulates disposition of nondomestic wastes resulting from the oil field service industry, the transportation of crude oil or natural gas, the treatment of natural gas or the refinement of crude oil to protect public health and the environment pursuant to authority granted

in the Oil and Gas Act (Chapter 70, Article 2 NMSA 1978) at Section 70-2-12(B)(22) NMSA 1978.

This Permit does not convey any property rights of any sort or any exclusive privilege, and does not authorize any injury to persons or property, any invasion of other private rights, or any infringement of state, federal or local laws, rules or regulations.

C. **PERMIT CONDITIONS:** By signing this Permit, the Owner/Operator agrees to the specific provisions set out in this document, and the commitments made in the approved Permit Major Modification Application of June 11, 2009 and the attachments to that application (as deemed complete on October 20, 2009), which are incorporated into this Permit by reference.

**D. DEFINITIONS:** Terms not specifically defined in this Permit shall have the same meanings as those in the Oil and Gas Act or the rules adopted pursuant to that Act, as the context requires.

**E. GENERAL PERFORMANCE STANDARDS:** The Owner/Operator shall operate in accordance with the permit conditions, to comply with the Oil and Gas Act and the rules issued pursuant to that Act, to protect public health and the environment [see Sections 70-2-12(B) (15), (21) and (22) NMSA 1978]; and to prevent waste of oil and gas, prevent the contamination of fresh waters and so that oil and gas are not used wastefully or allowed to leak or escape from a natural reservoir or from wells, tanks, containers, pipe or other storage conduit or operating equipment. See 19.15.2.8 NMAC.

F. EFFECTIVE DATE, EXPIRATION, RENEWAL CONDITIONS, AND PENALTIES FOR OPERATING WITHOUT A PERMIT: This Permit is effective when the Division's Environmental Bureau receives the signed Permit from the Owner/Operator. This Permit will expire on May 19, 2020. This Permit supersedes the Permit Major Modification of May 17, 1999, and any subsequent permit minor modifications to date. The Owner/Operator shall submit to the Division's Environmental Bureau an application for renewal no later than 120 calendar days before May 19, 2020, pursuant to 19.15.36.12A(2)(a) NMAC. If an Owner/Operator submits a renewal application at least 120 calendar days before the Permit expires and is in compliance with the approved Permit, then the existing Permit will not expire until the Division's Environmental Bureau has approved or disapproved the renewal application. See 19.15.36.12A(2)(a) NMAC. Operating with an expired Permit may subject the Owner/Operator to civil and/or criminal penalties. See Section 70-2-31 NMSA 1978.

**G. FINANCIAL ASSURANCE:** The Owner/Operator shall provide financial assurance in a form approved by the Division's Environmental Bureau for the commercial surface waste management facility's estimated closure and post closure cost. See 19.15.36.11 NMAC. The amount of financial assurance required is \$147,099.00 in addition to the current financial assurance of \$140,000.00 for a total amount of \$287,099.00. This Permit cannot be issued until the total amount (\$287,099.00) of financial assurance has been submitted to the Division's Environmental Bureau. The UIC Class II injection well located at the Facility is subject to the financial assurance requirements for well plugging specified at in 19.15.8.9 NMAC.

## 2. GENERAL FACILITY OPERATIONS.

A. LABELING: The Owner/Operator shall clearly label all tanks, drums, and containers to identify the contents and provide other emergency notification information in accordance with the tank numbering system as specified in Attachment III.1.F of the approved Application.

**B. INSPECTIONS AND MAINTENANCE OF SECONDARY CONTAINMENT SYSTEMS:** The Owner/Operator shall inspect all secondary containment systems and sumps at least monthly, unless otherwise specified, to ensure proper operation and to prevent over topping or system failure. The Owner/Operator shall empty all secondary containment systems of any fluids within 48 hours of discovery. The Owner/Operator shall keep written records of its inspections using the inspection form as specified in its approved Application and keep written records of any fluid analyses.

- i. **Evaporation Ponds:** If the Owner/Operator determines that fluids are present in the leak detection system in excess of 2 feet, the Owner/Operator shall initiate corrective actions as specified in Section 1 of Volume II of the approved Application. The Owner/Operator shall inspect all secondary containment systems and sumps <u>at least every two weeks</u>.
- Below-grade Tanks, Sumps, and Sludge Stabilization Unit: If the Owner/Operator determines that a secondary containment system has developed a leak, or if any penetration of the below-grade tank, sump or sludge stabilization unit has occurred below the liquid's surface, then the Owner/Operator shall remove all liquid above the damage or leak line within 48 hours, notify the Division's Environmental Bureau within 48 hours of the discovery and repair the damage or replace the below-grade tank, sump or sludge stabilization unit as specified in Section 1 of Volume II of the approved Application.

C. RELEASE REPORTING AND CORRECTIVE ACTION FOR RELEASES: The Owner/Operators shall comply with the spill reporting and corrective action provisions of 19.15.30 NMAC or 19.15.29 NMAC.

**D. ANNUAL REPORT:** The Owner/Operator shall submit an annual report to the Division's Environmental Bureau by May 17 of each year. The annual report shall include the following information for the preceding calendar year:

- i. A copy of all inspections forms including facility inspections and inspections conducted of leak detection systems and analytical results of fluids if fluids were detected;
- ii. A copy of the annual hydrogen sulfide  $(H_2S)$  monitoring results for tank batteries in accordance with permit condition 9H and the monitoring results for underground

process and wastewater pipeline integrity tests in accordance with permit condition 6A;

- iii. A copy of all facility training records;
- iv. A copy of all form C-138s for waste generated by the Owner/Operator;
- v. A copy of all complaint logs and resolutions; and,
- vi. In addition to reporting releases as specified in the contingency plan of Section 5 of Volume II of the approved Application and pursuant to 19.15.29 NMAC, a summary report that includes the nature and amount of any reportable releases pursuant to 19.15.29 NMAC, with a description of the disposition of any contaminated soil or water.

## 3. MATERIAL STORAGE.

A. DRUM AND CONTAINER STORAGE: The Owner/Operator shall store all drums and other containers, including empty drums and containers, on a curbed, impermeable pad. "Containers" include tote tanks, sacks, and buckets. The Owner/Operator shall store empty drums on their sides with the bungs in place and lined up on a horizontal plane. The Owner/Operator may store fresh water outside the drum and container, process, maintenance, material and waste storage areas without having a curbed, impermeable pad, liner, pavement, or curbing.

**B. PROCESS, MAINTENANCE, AND MATERIAL STORAGE AREAS:** The Owner/Operator shall pave and curb all process, maintenance, and material storage areas at the Facility, excluding all evaporation ponds, below-grade tanks, and sumps, or incorporate another appropriate spill collection device for these areas.

C. ABOVE GROUND TANKS: The Owner/Operator shall place above ground tanks on impermeable pads and surround the tanks with lined berms or other impermeable secondary containment system having a capacity at least equal to one and one-third times the capacity of the largest above ground tank, or, if the above ground tanks are interconnected, of all interconnected above ground tanks. The Owner/Operator may store fresh water outside the drum and container, process, maintenance, material and waste storage areas without having a curbed, impermeable pad, liner, pavement, or curbing.

## 4. WASTE MANAGEMENT.

A. WASTE STREAMS: This Permit authorizes the Owner/Operator to handle the RCRA exempt liquid waste streams as specified in Section 2 of Volume II of the approved Application. The Owner/Operator must obtain the Division's Environmental Bureau's approval to receive any waste stream not specified in its approved Application for the collection, disposal, evaporation, remediation, reclamation, treatment, or storage.

**B. WASTE STORAGE:** The Owner/Operator shall store waste at the Facility only in clearly marked waste storage areas that have been specified in its approved Application, except that waste generated during emergency response operations may be stored elsewhere for no more than 72 hours. The Division's Environmental Bureau may approve additional waste storage areas on a case-by-case basis.

The Owner/Operator shall not store oil field waste, as defined in 19.15.2.7O(3) NMAC, generated at the Facility by the Owner/Operator on-site for more than 180 calendar days from the date that the container is filled without obtaining approval from the Division's Environmental Bureau.

C. CLASS V WELLS: Leach fields and other wastewater disposal systems at Division-regulated facilities that inject non-hazardous fluid into or above an underground source of drinking water are UIC Class V injection wells, pursuant to 20.6.2.5002B NMAC.

This Permit does not authorize the use of a Class V injection well for the disposal of industrial waste at the Facility. The Owner/Operator shall close any Class V industrial waste injection wells at the Facility that inject non-hazardous industrial wastes or a mixture of industrial wastes and domestic wastes (*e.g.*, septic systems, leach fields, dry wells, *etc.*) pursuant to 20.6.2.5005 NMAC within 90 calendar days of the issuance of this Permit. Other Class V wells, including wells used only for the injection of domestic wastes, must be permitted by the New Mexico Environment Department.

## 5. BELOW-GRADE TANKS AND SUMPS.

A. EXISTING BELOW-GRADE TANKS AND SUMPS: Below-grade tanks and sumps must have secondary containment systems with leak detection. The Owner/Operator shall retrofit existing below-grade tanks and sumps that lack secondary containment and/or leak detection systems to meet the design and construction specifications of 19.15.17.11 NMAC. The Owner/Operator shall submit a retrofit plan for the below-grade tank which includes procedures and protocols for addressing any releases discovered during the retrofit operation to the Division's Environmental Bureau no later than one year from the date of issuance of this Permit. The Division's Environmental Bureau shall review and approve, approve with conditions, or deny the Owner/Operator's retrofit plan. The approved plan for retrofitting existing below-grade tanks and sumps shall be incorporated into any permit renewal.

The Owner/Operator shall test existing below-grade tanks that lack secondary containment and leak detection annually or as specified herein. The Owner/Operator may propose various methods for testing such as pressure testing to 3 pounds per square inch greater than normal operating pressure and/or visual inspection of cleaned tanks and/or sumps, or other Division-approved methods. The Owner/Operator shall maintain the test results for inspection by the Division's Environmental Bureau.

**B. NEW BELOW-GRADE TANKS AND SUMPS:** The Owner/Operator shall obtain the Division's Environmental Bureau's approval before installing a new below-grade tank

or sump. The Owner/Operator shall submit a proposed design plan that meets the design and construction specifications for below-grade tanks at 19.15.17.11 NMAC and which meets the definition for sumps specified at 19.15.17.7H NMAC, to the Division's Environmental Bureau to install a new below-grade tank or sump at least 90 calendar days before it intends to install the new unit. Design plans for below-grade tanks shall incorporate secondary containment and/or leak detection. The Division's Environmental Bureau will review and approve, approve with conditions, or deny the Owner/Operator's proposed design for a new below-grade tank or sump.

## 6. UNDERGROUND PROCESS AND WASTEWATER PIPELINES.

A. **TESTING:** The Owner/Operator shall test all underground process/wastewater pipelines at least once every five (5) years to demonstrate their mechanical integrity, except lines containing fresh water. The Owner/Operator shall test all pressure-rated pipelines to 150% of the normal operating pressure, if possible, or for atmospheric drain systems, to 3 pounds per square inch greater than normal operating pressure, and pressure held for a minimum of 30 minutes with no more than a 1% loss/gain in pressure. The Owner/Operator may propose other test methods for the Division's Environmental Bureau's review and approval. If the pipeline fails the integrity test, then the Owner/Operator shall notify the Division's Environmental Bureau within 72 hours and propose methods to either repair or replace the defective pipeline. The Owner/Operator shall also submit a Remediation Plan to the Division's Environmental Bureau to investigate and remediate any contamination pursuant to 19.15.29 NMAC. The Owner/Operator shall maintain the test results for inspection by the Division's Environmental Bureau.

**B. SCHEMATIC DIAGRAMS OR PLANS:** The Owner/Operator shall maintain at the Facility all underground process and wastewater pipeline schematic diagrams or plans showing all drains, vents, risers, valves, underground piping, pipe type, rating, size, and approximate location.

C. NEW UNDERGROUND PIPEINES: The Owner/Operator shall notify the Division's Environmental Bureau prior to installing any new underground pipelines. The Owner/Operator shall submit a design plan as specified in permit condition 6B to the Division's Environmental Bureau for new underground pipelines at least 90 calendar days before it intends to begin construction. The Division's Environmental Bureau shall determine whether any modifications to this Permit are necessary and appropriate based on the new underground pipelines.

7. **STORM WATER:** The Owner/Operator shall implement and maintain storm water runon and run-off plans and controls as specified in Sections 1 and 4 of Volume III of the approved Application, and shall comply with any additional commitments as specified in the Contingency Plan in Section 5 of Volume II of the approved Application.

The Owner/Operator shall inspect the berms and the outside walls of pond levees quarterly and after a major rainfall or windstorm, and maintain the storm water control features in such a manner as to prevent erosion.

**8. CLOSURE / POST-CLOSURE:** In addition to the closure / post-closure plan of Section 4 of Volume II of the approved Application, the Owner/Operator shall complete the following action items during closure of the entire Facility:

**A.** The Owner/Operator shall close all portions of the Facility including the temporary soil storage area.

**B.** Upon closure of the entire Facility, the Owner/Operator shall not accept any material for the collection, disposal, evaporation, remediation, reclamation, treatment, or storage.

If the Owner/Operator chooses to close part of the Facility while continuing to operate the other parts of the Facility, it shall submit a partial closure plan to the Division's Environmental Bureau. The Division's Environmental Bureau will review and approve, approve with conditions, or deny the Owner/Operator's proposed partial closure plan.

## 9. ADDITIONAL SITE SPECIFIC CONDITIONS:

**A.** The Owner/Operator shall comply with all applicable requirements of the Surface Waste Management Facilities Rules (19.15.36 NMAC), the Oil and Gas Act (Chapter 70, Article 2 NMSA 1978), and all conditions specified in the Permit, and shall construct, operate and close the Facility in accordance with the approved Permit Major Modification application of June 11, 2009, as deemed administratively complete on October 20, 2009, and all conditions specified in the Permit.

**B.** The Owner/Operator shall include the surface waste management facility permit number on the sign pursuant to 19.15.36.13J NMAC.

**C.** At least 30 days prior to the start of pond construction, the Owner/Operator shall furnish the Division's Environmental Bureau with a major milestone schedule for pond construction.

**D.** The Owner/Operator shall submit to and obtain approval from the Division's Environmental Bureau of a Liner Certification Report prior to use of Pond #2 and any other ponds that it may construct after the issuance of this Permit.

**E.** The Owner/Operator shall clearly mark the liner of each existing pond (i.e., Pond #1) to indicate a 3-foot freeboard within the term of this Permit. A 3-foot freeboard in Pond #1 shall be required at that time. Also, the Owner/Operator shall clearly mark the liner of any newly constructed pond to indicate the required 3-foot freeboard prior to use.

**F.** The Owner/Operator shall, within 24 hours of receiving notification from the Division's Environmental Bureau or a concerned party that an objectionable odor has been detected or reported, implement the following response procedures:

- i. Log date and approximate time of notice that an odor exists, including the name of the complainant and any contact information;
- ii. Investigate the source of the odor and log investigative steps taken, including date and time, and conclusions reached; and,
- iii. Take actions to alleviate the odor, which may include adjusting chemical treatment, air sparging, solidification, or similar responses, and log the actions taken.

G. In addition to the commitments of the Hydrogen Sulfide  $(H_2S)$  Prevention and Contingency Plan in Section 3 of Volume II of the approved Application, if a hydrogen sulfide  $(H_2S)$  reading of <u>10.0 ppm</u> or greater is obtained at the facility boundary, then the Owner/Operator shall notify all persons residing within one-half mile of the facility boundary and assist public safety officials with evacuation as requested.

**H.** In addition to the commitments specified in the Hydrogen Sulfide ( $H_2S$ ) Prevention and Contingency Plan in Section 3 of Volume II of the approved Application, the Owner/Operator shall monitor at least once per year for hydrogen sulfide ( $H_2S$ ) at the vent of covered tanks or at the top of open tanks as specified in Attachment III.1.F of the approved Application. The Owner/Operator shall comply with 19.15.11.12E NMAC as required. The Owner/Operator shall include the results of the annual hydrogen sulfide monitoring event in its Annual Report.

**I.** The Owner/Operator shall obtain Division's Environmental Bureau approval prior to any design changes to the produced water receiving, treatment and evaporation area.

**J.** The Owner/Operator shall obtain Division's Environmental Bureau approval prior to the installation of any wells or other structures within the boundaries of the Facility.

K. In addition to forms that are currently submitted to the Division, the Owner/Operator shall also file to the Division's Environmental Bureau a copy of form C-118, Sheet 1 by the  $15^{th}$  of the next succeeding month and a copy of form C-120-A by the  $15^{th}$  of the second succeeding month.

## **10.** SCHEDULE OF COMPLIANCE:

**A.** The Owner/Operator shall sign and return this Permit to the Division's Environmental Bureau within 30 days of its receipt of this Permit.

**B.** The Owner/Operator shall provide financial assurance in a form approved by the Division's Environmental Bureau for the commercial surface waste management facility's estimated closure and post closure cost within 30 days of its receipt of this Permit. The amount of financial assurance required is \$147,099.00 in addition to the current financial assurance of \$140,000.00 for a total amount of \$287,099.00.

**C.** The Owner/Operator shall clearly mark the liner of each existing pond (Pond #1) to indicate a 3-foot freeboard in accordance with permit condition 9E within the term of this Permit. A 3-foot freeboard in Pond #1 shall be required at that time. Also, the Owner/Operator shall clearly mark the liner of any newly constructed pond to indicate the required 3-foot freeboard prior to use. The Owner/Operator shall submit photo-documentation to the Division's Environmental Bureau within 90 days upon completion marking the liner.

**D**. The Owner/Operator shall submit a plan for the retrofitting of below-grade tanks and sumps in accordance with permit condition 5A to the Division's Environmental Bureau no later than one year from the date of issuance of this Permit.

**E.** The Owner/Operator shall submit an annual report pursuant to permit condition 2C to the Division's Environmental Bureau by May 17 of each year.

**F.** At least 30 days prior to the start of pond construction, the Owner/Operator shall furnish the Division's Environmental Bureau with a major milestone schedule for pond construction pursuant to permit condition 9C.

**11. CERTIFICATION:** (**OWNER/OPERATOR**) by the officer whose signature appears below, acknowledges receipt of this Permit, and has reviewed its terms and conditions.

Company Name - print name above

Company Representative - print name

Company Representative - Signature

Title:\_\_\_\_\_

Date:\_\_\_\_\_

## Hansen, Edward J., EMNRD

From: Sent: To: Subject: John Volkerding [jvolkerding@aztecwell.com] Monday, May 10, 2010 9:59 AM Hansen, Edward J., EMNRD Basin Dispoal comments on the Oil Conservation Division's Tentative Decision on the Surface Waste Management Facility Permit NM1-005 Major Modification Dated March 23, 2010.

Edward J. Hansen Hydrologist Environmental Bureau

Dear Mr. Edward J. Hansen;

Basin Disposal would like to take the opportunity to provide comments on the Oil Conservation Division's Tentative Decision on the Surface Waste Management Facility Permit NM1-005 Major Modification Dated March 23, 2010.

### <u>Page 1, 1A</u>

Page 1, Paragraph 1A of the Tentative Decision states "The major modification includes the addition of 2 evaporation ponds (approximately 4 acres each)..."

This appears to be a minor typographical error as the major modification application is for 2 evaporation ponds that are approximately 2.2 acre each, with a combined area of approximately 4 acres.

### Page 8, 9E and Page 9, 10.3

Page 8, Paragraph 9E of the Tentative Decision states "The Owner/Operator shall clearly mark the liner of each existing pond to indicate the required 3-foot freeboard within 90 days of issuance of this Permit." and Page 9, Paragraph 10.C of the Tentative Decision states "The Owner/Operator shall clearly mark the liner of each existing pond to indicate the required 3-foot freeboard in accordance with permit condition 9E within 90 days of issuance of this Permit."

Under Basin Disposal's current permit NM1-005, Condition 11, the existing pond has a freeboard requirement of two (2) feet. 19.15.36.20 NMAC, Transitional Requirements, "Surface waste management facilities in operation prior to the effective date of 19.15.36 NMAC pursuant to division permits or orders may continue to operate in accordance with such permits or orders, subject to the following provisions. A. Existing surface waste management facilities shall comply with the operational, waste acceptance and closure requirements provided in 19.15.36 NMAC, except as otherwise specifically provided in the applicable permit or order, or in a specific waiver, exception or agreement that the division has granted in writing to the particular surface waste management facility". Thus, Basin Disposal proposes that the existing permitted pond be allowed to continue to operate in accordance with the current permit with a freeboard requirement of two (2) feet.

Per the rest of Page 8, Condition 9E, Basin Disposal shall clearly mark the liner of any newly constructed pond to indicate the required 3 (three) foot freeboard prior to use.

### <u>Page 9, K</u>

Page 9, Paragraph K of the Tentative Decision states "In addition to the forms that are currently submitted to the Division's Environmental Bureau, the Owner/Operator shall also file to the Division's Environmental Bureau a copy of form C-118, Sheet 1 and C-120-A"

Basin Disposal currently submits form C-115 electronically for reporting the amount of produced water that is injected monthly. Basin Disposal wanted to verify that the permit requirement to submit form C-120-A is in addition to the current C-115.

Basin Disposal currently submits form C-112 for reporting the amount of crude oil that is sold monthly. Basin Disposal wanted to verify that the permit requirement to submit form C-118, Sheet 1 is in addition to the current C-112.

I appreciate the opportunity to provide these few comments on the Oil Conservation Division's Tentative Decision on the Surface Waste Management Facility Permit NM1-005 Major Modification Dated March 23, 2010.

Respectfully;

John Volkerding

John Volkerding General Manager Basin Disposal, Inc. PO Box 100, Aztec, NM 87410 Office: 505-334-3013 Mobile: 505-320-2840 Fax: 505-632-8936 Plant: 505-632-8936 Email: <u>bdinc@digii.net</u>

Each man is a hero and an oracle to somebody. Ralph Waldo Emerson

(505) 867-6991 Fax

April 29, 2010

(505) 867-6990

**Consulting Engineers** 

Bernalillo, New Mexico 87004

213 S. Camino del Pueblo

# RECEIVED OCD

## 2010 APR 30 A 11:02

Mr. Edward Hansen Hydrologist Oil Conservation Division NM Energy, Minerals and Natural Resources Department 1220 South St. Francis Dr. Santa Fe, NM 87505

Re: Basin Disposal, Inc. [520.01.01/01] Application for Permit Modification; Re-Mailing of Public Notice of Tentative Decision

Dear Mr. Hansen,

Pursuant to 19.15.36.9.E NMAC, please find enclosed documentation that Basin Disposal, Inc. (BDI) has re-mailed public notice of the Division's Tentative Decision to approve the Application for Modification for the BDI facility to three interested parties. Notice was provided on April 13, 2010 via first class mail to these individuals at their addresses as corrected by OCD.

Enclosed are copies of both the returned mail items, as well as the corrected and re-transmitted items. This submittal provides documentation of mailings, and an affidavit of re-notification as requested by OCD.

Please contact GEI at (505) 867-6990 or Jim Jordan at (505) 280-2823 should you have any questions or comments.

Very truly yours, Gordon Environmental, Inc.

I. Keith Gordon, P.E. Principal

- R. Tuhelha

Dacia R. Tucholke Project Manager

cc: Mr. John Volkerding, Ph.D., General Manager; Basin Disposal, Inc. Mr. Jim Jordan, P.E.; JEI

## **AFFIDAVIT OF MAILING**

**STATE OF NEW MEXICO** ) ) COUNTY OF SANDOVAL )

**BEFORE ME**, the undersigned official, on this day personally appeared Andrew N. Yuhas, who is personally known to me, and first being duly sworn according to law upon his oath deposed and said:

1. My name is Andrew N. Yuhas, I am an employee of Gordon Environmental, Inc., and as such I prepared or assembled copies of the three attached mailings constituting proof of renotification of the issuance of a Tentative Decision by the New Mexico Oil Conservation Division (OCD) regarding the Application for Modification for the Basin Disposal. Inc. Facility Permit. This re-notification was necessitated by the return of letters which had been sent to incorrect addresses provided to GEI by OCD. The re-notification letters were mailed via USPS first class mail on Tuesday, April 13, 2010. The notification was re-sent to the following three parties:

- Mr. Leroy Martinez, P.O. Box 685, Bloomfield, NM 87413
- Mr. James A. Schaffer, P.O. Box 23 Bloomfield, NM 87413
- Mr. Kenneth Drake, Air Star, Inc., P.O. Box 1510 Aztec, NM 87410 •

2. The sets of documents included with this affidavit and which, along with this affidavit, constitute proof of re-notification of the filing of said Application for Modification as requested by OCD.

MUGh

**SWORN AND SUBSCRIBED TO** before me, a Notary Public in and for the County of Sandoval and the State of New Mexico, this  $2e^{H}$  day of  $APR_{II}$ , 2010.

ublic in and for Sandoval County, NM



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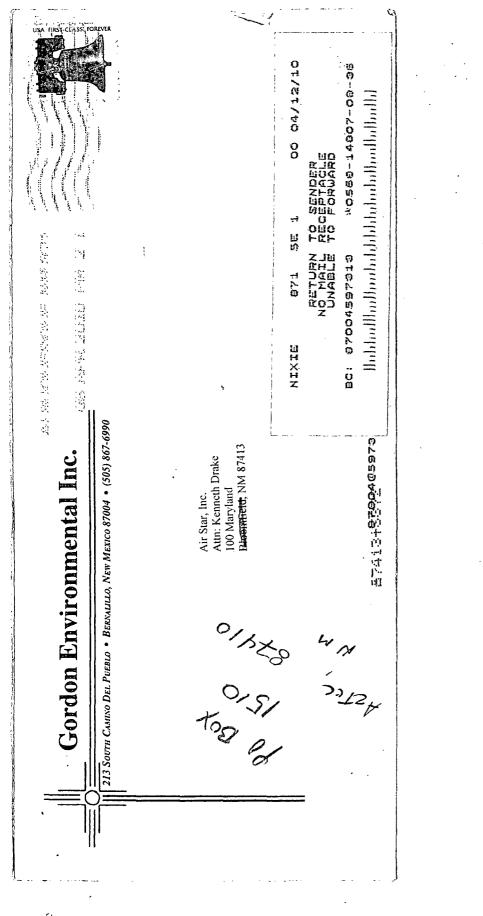
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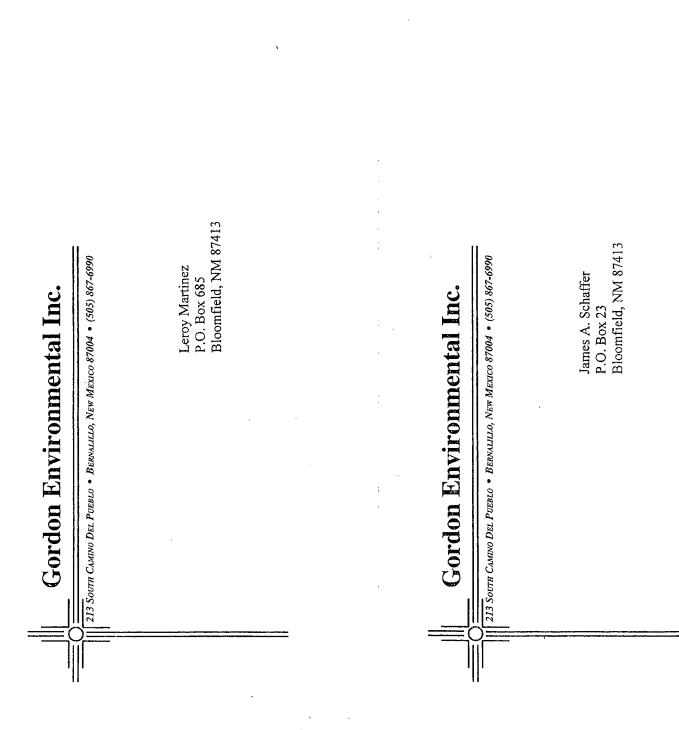
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Gordon Environmental Inc. ALGUCUERQUE NM B.V. ANN WAR REALED AND ANN WARE REALED AND ANN OF AN AND ANN OF AN AND AND AND AND AND AND AND AND AND	Leroy Martinez 130 Maryland Bloomfield, NM 87413	ATA13+83024@5573 NITXIE 871 5E 1 00 04/12/10 NETURN TO SENDER NO NOTELE TO SENDER UNABLE TO FORWARD BC: 87004557313 *0669-04400-08-36 Huhhuhuhuhuhuhuhuhuhuhuhuhuhuhuhuhuhuhu	Gordon Environmental Inc.	James A. Schaffer 120 E. Utah Bloomfield, NM 87413 NTXIE B74 SE 1 00 04/12/ NGETURN TO SENDER NONABLE TO FORWARD	ac: a/000801-0208-12050-00-00
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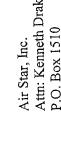


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213 SOUTH CAMINO DEL PUEBLO • BERNALILLO, NEW MEXICO 87004 • (505) 867-6990

**Gordon Environmental Inc.** 

Air Star, Inc. Attn: Kenneth Drake P.O. Box 1510 Aztec, NM 87410



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OIL CONSERVATION DIVISION

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#### Applications, Draft Permits, Public Notices and Notification List

(NOTE: ALL DOCUMENTS POSTED IN PDF FORMAT)

#### Notification List

Ger Adober Reader

List of Part 30 and WQCC Interested Parties (12/14/09)

Applications (Recently Filed and Deemed Administratively Complete.)

APPLICANT	DATE FILED	FACILITY NAME	PERMIT NUMBER (IF FOR RENEWAL)

#### **Draft Permits and Public Notices**

NOTE: FOR NEW APPLICATIONS, DRAFT PERMITS MAY NOT BE AVAILABLE UNTIL PUBLIC NOTICE PERIOD HAS EXPIRED.

SPANISH LANGUAGE PUBLIC NOTICE

**Basin Disposal, Inc.** (3/23/10) Basin Disposal Facility - Major Modification (NM1-005) Division's Tentative Decision

Western Refining Southwest, Inc. (3/22/10) Bloomfield Refinery (GW-001) Draft Permit, Public Notice, Administrative Completeness

Western Refining Southwest, Inc. (2/25/10) Class I (non-hazardous) Injection Well - Disposal Well No. 1 (API #30-045-29002) (UICI-009) Draft Permit, Public Notice, Administrative Completeness

**El Paso Natural Gas Company** (1/20/10) Pipeline No 3201 Hydrostatic Test (HIP-115) Draft Permit, Public Notice, Administrative Completeness

**DCP Midstream** (11/30/09) Bootleg Compression Staion (GW-176) Draft Permit Cover Letter, Draft Permit, Public Notice, Administrative Completeness

**DCP Midstream** (11/3/09) Linam Ranch Gas Plant (GW-15) Draft Permit Cover Letter, Draft Permit, Public Notice, Administrative Completeness

**Williams Four Corners** (10/29/09) Trunk L Compressor Station (GW-180) Draft Permit Cover Letter, Draft Permit, Public Notice, Administrative Completeness

Williams Four Corners (10/29/09) Ojito Compressor Station (GW-400) Draft Permit Cover Letter, Draft Permit, Public Notice, Administrative Completeness

Williams Four Corners (10/29/09) Trunk M Compressor Station (GW-181) Draft Permit Cover Letter, Draft Permit, Public Notice, Administrative Completeness

Williams Four Corners (10/29/09) Honolulu Compressor Station (GW-315) Draft Permit Cover Letter, Draft Permit, Public Notice, Administrative Completeness

Salty Dog, Inc. (10/7/09) Brine Well (BW-8) Public Notice, Administrative Completeness

**Basic Energy Services, L.P.** (10/7/09) Brine Well (BW-25) Public Notice, Administrative Completeness

Mesquite SWD, Inc. (10/7/09) Brine Well (BW-27) Public Notice, Administrative Completeness

El Paso Natural Gas Company (9/3/09) Pipeline No 1202 Hydrostatic Test (HIP-114) Draft

Oil Conservation Division 1220 South St. Francis Drive Santa Fe, NM 87505 P: (505) 476-3440 F: (505) 476-3462

Frequently Asked Questions Oil Field Education Brine Well Information Permit, Public Notice, Administrative Completeness

**OXY USA WTP Limited Partnership** (8/19/09) Indian Basin Gas Plant (GW-021) Draft Permit, Public Notice, Administrative Completeness

**NAVAJO REFINING COMPANY** (12/9/08) Lovington Refinery (GW-014) Draft Permit, Attachment One, Attachment Two, Public Notice, Administrative Completeness

Webmaster | Disclaimer

## WQCC Interested Parties Notice Mailing List

(Updated 12/14/09)

12/14/09 Charged: (ejh) separate State Engineer and NM Bureau of Mines 07/29/09 Changed: (Irl) removed Stephanie Kiger DIA recipient (stephaniep.kiger@state.nm.us) e-mail undeliverable for 6 months, no replacement. Removed <u>S.Reid@nmoga.org</u> and replaced with <u>Seligman@nmoga.org</u> (Deborah Seligman)

05/19/09 Changed: (lrl) removed Lynn Southard at her request from e-mail list. 04/15/09 Changed: (lrl) removed the "**Mail list copy & paste into e-mail address field:**" the list didn't work and was repetitive. Removed Chris Williams and Tim Gum e-mails then replaced with Larry (Buddy) Hill and Sherry Bonham e-mails, respectively. 12/08/08 Changed: (lrl) removed Bruce Thompson from e-mail list and replaced with Tod Stevenson (tod.stevenson@state.nm.us) per Mr. Thompson's request.

08/27/08 Changed: (ejh) removed 'elysia.martinez@state.nm.us' (New Mexico Trustee for Natural Resources from e-mail listing per Elysia Martinez's request – replaced with <u>william.fetner@state.nm.us</u>. Also, removed Martin Heinrich name on mailing address and replaced with William Fetner.

08/05/08 Changed: (Irl) removed 'jbarnett@barnettwater.com' (Colorado River Basin Salinity Control Forum) from e-mail listing per Don A. Barnett's request.

04/03/08 Changed: (lrl) added Stephanie P. Kiger's e-mail to list per Alvin Warren's request.

3/13/08 Changed: (ejh) removed sthompson with the AGO from mailing list per email rejection and added psisneros@nmag.gov and lsouthard@nmag.gov per AGO.

3/7/08 Changed: (ejh) removed Ken Marsh from mailing list per email rejection. 3/5/08 Changed: (llowe) removed Lee Wilson and Associates from mailing list per their request.

Field Supervisor US Fish & Wildlife Service 2105 Osuna Road, Northeast Albuquerque, NM 87113-1001 (Wishes to be notified via regular mail)

State Historic Preservation Officer 407 Galisteo Santa Fe, NM 87501 (Wishes to be notified via regular mail)

Dr. Harry Bishara P.O. Box 748 Cuba, NM 87013 (Wishes to be notified via regular mail)

Director NM Department of Game & Fish Il P.O. Box 25112 Santa Fe, NM 87504 Email: tod.stevenson@state.nm.us Chief of Conservation Services NM Department of Game & Fish P.O. Box 25112 Santa Fe, NM 87504 Email: <u>matthew.wunder@state.nm.us</u>

Cabinet Secretary Indian Affairs Department 1220 South Saint Francis Drive Santa Fe, NM 87505 Email: <u>alvin.warren@state.nm.us</u>

Director of Agriculture Programs and Resources Division Soil and Water Conservation Bureau New Mexico Department of Agriculture MSC APR Box 30005 Las Cruces, New Mexico 88003-8005 Email: ddapr@nmda.nmsu.edu

State Director Bureau of Land Management P. O. Box 27115 Santa Fe, NM 87502-0115 Email: Linda\_Rundell@nm.blm.gov

Attorney General's Office P. O. Box 1508 Santa Fe, NM 87504 Email: <u>psisneros@nmag.gov</u>

Randy Hicks R.T. Hicks Consultants, Ltd 901 Rio Grande NW, Suite F-142 Albuquerque, NM 87104 Email: <u>r@rthicksconsult.com</u>

Chris Shuey Southwest Research & Information Center P. O. Box 4524 Albuquerque, N.M. 87106 Email: <u>sricdon@earthlink.net</u>

Director State Parks & Recreation 1220 S. St. Francis Drive P.O. Box 1147 Santa Fe, NM 87504 Email: nmparks@state.nm.us State Engineer Water Resources Division Bataan Building Santa Fe, NM 87503 Email: john.dantonio@state.nm.us

Lynn Brandvold NM Bureau of Mines & Mineral Resources NM Institute of Mining & Tech. Socorro, NM 87801 Email: <u>lynnb@nmt.edu</u>

NM Oil & Gas Association (Deborah Seligman) 203 E Santa Fe Avenue Santa Fe, New Mexico 87505 Email: <u>seligman@nmoga.org</u>

William Fetner New Mexico Trustee for Natural Resources c/o American Ground Water Consultants 610 Gold St. SW, Suite 236 Albuquerque, NM 87102 Email: william.fetner@state.nm.us

Jay Lazarus P. O. Box 5727 Santa Fe, NM 87502 Email: <u>lazarus@glorietageo.com</u>

Secretary New Mexico Environment Department P. O. Box 26110 Santa Fe, NM 87502 Email: <u>marissa.stone@state.nm.us</u>

Ron Dutton Southwestern Public Service P. O. Box 1261 Amarillo, TX 79170 Email: <u>ron.dutton@xcelenergy.com</u>

Regional Forester USFS Regional Office 517 Gold Avenue SW Albuquerque, NM 87102 Email: cgarcia@fs.fed.us John E. Kieling Program Manager Permits Management Program Hazardous Waste Bureau 2905 Rodeo Park Drive East, Building 1 Santa Fe, New Mexico 87505-6313 Email: john.kieling@state.nm.us

Bruce S. Garber Attorney at Law P. O. Box 0850 Santa Fe, NM 87504-0850 Email: bsg@garbhall.com

Chief Groundwater Bureau P.O. Box 26110 Santa Fe, NM 87502 Email: <u>Bill.Olson@state.nm.us</u>

Claudette Horn Environmental Counsel Public Service Company of New Mexico 414 Silver, SW Albuquerque, NM 87158 Email: <u>claudette.horn@pnm.com</u>

Ned Kendrick Attorney at Law 325 Paseo de Peralta Santa Fe, NM 87501 Email: <u>ekendrick@montand.com</u>

Mr. Jeffrey Harris (Los Lobos LLC Application) Rubin, Winston, Dierecks, Harris & Cooke, L.L.P. Sixth Floor 1155 Connecticut Avenue, NW Washington, DC 20036 Email: <u>jharris@rwdhc.com</u>

Mr. Damon Seawright (Los Lobos LLC Application) Talapia Fish Farm E-mail: mailto:<u>dseawright@gmail.com</u>

Independent Petroleum Association of New Mexico P.O. Box 1836 Roswell, NM 88201-7525 Email: <u>staff@ipanm.org</u>

OCD District 1 Manager Email: <u>Hill, Larry, EMNRD</u> OCD District 1 Environmental Inspector Email: Johnson, Larry, EMNRD

OCD District 2 Manager Email: <u>Bonham, Sherry, EMNRD</u>

OCD District 2 Environmental Inspector Email: <u>Bratcher, Mike, EMNRD</u>

OCD District 3 Manager Email: <u>Perrin, Charlie, EMNRD</u>

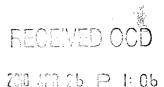
OCD District 3 Environmental Inspector Email: <u>Powell, Brandon, EMNRD</u>

OCD District 4 Manager Email: <u>Martin, Ed, EMNRD</u>

## **E-mail addresses:**

tod.stevenson@state.nm.us matthew.wunder@state.nm.us alvin.warren@state.nm.us ddapr@nmda.nmsu.edu Linda\_Rundell@nm.blm.gov psisneros@nmag.gov r@rthicksconsult.com sricdon@earthlink.net nmparks@state.nm.us john.dantonio@state.nm.us seligman@nmoga.org william.fetner@state.nm.us lazarus@glorietageo.com marissa.stone@state.nm.us ron.dutton@xcelenergy.com cgarcia@fs.fed.us john.kieling@state.nm.us bsg@garbhall.com Bill.Olson@state.nm.us claudette.horn@pnm.com ekendrick@montand.com staff@ipanm.org dseawright@gmail.com jharris@rwdhc.com larry.hill@state.nm.us Johnson, Larry, EMNRD sherry.bonham@state.nm.us Bratcher, Mike, EMNRD Perrin, Charlie, EMNRD Powell, Brandon, EMNRD Martin, Ed, EMNRD lynnb@nmt.edu

## APPLICATION FOR MODIFICATION BASIN DISPOSAL, INC.



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## **APRIL 2010**

## **PROOF OF PUBLIC NOTICE**

**Prepared For:** 



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Sector Sector

BASON DOSPOSAL, ONC. SPECIALIZING IN DISPOSAL OF PRODUCED WATER AND DRILLING MUD P.O. BOX 100 - AZTEC. NEW MEXICO 87410 - PHONE: (505) 334-3013

> 200 Montana Street Bloomfield, NM 87413 (505) 632-8936

> > **Submitted To:**

New Mexico Energy, Minerals, and Natural Resources Department Oil Conservation Division 1220 South St. Francis Drive Santa Fe, NM 87505 (505) 476-3440

**Prepared By:** 

Gordon Environmental, Inc 213 S Camino del Pueblo Bernalillo, NM 87004 (505) 867-6990

Gordon Environmental, Inc. **Consulting Engineers** 

(505) 867-6991 Fax

**Consulting Engineers** 

Bernalillo, New Mexico 87004

213 S. Camino del Pueblo

April 23, 2010

E www.

Mr. Edward Hansen Hydrologist Oil Conservation Division NM Energy, Minerals and Natural Resources Department 1220 South St. Francis Dr. Santa Fe, NM 87505

Re: Basin Disposal, Inc. [520.01.01/01] Application for Permit Modification; Public Notice of Tentative Decision

Dear Mr. Hansen,

Pursuant to 19.15.36.9.E NMAC, please find enclosed documentation that Basin Disposal, Inc. (BDI) has provided public notice of the Division's Tentative Decision to approve the Application for Modification for the BDI facility. Public notice was provided on April 8, 2010 via first class mail or electronic mail to individuals identified by the Division. Additionally, San Juan County officials and potentially affected federal, tribal or pueblo governmental agencies were notified of this tentative decision. Notification of the Division's tentative decision was also published as a display ad in a newspaper of county-wide circulation (Farmington Daily Times) and a newspaper of general statewide circulation (Albuquerque Journal) in both English and Spanish as required by 19.15.36.9.E.(1) NMAC.

Enclosed is a list of parties provided by the Division, which describes the method by which each was notified of the decision. This document provides a copy of the notice, list of notified parties, and documentation of mailing showing dates sent to affected persons. Copies of newspaper publications and affidavits of publication are also provided as supporting proof of notification in compliance with 19.15.36.9.E & F NMAC.

Please call GEI at (505) 867-6990 or Jim Jordan at (505) 280-2823 should you have any questions or comments.

Very truly yours, Gordon Environmental, Inc.

I. Keith Gordon, P.E. Principal

Dai R. Tuhdhe

Dacia R. Tucholke Project Manager

cc: Mr. John Volkerding, Ph.D., General Manager; Basin Disposal, Inc. Mr. Jim Jordan, P.E.; JEI

## APPLICATION FOR MODIFICATION BASIN DISPOSAL, INC.

## **APRIL 2010**

## **PROOF OF PUBLIC NOTICE**

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## <u>Title</u>

## 1. NOTICE OF TENTATIVE DECISION

- NOTICE OF TENTATIVE DECISION ENGLISH
- NOTICE OF TENTATIVE DECISION SPANISH
- CERTIFICATE OF SPANISH TRANSLATION ACCURACY

## PROOF OF NOTIFICATION VIA MAIL

- AFFIDAVIT OF MAILING
- TABLE 2.1–LIST OF ENTITIES TO WHOM NOTICE WAS MAILED
- PROOF OF MAILING (USPS)
- PROOF OF MAILING (ELECTRONIC MAIL)
- **3. PROOF OF PUBLICATION** 
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- AFFIDAVIT OF PUBLICATION, ALBUQUERQUE JOURNAL
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#### NOTICE OF TENTATIVE DECISION

Notice is hereby given that pursuant to New Mexico Surface Waste Management Facilities Rule (19.15.36 NMAC); that a Tentative Decision has been issued by the New Mexico Oil Conservation Division ("OCD"), 1220 S. Saint Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3489 for the following proposed facility permit:

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(NM1-005) Basin Disposal, Inc. – John Volkerding, PhD- General Manager, PO Box 100 Aztec, New Mexico 87410 located at 200 Montana Street, Bloomfield, New Mexico 87413 has submitted an Application for Modification for the Basin Disposal Facility located approximately 3 miles north of the intersection of Highways 550 and 64. The Facility is located in Section 3, Township 29 North, Range 11 West, NMPM, San Juan County, New Mexico. The Facility treats oilfield liquid waste and discharges effluent into the on-property OCD permitted Underground Injection Control Class II (non-hazardous) disposal well. The major modification includes the addition of 2 new evaporation ponds (approximately  $2.2 \pm$  acres each) constructed with 60-mil high density polyethylene (HDPE) primary and secondary liner systems and a leak detection system. In addition, 6 new oilfield liquid waste receiving tanks and 2 oil sales tanks will be installed at the facility. Included in the Application are updated methods and procedures for handling oilfield liquid waste transmission, storage and treatment, refinery products, waste, waste water management, and site investigation/abatement. All other wastes generated will be temporarily stored in tanks or containers and shipped off-site for disposal or recycling at an OCD-approved facility. A perched water zone, most likely to be affected by a spill, leak, or accidental discharge to the surface, varies at depths ranging from 29 to 42 feet below the ground surface with a total dissolved solids (TDS) concentration in excess of 24,000 milligrams per liter (mg/l). Fresh water beneath the site is projected at a depth of at least 105 feet below ground surface with a TDS concentration of approximately 1,100 mg/l. The Application addresses how oilfield wastes, and refined products will be properly handled, stored, and disposed of; including spills, leaks, and other accidental discharges to the surface in order to protect fresh water. Included in the Application for Modification, Basin Disposal, Inc. is requesting two exceptions from 19.15.36 NMAC. Presented in Volume II, Section 6; Migratory Bird Protection Plan provides equivalent protection to the netting requirement in 19.15.36 NMAC. The second exception is a request to substitute a 200-mil geonet in lieu of two feet of compacted soil with a saturated hydraulic conductivity of  $1 \times 10^{-5}$  centimeters per second (cm/sec). The 200-mil geonet has a saturated hydraulic conductivity of 10 cm/sec which provides superior drainage and performance to the specified standards.

The OCD has determined that the Application is administratively complete and has prepared a Tentative Decision. The OCD will accept comments and statements of interest regarding this Tentative Decision and will create a facility-specific mailing list for persons who wish to receive future notices regarding this matter. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific mailing list for future notices regarding this matter may contact the Division's Clerk for this matter, Edward J. Hansen; he may be contacted at (505) 476-3489; Oil Conservation Division, Energy, Minerals, and Natural Resources Dept. 1220 South St. Francis Dr. Santa Fe, New Mexico 87505. Persons interested in obtaining a copy of the Tentative Decision may obtain a copy at the OCD web site <u>http://www.emnrd.state.nm.us/ocd/ENV-DraftPublicEtc.htm</u> or from the Division Clerk for this matter at the address given above. Prior to ruling on any proposed permit / major modification, the Director shall allow a period of thirty (30) days after the date of publication of this notice, during which interested persons may submit comments or request that OCD hold a public hearing to the Division's Clerk for this matter at the address given above. Requests for a public hearing shall state the specifically the reasons why a hearing should be held. A hearing on the Application will be held if the Director determines that there is significant public interest.

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"The above

If no public hearing is held, the Director will approve or disapprove the proposed permit based on information available, including all comments received. If a public hearing is held, the director will approve or disapprove the proposed permit based on information in the Permit Application, comments received, and information submitted at the hearing.

#### NOTICE OF TENTATIVE DECISION SPANISH

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#### **AVISO DE DECISIÓN TENTATIVA**

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Se notifica por este medio que, de conformidad con la Norma de Nuevo México para Instalaciones de Manejo de Residuos en Superficie (19.15.36 NMAC), la División para la Conservación del Petróleo de Nuevo México ("OCD", por su sigla en inglés), 1220 S. Saint Francis Drive, Santa Fe, New Mexico 87505, teléfono (505) 476-3489, ha emitido una Decisión Tentativa para el siguiente permiso propuesto para las instalaciones:

(NM1-005) Basin Disposal, Inc. - Dr. John Volkerding, Gerente General - PO Box 100 Aztec, New Mexico 87410, ubicado en 200 Montana Street, Bloomfield, New Mexico 87413, ha presentado una Solicitud para la Modificación de las Instalaciones Basin Disposal, ubicadas aproximadamente a 3 millas al norte del cruce de las Carreteras 550 y 64. Las instalaciones están ubicadas en la Sección 3, Distrito Municipal (Township) 29 Norte, Zona (Range) 11 Oeste, NMPM, Condado de San Juan, Nuevo México. Las Instalaciones tratan residuos líquidos de campos petrolíferos y descargan efluentes en el pozo de descarga Clase II (no peligrosos) con Control de Inyección Subterránea, autorizado por la OCD y ubicado en la propiedad. La principal modificación incluye el agregado de 2 estanques de evaporación nuevos (aproximadamente 2.2 acres cada uno) construidos con sistemas de revestimiento primario y secundario de polietileno de alta densidad (HDPE, por su sigla en inglés) de 60 milipulgadas y un sistema de detección de pérdidas. Además, en la planta se instalarán 6 nuevos tanques receptores de residuos líquidos de los campos petrolíferos y 2 tanques para venta de petróleo. En la Solicitud, se incluyen los métodos y procedimientos actualizados para el manejo de la transmisión, el almacenamiento y el tratamiento de residuos líquidos de campos petrolíferos, de productos de refinería, de residuos y de aguas residuales, y para la investigación / mitigación en el sitio. Todos los demás residuos generados serán almacenados temporalmente en tanques o contenedores y enviados fuera de las instalaciones para su eliminación o reciclaje en instalaciones aprobadas por la OCD. La zona de aguas colgadas que más probablemente podría ser afectada por un derrame, pérdida o descarga accidental a la superficie varía en profundidad desde 29 a 42 pies por debajo de la superficie del suelo, con una concentración total de sólidos disueltos (TDS, por su sigla en inglés) superior a 24,000 miligramos por litro (mg/l). Se proyecta que el agua dulce bajo las instalaciones está a una profundidad mínima de 105 pies por debajo de la superficie del terreno con una concentración de TDS de aproximadamente 1.100 mg/l. La Solicitud trata de cómo los residuos de campos petrolíferos y los productos refinados serán adecuadamente manejados, almacenados y eliminados, incluso los derrames, pérdidas y otras descargas accidentales a la superficie, con el fin de proteger el agua dulce. También en la Solicitud de Modificación, Basin Disposal, Inc. solicita dos excepciones a 19.15.36 NMAC. Presentado en el Volumen II, Sección 6, el Plan para la Protección de las Aves Migratorias proporciona una protección equivalente al requisito de cubierta con red incluido

en 19.15.36 NMAC. La segunda excepción es un pedido para reemplazar dos pies de tierra compactada con una conductividad hidráulica saturada de  $1 \times 10^{-5}$  centímetros por segundo (cm/s) por una georred de 200 milipulgadas. La georred de 200 milipulgadas tiene una conductividad hidráulica saturada de 10 cm/s, la cual proporciona un drenaje y un rendimiento superiores a los estándares especificados.

La OCD ha determinado que la Solicitud está administrativamente completa y ha preparado una Decisión Tentativa. La OCD aceptará comentarios y declaraciones de interés con respecto a esta Decisión Tentativa y creará una lista de correo específica para estas instalaciones, para las personas que deseen recibir futuras notificaciones concernientes a este asunto. Los interesados en obtener más información, presentar comentarios o solicitar su inclusión en la lista de correo específica para estas instalaciones, para recibir notificaciones futuras concernientes a este asunto, deberán comunicarse con el Secretario de la División a cargo de este asunto, Edward J. Hansen: (505) 476-3489; Oil Conservation Division, Energy, Minerals, and Natural Resources Dept. 1220 South St. Francis Dr. Santa Fe, New Mexico 87505. Los interesados en obtener una copia de la Decisión Tentativa podrán hacerlo a través del sitio Web de la OCD: http://www.emnrd.state.nm.us/ocd/ENV-DraftPublicEtc.htm o del Secretario de la División a cargo de este asunto, en la dirección antes mencionada. Antes de dictar un fallo sobre cualquier permiso / modificación importante que se proponga, el Director dejará transcurrir un período de treinta (30) días a partir de la fecha de publicación de este aviso, durante el cual los interesados podrán presentar comentarios o solicitar ante el Secretario de la División a cargo de este asunto, en la dirección antes mencionada, que la OCD celebre una audiencia pública. Los pedidos de una audiencia pública deberán establecer específicamente las razones por las cuales se debería celebrar una audiencia. Si el Director determina que existe un interés considerable del público, se celebrará una audiencia para tratar la Solicitud.

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De no celebrarse una audiencia pública, el Director aprobará o rechazará el permiso propuesto sobre la base de la información disponible, incluidos todos los comentarios recibidos. De celebrarse una audiencia pública, el Director aprobará o rechazará el permiso propuesto sobre la base de la información incluida en la Solicitud del Permiso, los comentarios recibidos y la información presentada en la audiencia.

## CERTIFICATE OF SPANISH TRANSLATION ACCURACY

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**CLAUDIA ROSS** ATA Certified Translator Certified Court Interpreter

8819 Greenarbor NE Albuquerque, NM 87122 Telephone: (505) 332-0659 e-mail: kaludia@comcast.net

## **CERTIFICATE OF ACCURACY**

NOTICE OF TENTATIVE DECISION by the New Mexico Oil Conservation Division for the following proposed facility permit:

(NM1-005) Basin Disposal, Inc.

I hereby certify that, to the best of my knowledge and ability, this is a true and accurate translation of the original in English that I have before me.

Claudia Ross ATA Certified Translator (English into Spanish) March 30, 2010

NOTE: The translator declines all responsibility for changes made in the translation by any other person.

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#### SECTION 2 PROOF OF NOTIFICATION VIA MAIL

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COUNTY OF SANDOVAL

**BEFORE ME**, the undersigned official, on this day personally appeared Andrew N. Yuhas, who is personally known to me, and first being duly sworn according to law upon his oath deposed and said:

1. My name is Andrew N. Yuhas, I am an employee of Gordon Environmental, Inc., and as such I prepared or assembled copies of the sets of documents constituting proof of notification of the issuance of a Tentative Decision by the New Mexico Oil Conservation Division regarding the Application for Modification for the Basin Disposal, Inc. Facility Permit.

2. The sets of documents which immediately follow this affidavit and which, along with this affidavit, constitute proof of notification of the filing of said Application for Modification as required by 19.15.36.9.E.(2) NMAC.

3. In addition to the mailing of the notices, as required by cited statute and regulations, notice was provided by first class or electronic mail to each of the 50 persons or entities listed on Table 2.1, List of Entities to Whom Notice Was Mailed.

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SWORN AND SUBSCRIBED TO before me, a Notary Public in and for the County of Sandoval and the State of New Mexico, this 21st day of April, 2010.

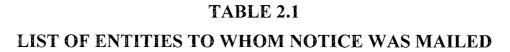
Notary Public in)and for Sandoval County, NM



OFFICIAL SEAL Kelly A. King NOTARY PUBLIC-STATE OF 1997 METEOD My commission capture 3/13-113

My commission expires:

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	List of Entities to Whom Notice was Mailed	ailed			
Owner of Record	Address	Attn	USPS E-Mail	-Mail F	Received *
Charles Eavenson	3300 N. 1st Street Bloomfield, NM 87413		>		N/A
Leroy Martinez			>		N/A
Air Star, Inc.	P.O. Box 1510 Aztec, NM 87410	Attn: Kenneth Drake	>		N/A
James A. Schaffer	P.O. Box 23 Bloomfield, NM.87413		>		N/A
US Fish and Wildlife Service	2105 Osuna Road, NE Albuquerque, NM 87113-1001	Attn: Field Supervisor	>		N/A
State Historic Preservation Officer	407 Galisteo Santa Fe, NM 87501		>		N/A
Dr. Harry Bishara	P.O. Box 748 Cuba, NM 87013		>		N/A
Bureau of Land Management	P.O. Box 27115 Santa Fe, NM 87502-0115	Attn: Steve Henke, District Manager	>		N/A
New Mexico State Land Office	P.O. Box 1148 Santa Fe, NM 87504	Attn: Patrick Lyons	>		N/A
County of San Juan	100 S. Oliver Dr. Aztec, NM 87410	Attn: James Henderson	>		N/A
City of Farmington	800 Municipal Drive Farmington, NM 87401	Attn: Rob Mayes, Manager	>		N/A
City of Aztec	201 W. Chaco Aztec, NM 87410	Attn: Rosanne Gonzales	>	•••••	N/A
City of Bloomfield	915 N. 1st Street Bloomfield, NM 87413	Attn: Keith W. Johnson, Manager	<ul> <li></li> </ul>		N/A
UTE Mountain UTE Tribe	General Delivery Towaoc, CO 81334	Attn: Ernest House			N/A
Southern UTE Tribe	P.O. Box 737 Ignacio, CO 81137	Attn: Matthew Box, Chairman	>	•••••	N/A
Huerfano Navajo Chapter	P.O. Box 968 Bloomfield, NM 87413	Attn: Ray Wilson, Sr., President	>		N/A
Upper Fruitland Navajo Chapter	P.O. Box 1257 Fruitland, NM 87416	Attn: Leroy Lee, President			N/A
Navajo Nation	P.O. Box 9000 Window Rock, AZ 86515	Attn: Joe Shirley, President	~		N/A
NM Department of Game and Fish	tod.steveson@state.nm.us	Attn: Tod Stevenson, Director		>	~
NM Department of Game and Fish	matthew wunder@state.nm.us	Attn: Matt Wunder, Division Chief		~	~
Indian Affairs Department	alvin.warren@state.nm.us	Attn: Alvin Warren, Cabinet Secretary		>	>
NMDA Programs & Resources Division	ddapr@nmda.nmsu.edu	Attn: Julie Maitland, Division Director		>	~
Bureau of Land Management	linda_rundell@nm.blm.gov	Attn: Linda Rundell, State Director		>	~
Attorney General's Office	psisneros@nmag.gov			>	~
R.T. Hicks Consultants, Ltd	r@rthicksconsult.com	Attn: Randy Hicks		>	>
Southwest Research and Information Center	sricdon@earthlink.net	Attn: Chris Shuey		>	>
State Parks and Recreation	nmparks@state.nm.us			>	>
OSE Water Resources Allocation Program	john dantonio@state.nm.us			>	~
NM Bureau of Mines & Mineral Resources	lynnb@nmt.edu	Attn: Lynn Brandvold		>	~
NM Oil & Gas Association	seligman@nmoga.org	Attn: Deborah Seligman		>	>
NM Trustee for Natural Resources C/O American GW Consultants	william.fetner@state.nm.us	Attn: William Fetner		>	>
Jay Lazarus	lazarus@glorietageo.com			>	>
New Mexico Environment Department	marissa.stone@state.nm.us	Attn: Marissa Stone		>	>
Southwestern Public Service	ron.dutton@xcelenergy.com	Attn: Ron Dutton		>	~
USFS Regional Office	cgarcia@fs.fed.us	Attn: C. Garcia, Regional Forester		>	>
Hazardous Waste Bureau Permits Management Program	john kieling@state.nm.us	Attn: John Kieling, Program Manager		>	>

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	List of Entities to Whom Notice was Mailed	Mailed			
	Basin Disposal, Inc.				
Owner of Record	Address	Attn	USPS E-Mail Received*	1ail Rece	eived*
Bruce S. Garber, Attorney at Law	bsg@garbhall.com				>
NMED Ground Water Quality Bureau	bill.olson@state.nm.us	Attn: Bill Olson, Bureau Chief			>
Public Service Company of New Mexico	claudette.horn@pnm.com	Attn: Claudette Horn, Env. Counsel			>
Ned Kendrick, Attorney at Law	ekendrick@montand.com				>
Rubin, Winston, Dierecks, Harris & Cooke, 6th Floor	jharris@rwdhc.com	Attn: Jeffrey Harris (Los Lobos LLC)			>
Americulture	dseawright@gmail.com	Attn: Damon Seawright (Los Lobos LLC)			>
Independent Petroleum Asociation of New Mexico	staff@ipanm.org				>
Oil Conservation Division District 1	larry.hill@state.nm.us	Attn: Larry Hill, District Supervisor			>
Oil Conservation Division District 1	larry.johnson@state.nm.us	Attn: Larry Johnson, Env. Inspector			>
Oil Conservation Division District 2	sherry.bonham@state.nm.us	Attn: Sherry Bonham, District Supervisor			>
Oil Conservation Division District 2	mike bratcher@state.nm.us	Attn: Mike Bratcher, Env. Inspector			~
Oil Conservation Division District 3	charlie.perrin@state.nm.us	Attn: Charlie Perrin, District Supervisor			~
Oil Conservation Division District 3	brandon.powell@state.nm.us	Attn: Brandon Powell, Env. Inspector			>
Oil Conservation Division District 4	ied.martin@state.nm.us	Attn: Ed Martin, District Supervisor			>

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Table 2.1 (cont.)

\* Consistent with 19.15.36.9.E NMAC, Notices of Tentative Decision sent via USPS are required to be first class only without certification or return receipts. Emailed notices are accompanied by an electronic return "receipt".

## PROOF OF MAILING (USPS)

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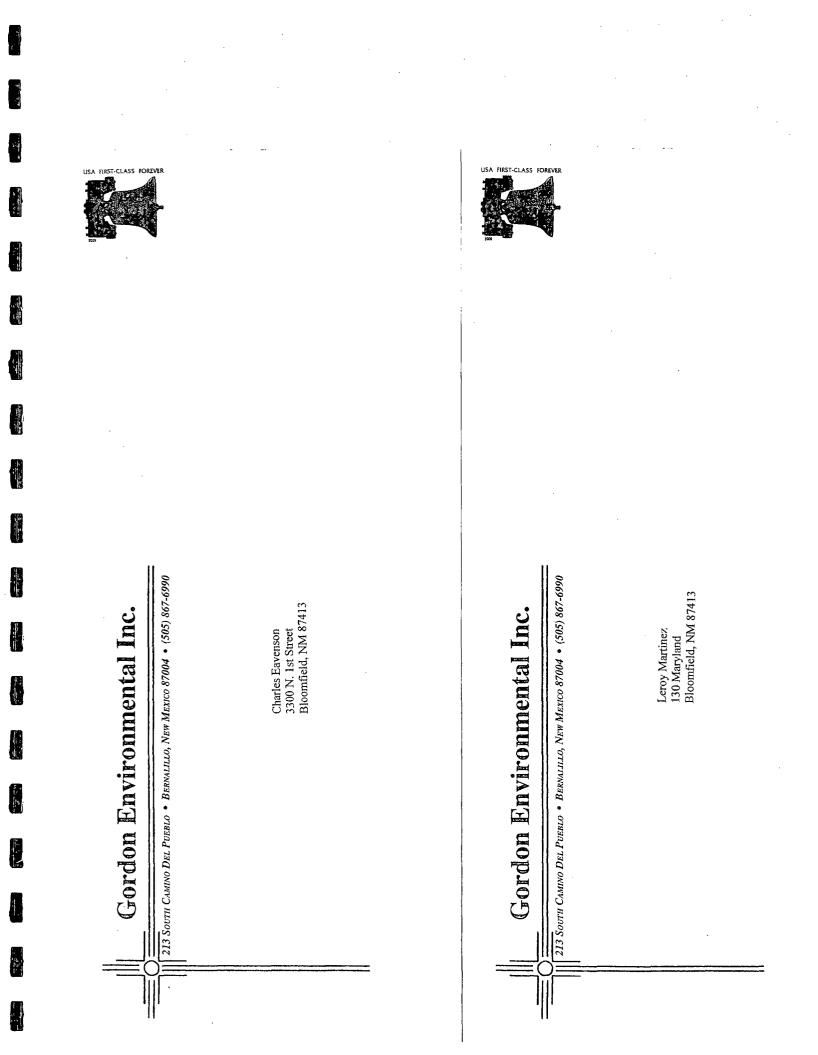
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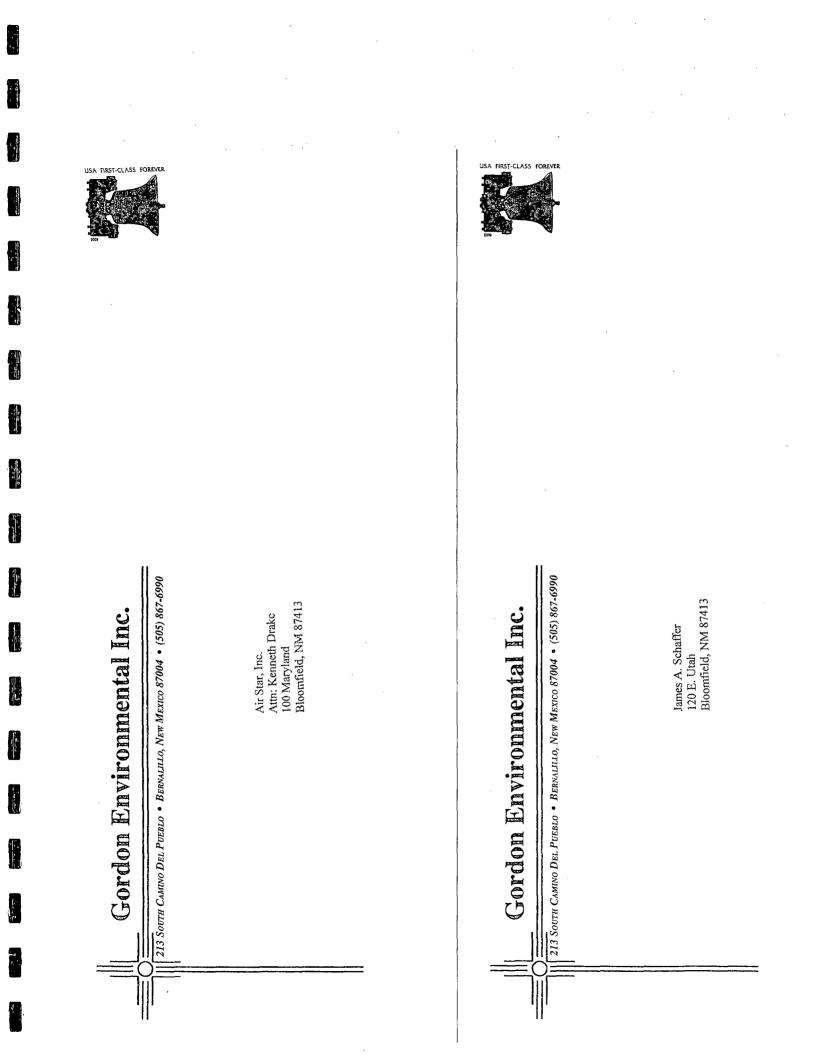
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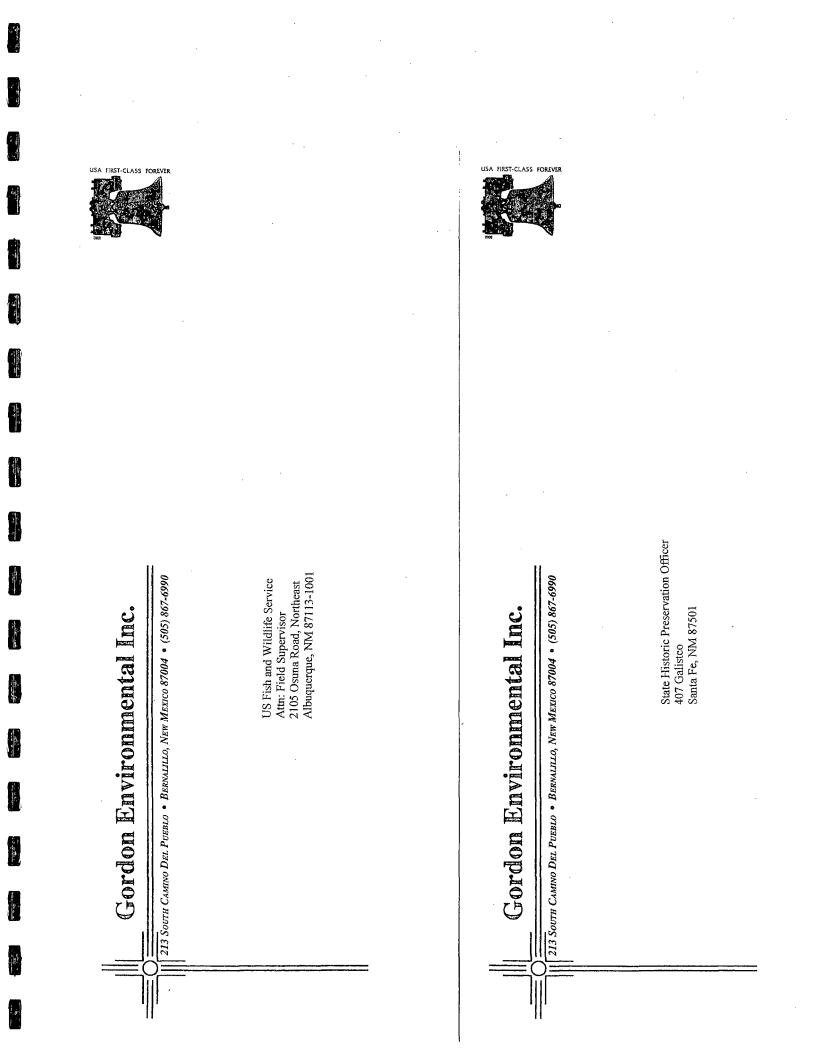
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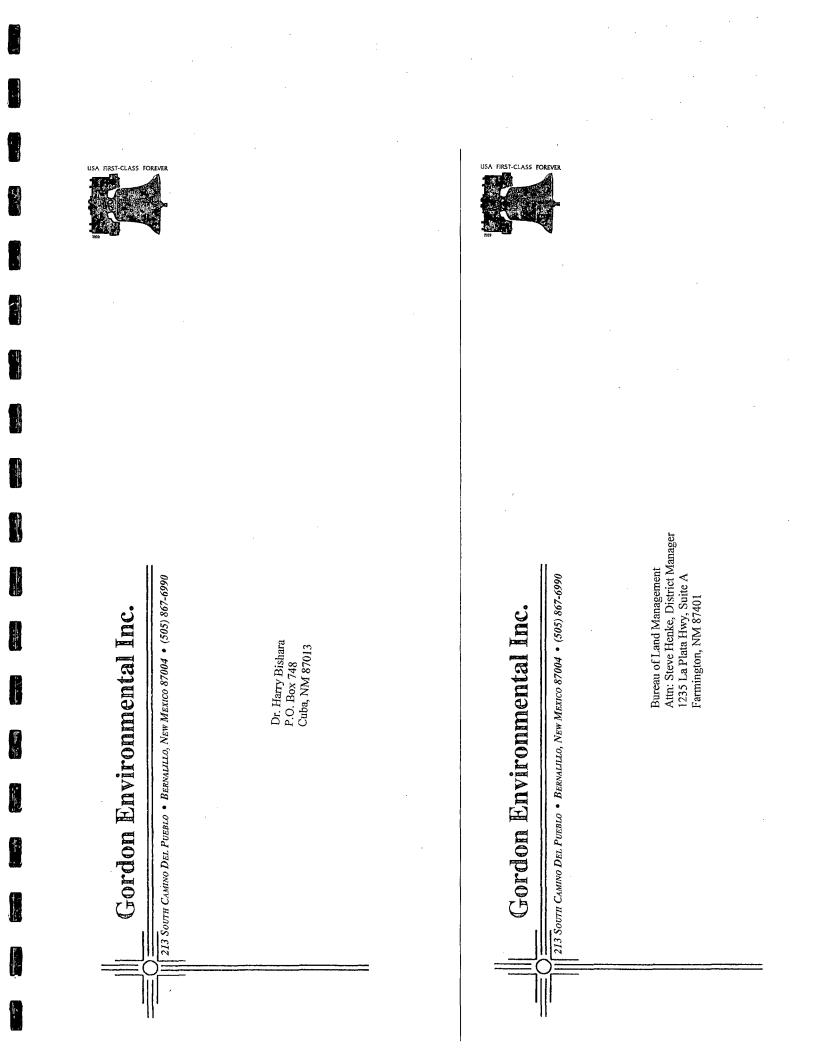
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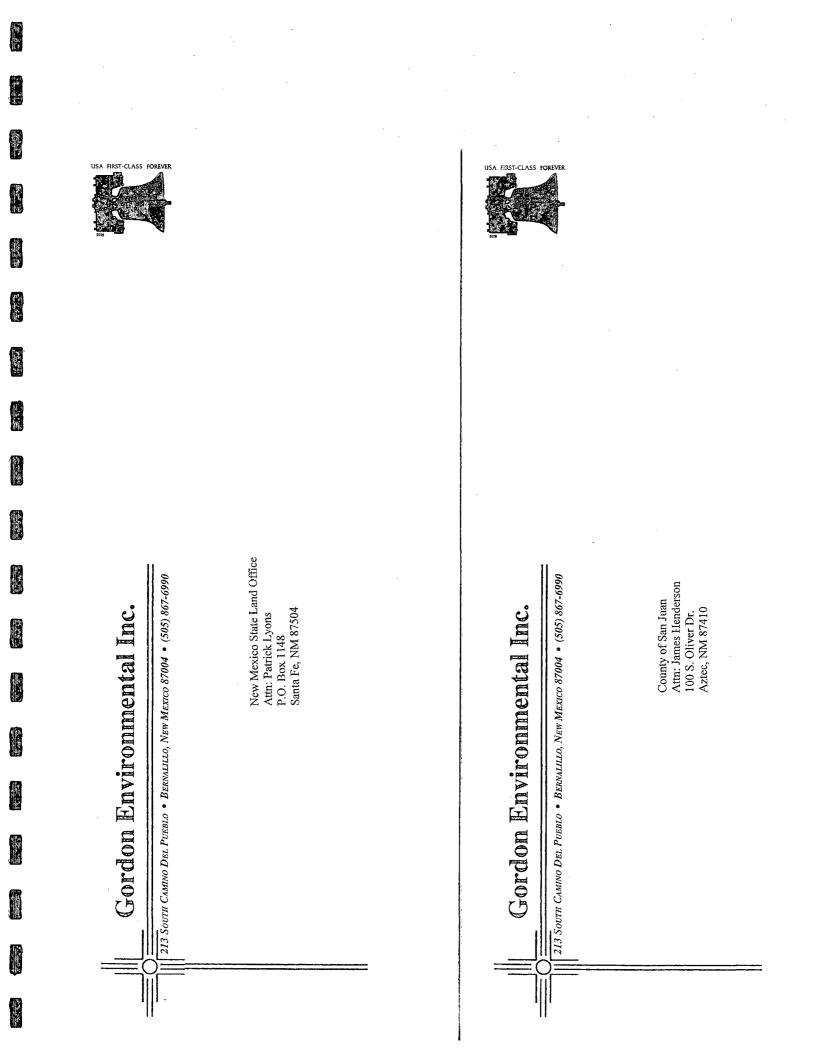
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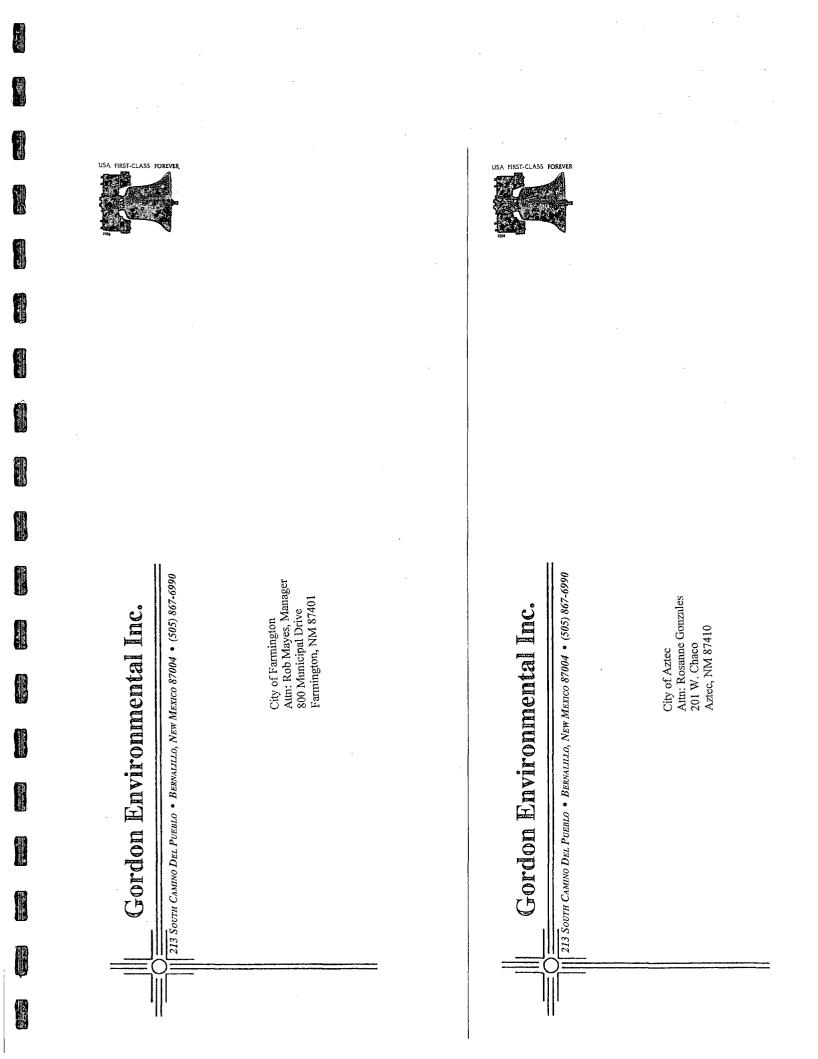


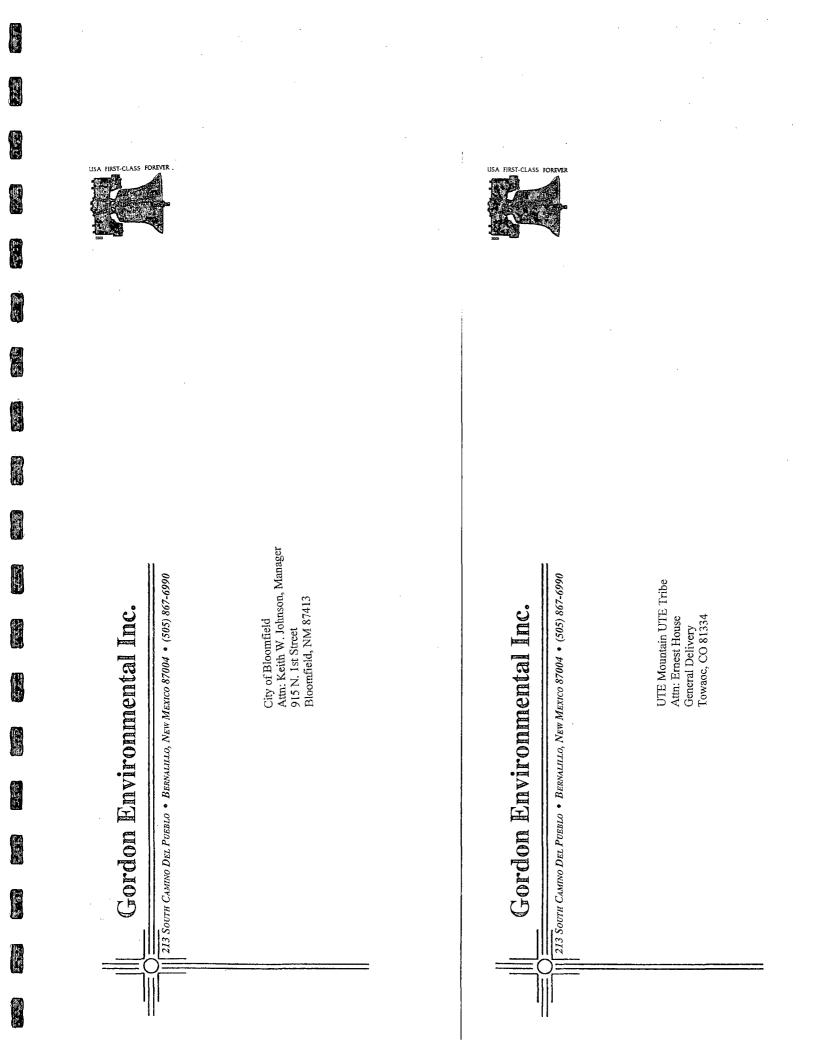


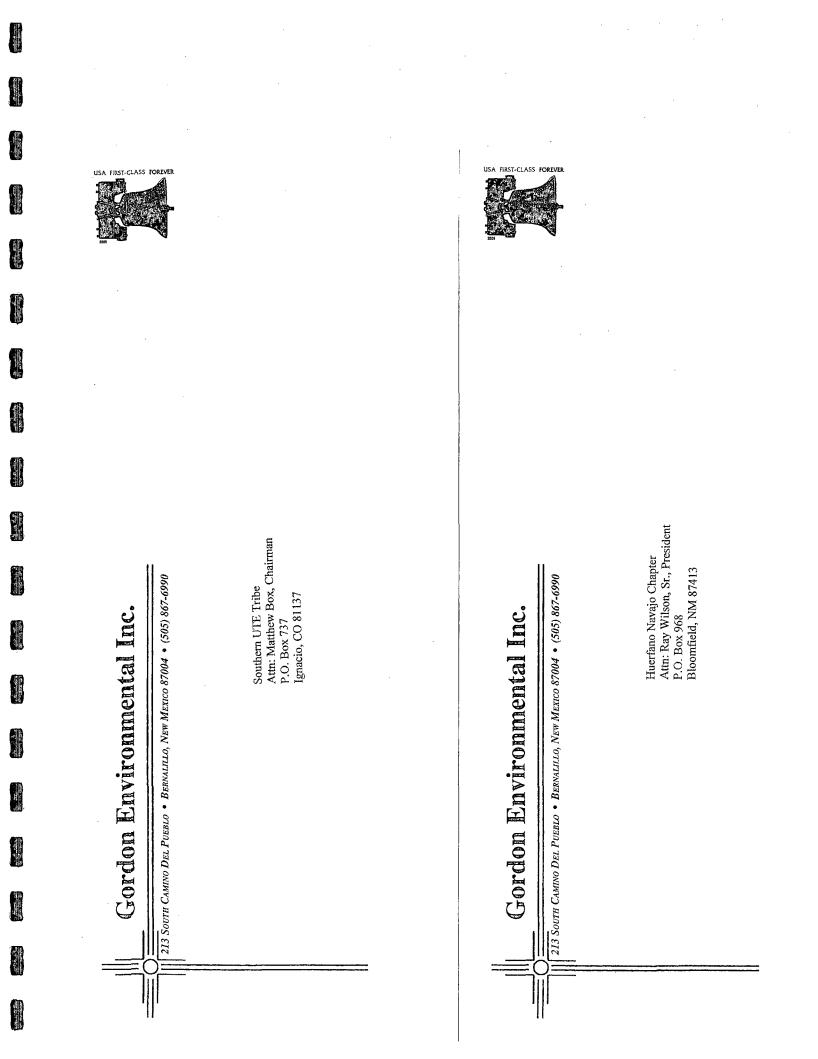


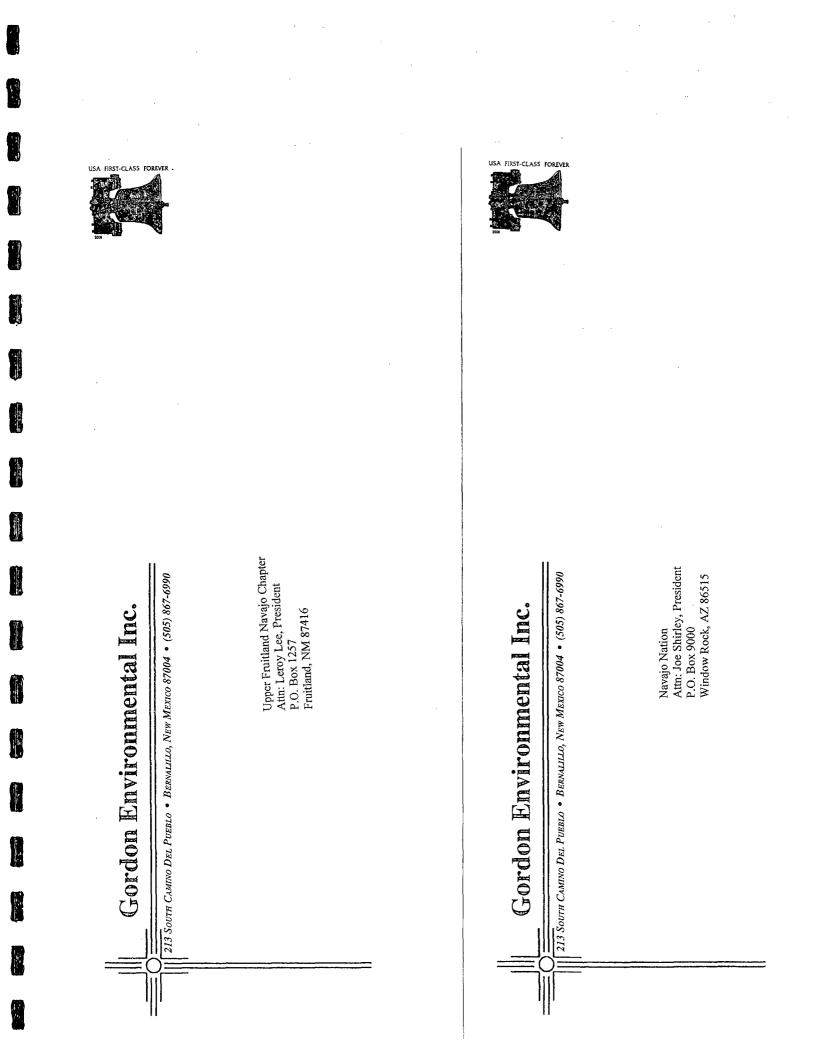


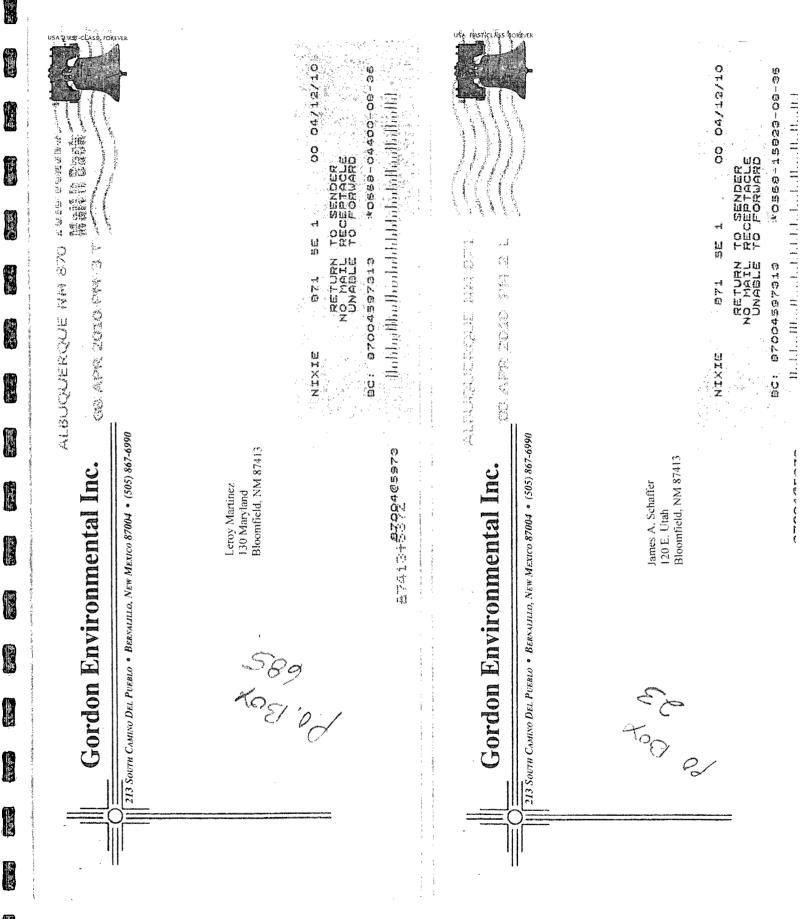






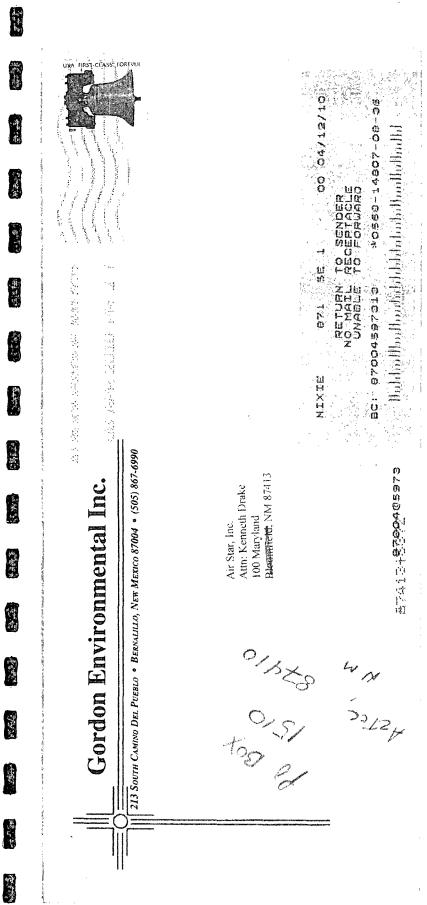




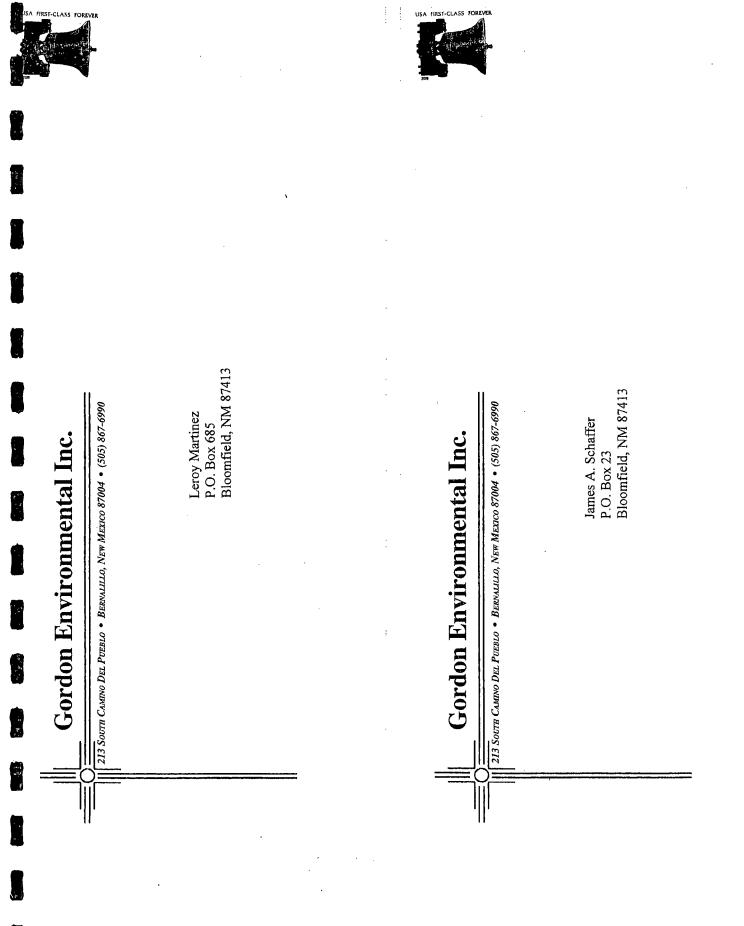


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Air Star, Inc. Attn: Kenneth Drake P.O. Box 1510 Aztec, NM 87410

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From:	Administrator
Sent:	Thursday, April 08, 2010 9:51 AM
То:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04246.txt; Basin Disposal. Inc. Public Notice

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

matthew.wunder@state.nm.us

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From:	Administrator
Sent:	Thursday, April 08, 2010 9:44 AM
То:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04240.txt; Basin Disposal, Inc. Public Notice

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

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From:	Administrator
Sent:	Thursday, April 08, 2010 9:44 AM
То:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04234.txt; Basin Disposal, Inc. Public Notice

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

staff@ipanm.org

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From:	Administrator
Sent:	Thursday, April 08, 2010 9:44 AM
То:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04228.txt; Basin Disposal, Inc. Public Notice

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

<u>lazarus@glorietageo.com</u>

From:	System Administrator
То:	rthicks@ebi4.swcp.com
Sent:	Thursday, April 08, 2010 9:44 AM
Subject:	Delivered: Return receipt

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To: Alvin Warren; AttorneyGeneral; Bill Olson; Brandon Powell; Bruce Garber; Charlie Perrin; Chris Shuey; Claudette Horn; Damon Seawright; Deborah Seligman; Ed Martin; IPANM; Jay Lazarus; Jeffrey Harris; John Kieling; Julie Maitland; Larry Hill; Larry Johnson; Linda Rundell; Lynn Brandvold; Matt Wunder; Mike Bratcher; Ned Kendrick; NMED Secretary; OSE; Randy Hicks; Ron Dutton; Sherry Bonham; StateParksDirector; Tod Steveson; USFS Regional Forester; William Fetner Cc: <u>bdinc@digii.net</u>; jwjengr@aol.com; Dacia Tucholke; Andy Yuhas Subject: Basin Disposal, Inc. Public Notice Sent: 4/8/2010 9:43 AM

was delivered to the following recipient(s):

rthicks@ebi4.swcp.com on 4/8/2010 9:44 AM

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Sent:	Thursday, April 08, 2010 9:44 AM
To:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04222.txt; Basin Disposal, Inc. Public Notice

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Sent:	Thursday, April 08, 2010 9:44 AM
То:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04216.txt; Basin Disposal, Inc. Public Notice

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Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

ddapr@nmda.nmsu.edu

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From:	Administrator
Sent:	Thursday, April 08, 2010 9:44 AM
То:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04210.txt; Basin Disposal, Inc. Public Notice

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

ekendrick@montand.com

From:AdministratorSent:Thursday, April 08, 2010 9:44 AMTo:Pamela GonzalesSubject:Delivery Status Notification (Relay)Attachments:ATT04204.txt; Basin Disposal, Inc. Public Notice

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

lynnb@nmt.edu

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From:	Administrator
Sent:	Thursday, April 08, 2010 9:44 AM
То:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04198.txt; Basin Disposal, Inc. Public Notice

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

dseawright@gmail.com

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From:AdministratorSent:Thursday, April 08, 2010 9:44 AMTo:Pamela GonzalesSubject:Delivery Status Notification (Relay)Attachments:ATT04192.txt; Basin Disposal, Inc. Public Notice

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

psisneros@nmag.gov

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From:	Administrator
Sent:	Thursday, April 08, 2010 9:44 AM
То:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04186.txt; Basin Disposal, Inc. Public Notice

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jharris@rwdhc.com

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From:	Administrator
Sent:	Thursday, April 08, 2010 9:43 AM
То:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04180.txt; Basin Disposal, Inc. Public Notice

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alvin.warren@state.nm.us bill.olson@state.nm.us brandon.powell@state.nm.us charlie.perrin@state.nm.us ed.martin@state.nm.us john.kieling@state.nm.us larry.hill@state.nm.us larry.johnson@state.nm.us mike.bratcher@state.nm.us marissa.stone@state.nm.us john.dantonio@state.nm.us sherry.bonham@state.nm.us nmparks@state.nm.us tod.steveson@state.nm.us william.fetner@state.nm.us

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From:	Administrator
Sent:	Thursday, April 08, 2010 9:43 AM
То:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04174.txt; Basin Disposal, Inc. Public Notice

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From:	Administrator
Sent:	Thursday, April 08, 2010 9:43 AM
То:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04168.txt; Basin Disposal, Inc. Public Notice

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claudette.horn@pnm.com

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From:	Administrator
Sent:	Thursday, April 08, 2010 9:43 AM
То:	Pamela Gonzales
Subject:	Delivery Status Notification (Relay)
Attachments:	ATT04162.txt; Basin Disposal, Inc. Public Notice

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From:	Christina M Garcia [cgarcia@fs.fed.us]
Sent:	Thursday, April 08, 2010 5:42 PM
To:	Pamela Gonzales
Subject:	Basin Disposal, Inc. Public Notice

# Return Receipt

Your Basin Disposal, Inc. Public Notice document:

was	<u>cgarcia@fs.fed.us</u>
received	
by:	

at: 04/08/2010 17:42:17

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From:	Linda_Rundell@blm.gov
Sent:	Thursday, April 08, 2010 1:22 PM
To:	Pamela Gonzales
Subject:	Basin Disposal, Inc. Public Notice

# Return Receipt

Your document:	Basin Disposal, Inc. Public Notice	
was received	Linda Rundell/NMSO/NM/BLM/DOI	

by:

at: 04/08/2010 01:21:30 PM

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From:	System Administrator
То:	Dacia Tucholke; Andy Yuhas
Sent:	Thursday, April 08, 2010 9:43 AM
Subject:	Delivered: Basin Disposal, Inc. Public Notice

Your message

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To: 'Alvin Warren'; 'AttorneyGeneral'; 'Bill Olson'; 'Brandon Powell'; 'Bruce Garber'; 'Charlie Perrin'; 'Chris Shuey'; 'Claudette Horn'; 'Damon Seawright'; 'Deborah Seligman'; 'Ed Martin'; 'IPANM'; 'Jay Lazarus'; 'Jeffrey Harris'; 'John Kieling'; 'Julie Maitland'; 'Larry Hill'; 'Larry Johnson'; 'Linda Rundell'; 'Lynn Brandvold'; 'Matt Wunder'; 'Mike Bratcher'; 'Ned Kendrick'; 'NMED Secretary'; 'OSE'; 'Randy Hicks'; 'Ron Dutton'; 'Sherry Bonham'; 'StateParksDirector'; 'Tod Steveson'; 'USFS Regional Forester'; 'William Fetner'Cc: <u>bdinc@digii.net</u>; 'jwjengr@aol.com'; Dacia Tucholke; Andy Yuhas

Subject: Basin Disposal, Inc. Public Notice

Sent: 4/8/2010 9:43 AM

was delivered to the following recipient(s):

Dacia Tucholke on 4/8/2010 9:43 AM Andy Yuhas on 4/8/2010 9:43 AM

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From: Sent:	Mail Delivery System [MAILER-DAEMON@AOL.com] Thursday, April 08, 2010 9:44 AM
То:	Pamela Gonzales
Subject:	Successful Mail Delivery Report
Attachments:	Delivery report; Message Headers

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

Please direct further questions regarding this message to your e-mail administrator.

--AOL Postmaster

<jwjengr@aol.com>: delivery via air-mf.gair-mf.mail.aol.com[172.20.29.168]:25: 250 OK

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From:	jvolkerding@aztecwell.com
Sent:	Thursday, April 08, 2010 9:53 AM
To:	Pamela Gonzales
Subject:	Delivered: Basin Disposal, Inc. Public Notice
Attachments:	ATT04513.txt

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Your message was delivered to the recipient.

# SECTION 3 PROOF OF PUBLICATION

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# AFFIDAVIT OF PUBLICATION FARMINGTON DAILY TIMES

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AVISO DE DECISIÓN TENTATIVA dares especificados. 1 Solicitud. stalaciones: (NM1-005) Basin Disposal, Inc. – John Volkerding, PhD- General Manager, PO Boy 100 Aztec, New Mexico 87410 located at 200 Montana Street, Bloom field, New Mexico 87413 has submitted an Application for Modification for the Basin Disposal Facility located approximately 3 miles north of the inter-section of Highways 550 and 64. The Facility is located in Section 3, Town-section of Highways 550 and 64. The Facility is located in Section 3, Town-section of Highways 550 and 64. The Facility is located in Section 3, Town-ship 29 North, Range 11 West, NMPM, San Juan County, New Mexico. The Facility treats oilfield liquid waste and discharges effluent into the on-prop-erty OCD permitted Underground Injection Control Class II (non-hazardous) disposal wells. The major modification includes the addition of 2 new evap-oration points (approximately 2.2 ± acres aach) constructed with 60-mil high detection system. In addition, 6 new olifield liquid waste receiving tanks and discisity polyethylene (HDPE) primary and secondary line systems and a leak detection system. In addition, 6 new olifield liquid waste receiving tanks and undated methods and procedures for handling oillield liquid waste frama-agement, and site investigation/abatement. All other wastes generated will b to recycling at an OCD-approved facility. A perched water zone, most likely to be affected by a spill, leak, or accidential discharge of the surface, waries a at depths ranging from 29 to 29 to 24 onto milligram be lite framo. Servation Division, Energy, Minerals, and Natural Resources Dept. 1220 South St. Francis Dr. Santa Fe, New Mexico 87505. Persons interfested in-ob-taining a copy of the Tentative Decision may obtain a copy at the OCD web site http://www.emmrd.state.nm.us/occi/ENV-DraftPublicEtc.htm or from the Division Clerk for this matter at the address given above. Prior to ruling on any proposed permit./major modification, the Director shall allow a period of thirty (30) days after the date of publication of this notice, during which interested persons may submit comments or request that OCD hold a pub-tion. (mg/l). Fresh water beneath the site is projected at a depth of at least 105 the mg/l. The Application addresses how oilfield wastes, and refined products a will be properly handled, stored, and disposed of including spills, leaks, and other accidental discharges to the surface in order to protect fresh water. Included in the Application for Modification. Basin Disposal, Inc. is requesting a Mgratoly Bird Protection.Plan provides equivalent protection 6, evolve exceptions from 19.15.36 NMAC. Presented in Volume II, Section 6, high requirement in 19.15.36 NMAC. Presented in Volume II, Section 6, high requirement in 19.15.36 NMAC. The second exception to the netting requesting from 19.15.36 NMAC. The second exception for the netting requesting in the action protection plan provides equivalent protection, to the netting frinte, a 200-mil geonet in leu of hydraulic conductivity of 10 cm/sec). The second exception for while a saturated hydraulic conductivity of 10 cm/sec). The 200-mil geonet in flew of the rection for the second exception for the activated by the netting for the second exception of the second will be proved to be a structed by the netting of the second exception for the second function by a second form second for the second index of the second form second forms and the fourted by the netting for the second form and the second form second form second forms and the second forms and the second forms and second forms and the second form second forms and the second form second forms and the second forms and the second form and the second forms and the second forms and the second forms and the second forms and the second form and the second form and the second form and the second forms and the second forms and the Notice is hereby given that pursuant to New Mexico Surface Waste Manage-ment Facilities Rule (19.15.36 NMAC); that a Tentative Decision has been is-sued by the New Mexico Oil Conservation Division ("OCD"), 1220 S. Saint-Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3489 for the following proposed facility permit: The OCD has determined that the Application is administratively complete and has prepared a Tentative Decision. The OCD will accept comments and statements of interest regarding this Tentative Decision and will create a fa-cility-specific malling list for persons who wish to receive future notices re-garding this matter. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific malling list for lic hearing to the Division's Clerk for this matter at the address given above. Requests for a public hearing shall state the specifically the reasons why a hearing should be held. A hearing on the Application will be held if the Director determines that there is significant public interest. e notices regarding this matter may contact the Division's Clerk for this If a public hearing is held, the director will approve or disapprove the on information in the Permit Application, comments r, Edward J. Hansen; he may be contacted at (505) 476-3489 Oil Conublic hearing is held, the Director will approve or disapprove the propermit based on information available, including all comments re-NOTICE OF TENTATIVE DECISION ed and information submitted at the hearing. If no public flearing is hel posed permit based on i ceived. If a public hearing proposed permit based o received, and informatior

tados para el manejo de la transmisión, el almacenamiento y el tratamiento de resid-uos líquidos de campos petrolíferos, de productos de refinería, de residuos y de aguas residuales, y para la investigación / mitigación en el stitlo. Todos los demás residuos generados serán almacenados temporalmente en tanques o contenedores tración total de sólidos disueitos (TDS, por su sigial en inglés) súperior a 24,000 miligramos por ittro (mg/n). Se proyecta que el agua dulce bajo las instalaciones está a una protundidad mínima de 105 pies por debajo de la súperficie del terreno con una concentración de TDS de aproximadamente 1,100 mg/l. La Solicitud trata de cómo Se notifica por este medio que, de conformidad con la Norma de Nuevo México para instalaciones de Manéjo de Residuos en Superficie. (19.15.36 NMAC), la División-para la Conservación del Petróleo de Nuevo México ("OCD", por su sigla en ringlés), 1220 S. Sajint Francis Drive, Santa Fe, New México 87505, teléfono (505) 476-3489. (NM1-005) Basin Disposal, Inc. - Dr. John Volkerding, Gerente General - PO Box 100 loo. Las instalaciones tratameres legitous liquidos de campos petroliferos y descargan efluentes en el pozo de descarga Clase II (no peligrosos) con Control de Inyección Subterránea, autorizado por la OCD y ubicado en la propledad. La principal modificación incluye el agregado de 2 estanques de evaporación rúevos (aproximadamente 2 2 acres, cada uno), construidos con sistemas de revestimiento primario y secundario tangués receptores de residuos líquidos de los campos periolíferos y 2 tanques para; venta de petróleo: En la Solicitud, se incluyen los métodos y procedimientos actual; y enviados fuera de las instalaciones para su eliminación o reciclaje en instalaciones. aprobadas por la OCD. La zona de aguas colgadas que más probablemente podría serlos residuos de campos perioilleros y los productos refinados serán adecuadamente manejados, almacenados y eliminados, incluso ilos derrames, perdidas y otras descargas accidentales a la superificie; con el fin de proteger el aqua dulce. También La OCD aceptará comentarios y declaraciones de 550 y 64. Las instalaciones están ubicadas en lá Sección 3. Distrito Múnicipal (Tówn; shió) 29 Norte, Zona (Range) 11 Oeste, NMPM, Condado de San Juan, Nuevo Méxde poliețileno de alta densidad (HDPE, por su sigla en inglés) de 60 milipulgáda y un sistema de detección de pérdidas. Además, en la planta se instalarán 6 nuevos, de las. Aves Migratorias proporciona una protección equivalente al requisito de cu-bierta con red incluído en 19,15.36 NMAC. La segunda excepción es un pedido para ha emitido una Decisión Tentativa para el siguiente permiso propuesto para las in-Àztec, New Mexico 87410, ubicado en 200 Montaña Stréet, Bioomfield, New Mexico 87413, ha presentado una Solicitud para la Modificación de las Instalaciones Basin afectada por un derrame, pérdida o descarga accidental a la superficie varia en pro-tundidad desde 29 à 42 pies por debajo de la superficie del suelo, con una concen-19.15.36 NMAC: Presentado en el Volumen II, Sección 6, el Plan para la Protección Disposal, ubicadas aproximadamente a 3 millas al norte del cruce de las Carreteras en la Solicitud de Modificación, Basin Disposal, Inc. solicita dos excepciones a reemplazar dos pies de tierra compactada con una conductividad hidraulica saturada de 1x10-5 centimetros por segundo (cm/s) por una georred de 200 milipulgadas. La georred de 200 milipuigadas tiene una conductividad hidráulica saturada de 10 cm/s, la cual proporciona un drenaje y un rendimiento superiores a los están 

-teresados én obtener una copia de la Decisión Tentativa podrán hacerio a través del sitió. Web de la OCD: http://www.emnrd.state.nm.us/oco//ENV-DrattPublicEtc.htm o del Secretario de la División a cargo de este asunto; en la dirección antes men-cionada, Antes de dictar un fallo sobre cualquier permiso / modificación importante concernientes a éste asunto. Los intéresados en obtener más información presen-tar comentientarios o solicitar su inclusión en la lista de correo específica para estas in-stalaciones, para recibir notificaciones tuturas concernientes a este asunto, deberán comunicarse con el Secretario de la División a cargo de este asunto, Edward J. La OCD ha determinado que la Solicitud está administrativamente completa y ha Hanšen: (505) 476-3489; Oil Conservation Division, Energy, Minerals, and Natural Resources Dept. 1220 South St. Francis Dr. Santa Fe, New Mexico 87505. Los inque se proponga, el Diractor delará transcurrir un periodo de treinta (30) días a par-tir de la fecha de publicación de este aviso, durante el cual los interesados podrán presentar comentarios o solicitar ante el Secretario de la División a cargo de este Los pedidos de una audiencia pública deberán establecer especificamente las rá-zones por las cuales se debería celebrar una audiencia. Si el Director determina que un interés considerable del público, se celebrará una audiencia para tratar la interés con respecto a esta Decisión Tentativa y creará una lista de correo específica para estas instalaciones, para las personas,que deseen recibir futuras notificaciones asunto, en la dirección antes mencionada, que la OCD celebre una audiencia pública. : preparado una Decisión Tentativa. .

tarios recibidos. De celebrarse una audiencia pública, el Orector aprobará o rechaz-ará el permiso propuesto sobre la base de la información incluida en la Solicitud del Permiso, los comentarios recibidos y la información presentada en la audiencia. De no celebrarse una audiencia pública, el Director aprobará o rechazará el permiso propuêsto sobre la base de la información disponible, incluidos todos los comen-

# AFFIDAVIT OF PUBLICATION

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Ad No. 349594 / Basin Disposal

COPY OF PUBLICATION

# STATE OF NEW MEXICO County of San Juan:

published in a regular and entire issue of the That she is the ADVERTISING DIRECTOR of THE DAILY TIMES, a daily newspaper of qualified for the purpose within the meaning of Chapter\_167 of the 1937 Session Laws of the CONNIE PRUITT, being duly sworn says: general circulation published in English at Farmington, said county and state, and that the hereto attached Legal Notice was said DAILY TIMES, a daily newspaper duly State of New Mexico for publication and appeared in The Daily Times on the following

Date: April 8, 2010

And the cost of the publication is \$ 756.49

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to be the person who signed the above appeared before me, whom I know personally CONNIE PRUITT 4/13/1D document. NO

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# AFFIDAVIT OF PUBLICATION ALBUQUERQUE JOURNAL STATEWIDE EDITION

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ALBUQUERQUE JOURNAL

THE SUNDAY JOURNAL

Albuquerque Publishing Company 7777 Jefferson N.E. P.O. Drawer J-T Albuquerque, New Mexico 87103 (505) 823-7777

# **Affidavit of Publication**

I, <u>Bill Tafoya</u>, for the publisher of the <u>Albuquerque Journal/The Sunday Journal</u> (Name) (Name of Publication)

published in the city of Albuquerque, State of New Mexico

Hereby certify that the advertisement for: Gordon Environmental, Inc.

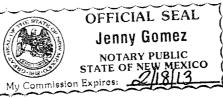
was published in said newspaper on the following date(s): April 8, 2010

Given under my hand, this 16th day of April, 2010

Signature:

Sworn to and subscribed before me this <u>16</u> day of <u>dor</u>	_2010,
in the County of Bernalillo state of New Mexico.	
Notary Public:	
My commission expires: $\frac{1}{2} \frac{2}{18} \frac{13}{13}$	

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# PROOF OF PUBLICATION FARMINGTON DAILY TIMES

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# PROOF OF PUBLICATION ALBUQUERQUE JOURNAL STATEWIDE EDITION

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WORLD

#### - By Rahim Faicz and Christopher Bodeen The Associated Press

KABUL – President Hamid Karzai's spokesman gave assurances Wednesday that the Afghanistan's govern-ment is committed to the fight against the Taliban, denying abbliche generet the Afghan Judished reports the Afghan leader threatened to join the insurgents unless the U.S. and its allies case up on pressure

o reform. The government also unounced the resignation of the head of the country's elecion commission, which was widely criticized for its manigenent of last year's fraud-nared presidential balloting. The U.S. and its international partners had been urging a ihake-up in the electoral sys-tem before parfiamentary

Karzaí was quoted by numerous members of parliament as saying in a meeting Saturday that he would join the Taliban insurgency if the U.S. and its allies continued pressuring him publicly to do more to end graft, cronyism and electoral fraud.

elections in Scotember

The White House was already infuriated with Karzai for accusations made earlier in the week in a public forum where he alleged the UN, and the international community interfered in last year's Afghan elections. The United States and the U.N. strenuous-ly denied the allegation. Karzai's comments fueled

questions whether the tem-peramental leader could be a reliable partner in the escalat-ing war against the Taliban. NATO reported another serv-

member was killed Wednesday by insurgents in southern Afghanistan, the ninth foreign death this month. No further details were released. The Taliban threat, though

not taken seriously, prompted a warning Tuesday from the White House that it would

while House that It would consider canceling Karzai's May 12 visit to Washington. During his weekly media briefing Wednesday, presiden-tial spokesman Waheed Omar sought to make light of the firestorm surrounding the Tal-iban emerge source has used. iban remarks, saying he was surprised to see them in print and had no idea where they had come from.

"That was, I think, a funny thing in the media, and we really, we were shocked to see such kind of comment in the media," Ontar said.

He said the Afghan gov-crnment has put fighting, against terror and against "those who put the lives of Afghan people in danger" as its top priority, "and in that context, that comment, who-ever has come up with that comment, does not make sense."

sense However, Omar defended Karzai's claims of foreign interference in last year's presidential election, saying the president expressed his views publicly "to correct the record."

"And the president felt ... we have to avoid having the same conversation again in

the parliamentary elections," Omar said. "And based on the facts ... he thought there was information on the other side, on the side of the Afghan government, that the

public has the right to know. So that's why the president did that."

Omar said the head of Afchanistan's election commission, Azizullah Lodin, was stepping down because he did not want his three-year term, which expired two months ago, extended further "and the president agreed with that."

with that." Lodin and the commission were widely criticized last year for ignoring rampant ballot-stuffing and other fraud, which the separate, U.N.-backed watchdog group uncovered.

uncovered. Some Afghan officials attributed Karzai's outbursts to his punishing work sched-ule and the pressures he faces to placate political supporters seeking patronage, domestic critics who fault his leader-

ship, and foreign backers demanding clean governmen — all in the middle of a war The officials spoke on condition of anonymity because they didn't want to talk on the record about Karzai's behavior.

Farmington, New Mexico The Daily Times

Canadian Prime Minister Stephen Harper said Karzai's Stephen Harper Said Karzar's reported comments abour joining the Taliban were com-pletely unacceptable to both Canada and its allies. Canada has about 2.900 troops ir southern Afghanistan. "We have men and women who are over there putting their luyes on the line

butting their lives on the line to help the population in its struggle against the Taliban,' Harper said, "These remarks are not helpful and in the context of the work, the dan-uerous work that our people gerous work that our people are doing."

# Pain from torrent in Rio Putin says Stalin massacred Poles out of revenge

#### - By Supon Shutter The Associated Pres

MOSCOW - Russian MOSCOW — Russian-Prime Minister Vladimir Putin made an unprecedented ges-ture of good will to Poland on Wednesday by attending a memorial, ceremony for 22,000 Poles executed by Soviet secret police during World War II, But hours later he sourcd the mood by offering a controversial justifica-tion for the massacres. After attending the solemn event with Polish Prime Min-

ister Donald Tusk, Putin said Soviet dictator Josef Stalin soviet dictator Josef Stahl ordered the atrocity as revenge for the death of Red Army sol-diers in Polish prisoner of war camps in 1920. Putin said 32,000 troops under Stahln's command had died of hunger and disease in the Polish

camps. "It is my personal opinion that Stalin felt personally responsible for this tragedy, and carried out the executions (of Poles in 1940) out of a sense of revenge," Putin said, the RIA Novosti news agency reported. The Polish side had no

immediate response to this

U.S. Sen. Benjamin Cardin, who has advocated greater Russian recognition of the atrocities, said there can be no justification for the murder of innocent people.



The Associated Press Russian Prime Minister Vladimir Putin and Polish Prime Minister Donald Tusk, left, attend a memorial ceremony for Russian victims killed by Soviet dictator Josef Stalin's secret police in Katyn near Smolensk, southwest of Moscow on Wednesday.

"I think trying to rational-ize the massacre in any way is unwarranted. You can't justify that under any scenario. It was joined" by the atrocities. The 22,000 Polish officers. prisoners and intellectuals were massacred by Stalin's secret police in 1940 in and around Katyn, a village near Russia's border with Belarus. senseless and there was no just cause. Those are the facts," Cardin, who chairs the U.S. Helsinki Commission, told The Associated Press. During the ccremony, Putin also offered what appeared to be his harshest condemnation

Earlier on Tuesday, Putin offered a gesture of reconcili-ation to Poland by becoming the first Russian leader to ever commemorate the Katyn massacres with a Polish leader. He said earlier in the day that the two nations' "fates had been inexorably

short of offering any apology to Poland or calling the massacres a war crime, as some officials in Poland and the United States had urged him to do.

Also, while giving the go-Also, while giving are go-nhead to a joint historic com-mission on the matter, Putin gave no concrete pledge that all Soviet archives documenting it would finally be

Tusk used his emotional speech about the Polish victims to push Putin on this point.

"Prime minister, they are here. They are in this soil. The eye sockets of their bulletvalues of the second se able to transform violence and lies into reconciliation," Tusk

But at an evening news conference, Putin said Russia already has disclosed everything except for the perpetrators' names, which are being kept secret out of "humanitariregard for their surviving an' relatives

Putin also said Russian ople should not be blamed

for the arcoines at Katyn. "For decades, attempts have been made to cover up of Stalin's rule to date ou Tuesday, saying: "In our counthe truth about the Katyn exe-cutions with cynical lies, but try there has been a clear political, legal and moral judgment suggesting that the Russian people are to blame for that is the same kind of lie and fabrimade of the evil acts of this totalitarian regime, and this judgment cannot be revised." But his speech stopped cation," he said.

# falls heavily on slums

# 

RIO DE JANEIRO -Rodrigo de Almeira had dug for 15 hours through mud and debris, and he looked like it. Aubum mud covered his head, his ripped shirt, his torn jeans and his rubber sandals

When asked Wednesday if he had been able to save anyone from the massive landslide in the slam where he lives, he silently shook his head. Of the 145 people confirmed dead from Rio's heaviest rains on record, at least 18 died in his shanty-town, Pleasure Hill.

"Right there at least 15 people I know died," Almeira said, staring at a massive mound of mud and debris. Wood planks —



MIDWEST FINANCE 407 W. Broadway Qe2 INCOME TAX SERVICE 505-327-5550

# Chile gives U.S. enriched weapon-type of uranium

#### — The Associated Press

SANTIAGO, Chile With U.S. President Barack Obama shifting his nuclear nonproliferation strategy to rogue states and terrorists, Chile has become an example of how small countries can play a big part in making the world safer.

Vast amounts of highly enriched uranium, or HEU, is being stored in relatively inseworld. Just 55 poinds of it – the size of a grapefruit – could create a mushroom cloud of radioactivity and dev-astate an entire city if detonated.

At a nonproliferation summit Monday in Washington, Obama will encourage leaders from 47 countries to work with the U.S. to secure and remove HEU from reactors, as Chile finally did last month. "We are happy to see it

go," Fernando Lopez of the Chilean Nuclear Energy Com-mission said, which exclusively witnessed the secret transfer of the material from reactors near Santiago to the United States. "Countries normally don't

want to be loaded with waste from other countries," Lopez acknowledged. "To put it in a safe place is valuable for everybody." The new U.S. strategy con-siders a nuclear attack by ter-

rorists or the spread of nuclear weapons technology to rogue nations to be greater threats than the Cold War fear of a committee mean initiating a communist enemy initiating a

nuclear Armageddon. Obama acknowledged the reduced threat from old onemics as he and Russian Presi-dent Dmitry Medvedev prepaied to sign a treaty Thursday to reduce the number of nuclear wathcads their governments have ready to fire.

# NOTICE OF TENTATIVE DECISION

Notice is hereby given that pursuant to New Mexico Surface Waste Management Facilities Rule (19.15.36 NMAC); that a Tentative Decision has been is sued by the New Mexico Oil Conservation Division ("OCD"), 1220 S. Sain Francis Drive. Santa Fe. New Mexico 87505, Telephone (505) 476-3489 for owing proposed facility permit

(NM1-005) Basin Disposal, Inc. -- John Volkerding, PhD- General Manager, PO Box 100 Artec, New Mexico 87410 located at 200 Montana Street, Bloom-field, New Mexico 87413 has submitted an Application for Modification for the Basin Disposal Facility located approximately 3 miles north of the Inter-section of Highways 550 and 64. The Facility is located in Section 3, Town-ship 29 North, Range 11 West, NMPM, San Juan County, New Mexico. The Facility treats oilfield liquid waste and discharges effluent into the on-property OCD permitted Underground Injection Control Class II (non-hazardous) disposal well. The major modification includes the addition of 2 new evaporation ponds (approximately 2.2 ± acres each) constructed with 60-mil high density polyeithylene (HOPE) primary and secondary liner systems and a leak detection system. In addition, 6 new oilfield liquid waste receiving tanks and 2 oil sales tanks will be installed at the facility. Included in the Application are updated methods and procedures for handling olifield liquid waster trans-mission, storage and treatment, refinery products, waste, waste water man-agement, and site investigation/abatement. All other wastes generated will be temporarily stored in tanks or containers and shipped off-sile for disposal or recycling at an OCD-approved facility. A perchod water zone, most likely to be affected by a spill, leak, or accidental discharge to the surface, varies at depths ranging from 29 to 42 feet below the ground surface with a total dissolved solids (TDS) concentration in excess of 24,000 milligrams per liter (mgA). Fresh water beneath the site is projected at a depth of at least 105 fact beinw pround surface with a TDS enprestitation of approximately 1, 100 The Application addresses how oilfield wastos, and refined products will be properly handled, stored, and disposed of, including spills; leaks, and while property names, solver, and obspects of including spind, teaks, and other accidental discharges to the surface in order to protect fresh water. In-cluded in the Application for Modification, Basin Disposal, Inc. is requesting two exceptions from 19.15.36 NMAC. Presented in Volume II, Section 6;

# AVISO DE DECISIÓN TENTATIVA

Se notifica por este resello que, de conformidad con la Norma de Nucvo México hara ou nounce poi este marcio que, se comprinteral con la horma de tinced fatibido para Instalaciones de Manajo de Residuos en Superficie (19.15.36 NIXAC). La División para la Conservación del Petróleo de Nuevo México (2000°, por su sigha en inglés). 1220 S. Suint Franis Drive, Santa Fe. Rev Abacico 87506, Ridfono (605) 476-3789, ha entitido una Decisión Tentativa para el siguiante permiso propuesto para las in-

(NM1-005) Basin Disposal, Inc. - Dr. John Volkerding, Gerente General - PO Box 100 Aztec, New Mexico 87410, ubicado en 200 Montena Street, Bioprifield, New Mexico Aztes, havi Maxios 87410, ubicado en 200 Montana Street, Bioenfield, New Mexico 87413, ha presentado una Solicitad para la Modificación de las Instalaciones Easin Disposal, ubicadas aproximadamente a 3 millos al notre del cruce de las Carteizas 550 y 64. Las Instalaciones están ubicadas en la Secolón 3, Distrito Municipal (Town-ship) 29 Norte. Zona (Range) 11 Ocets, MMPA, Condato de San Juan; Neve M Máz-los. Las Instalaciones tratar rebiduos líquidas de campos petrolíteros y descargan effuentas en el pació de descarga Clave II (no pelígoroso) con Contol de Inyacción subterránas, autorizado por la OCD y ubicado en la propiedad. La principal modifi-cación incluye el agrapado de 2 estanques de exeporación nueiros (aproxinantamente 22 eores cada uno) construidos en os signa en ingáis) de 600 milipulgadas y un sistema de detección de párdidas. Además, en la planta se instalarán 6 neuros anques recentores de asiduas Taionas La planta se instalarán 6 neuros anques recentores de reventions de la planta se instalarán 6 neuros anques recentores de reventions de aplanta se instalarán 6 neuros anques recentores de reventions de la planta se instalarán 6 neuros anques recentores de reventions de la planta se instalarán 6 neuros anques recentores de reventions de asidos de campos petrolíferos y 2 danues estar anques recentores de reventions de la planta se instalarán 6 neuros anques recentores de reventions de asidos de campos petrolíferos y 2 danues estar anques recentores de reventos facelos de la planta se instalarán 6 neuros anques recentores de asidos de seras de seras de seras de la planta se instalarán 6 neuros anques recentores de reventos de reventos de reventos petrolíferos y 2 danues estar anques recentores de reventos de asidos de compos petrolíferos y 2 danues estar anques recentores de reventos de seras de teres de reventos petrolíferos y 2 danues estar anques recentores de reventos de descargos de teres de seras de seras de seras de seras de se de seras de se de seras de seras de seras un sistema de detección de párdidas, Además, en la planta se institarán é nevros lanques receptores de residuos ifiquidos de los campos petrollieros y 2 lanques para venta de patróleo. En la Solicitad, es incluyan los métudos y procedimientos actual-izados para el manejo de la transmisión, el almacenamiento y el tratamiento de resid-uos líquidos de campos petrollieros, de productos de refinería. de residuos y de aguas residuales, y para la investigación / mitigación en el sitio. Totos los demás, restiduos generados serán almacenados temporalmente en tanques o contenendores y enviados fuera de las instalaciones para su eliminación o recidaje en instalaciones acordados tuera de las instalaciones para su eliminación o recidaje en instalaciones encidas de QCD la zero de á enuce encidera com encida en los modos en encidas encidas encidas encidas para su eliminación o recidaje en instalaciones encidas de QCD la zero de á enuce encidas com encidas en encidas en encidas encidas encidas encidas encidas encidas encidas en encidas en encidas encidas encidas encidas encidas encidas encidas encidas en encidas en encidas encidas encidas encidas encidas encidas en encidas en encidas en encidas aprobadas por la CCD, La zona de aquas colorades que más probablemente podría ser afectada por un derrame, pérdida o descarna accidental a la superficie vaña en proaroctana por un dertarte, percida o descarga accidental a la superficie vana en pro-fundidad desú 29 a 42 ples por debajo de la superficie del suelo, con una concen-tración total de sólidos disueltos (TDS, por su siglo en inglés) suputior a 24,000 miliparanos por litra (mg/h). Se proyecta que el egua dulce bajo las instilaciones está a una profundidad minima de 105 pies por debajo de la superficie del terreno con una concentración de TDS de aproximadamenta 1,100 mg/h. La Solicitud trata de cómo los residuos de campos petroliferos y los productos refinados serán adequalamente consentración de TDS de aproximadamenta 1,100 mg/h. La Solicitud trata de cómo los residuos de campos petroliferos y los productos refinados serán adequalamente manejados, almacenados y eliminados, incluso los derrames, pérdidas y otras descargas accidentales a la superficie, con el fin de proteger el agua dulce. También

remnants of the shacks

vivors. "We found a guy alive this morning, so we had hope," said Almeira, 28.

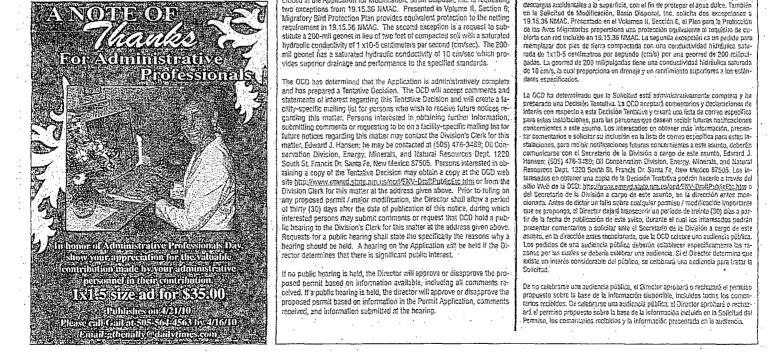
the hospital." More death was certain

Late Wednesday, an offi-cial with the state's Civil Defense department said a hage mudslide smashed into a slum in Rio's neighboring city of Niteroi, burying up to 40 homes. It was not clear

engulied by the landslide – poked through the mud as 30 rescue workers gingerly dag at it with picks and shovels, still looking for sur-

"He didn't make it, we were told he died on his way to

for Rio.



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# FISHING LINE By Bill Dyroff

ICE FISHING CLOSINGS: N.M. State Parks unnounced Tuesday that lice fishing is closed at Heron, El Vado and Eagle Nost lakes. Warm weather has melted lice to dangerous conditions.

SAN JUAN RIVER: Flowing Monday at 500 cubic feet a second; clear to 2 feet, Quality Water good for catch-andrelease of trout to 20 inches. Some of the best flies have been gray Scintilla Midges, Red Brassies, OIs and chocolate Foam-Wing Emergers. Some dry IIy action good in the alternoon — if it is not windy or if we have just a tight wind. Regular Water good for 14-inch and smaller trout on salmon eggs, night crawlers, Panther Martins, Kastmasters and the above flies.

#### Peggy Harrell at Abe's

JICARILLA LAKES: As of Tuesday, Lake ice is beginning to recode --- but about 65 percent to 80 percent lice cover remains. Mundo and Enbom are at capacity and will continue to spill for some time. Plenty of room for water at Stone, Roads are in decent shape, but have muddy spots that require four-wheel drive and aggressive tires. We expect the mud season to last quite a while. With the predicted good weather there is a slight chance we'll be ice free by the week's end. If you try MUNDO, do not park close to the water's edge. STONE LAKE is approximately 65 percent to 70 percent ice and water , temperature is 40-45 degrees. If you must fish this weekend, Frecommend open water sections at the southwest cove and west shoreline, ENBOM

has not been stocked, and we do not expect any winter survival. Any substantial changes will be reported on www.jicarillabunt.com. Kevin Terry, fisherles biologist, Jicarilla Gamo & Fish

HERON LAKE: As of Monday, water temperature at 37 degrees. Still some ice at Willow Creek and the spillway cove, tut in general open water far the rest of the lake. La Laja boat ramp is free of ice and OK for boat launch. A few boats went out Saturday but returned early because of winds; no success reported. On Sunday and Monday, boats left the water early due to strong winds, and again no success reported. Bank anglers caught a tew lake trout at 3 to 4 pounds and rainbows at 14 to 16 inches in the Ridge Rock

#### area. Marilyn Morrison, Stone House Lodge

RIO CHAMA below EL VADO: Flowing Monday at 350 cubic feet a second (was at 400 cfs). Fairly clear, but with a greenish cast to it. Stocked on Thursday of last week with about 220 1.1-inch-average rainbows. Only one report — on Saturday, a 23-inch lake trout and a 16-inch brown were caught on the Rio Chama below Heron Lake dam. David Cooper, El Vado Guest

# ISLETA LAKES: Two full

Ranch

and anglers are still reporting finitis of five fish (15 inches and up). Best baits have been peach salmon, garlic nymph and American pic PowerBaits, along with sulmon eggs and Pistol Petes. As water temperatures continue to rise, eattish activity is starting to increase. Trout season will soon end, but callish season is right around the corner. For more information, call Isleta Lakes Convenience Store, 505-244-8102. Curtis Thompson, Isleta Lakes Game Warden

#### TINGLEY BEACH: As of Tuesday, Trout fishing at Central and Children's ponds is fair on Super Dubers, salmon eggs and yellow or multicolored PowerBaits, Worms catch bluegill and a few catfish. Good for trout in the South/ Catch and Release Pond with Gaffith's Gnats and hoppers. Rebecca Houtman, Tingley Beach curator

SANDIA PUEBLO: As of Tuesday, Recently stocked with mixed loads of 12: to 18-inch rainbows and 1: to 3-pound channel catfish. Water temperatures are rising with trout biting readily, morning and evening hours. Catfish are also very active, and anglers have been catching limits of both species as well as combination limits. Also note the new summer hourst 6 a.m. to 8 p.m. Jason Wiebenga, Wildcat Environmental Services, for Sandin Lakes

SHADY LAKES: April is usually the month of highest bass activity here, and primary tacklo selections are spinnerbaits, plastic worms and some files. The bass are hitting great, with two 4-pound largemouth caught on a chartreuse spinnerbait and a jig. Catch-and-Release reports included up to a dozen bass. Bluegill reports are increasing on worms and flies. We will stock trout on April 10 and

stock front on April 10 and replenish the Big Trout Pond with 15- to 20-inch rainbows. The Easy-Catch Pond has strong activity and a 12-inch average. Baits are PowerBait, saimon eggs, flies, lures

# Bike race to make debut April 24

#### from PAGE D1

And it acknowledges, by aiding the Wounded-Warrior Project, the sacrifices made by our troops. A custombuilt bike, worth \$5,000 to \$7,000, will be raffled, at \$10 a chance, to benefit the organization that works with wounded veterans.

The list of sponsors for the event is long, but a primary partner is the county, "The race will be

entertainment; it'll give people an opportunity to see some of these worldclass athletes up close in Albuquerque," County Commissioner Maggie Hart Stebbins said. "But we also have a component for some bealth education pieces, so there will be booths and discussions of healthy lifestyles, fitness, nutrition."

The race will consist of time trials of 6.3 miles that begin at 7:30 a.m., followed by circuit racing for the men's and women's category 3, 4 and 5 riders. Those races are 18.9 miles, or three laps of the course.

In the afternoon comes the Omnium, which puts the pro, category 1 and 2 racers together. The women will ride 37.8 miles, the men, 63. The start and finish line

The start and finish line will be the parking lot at Hard Rock Cafe Alluquerque presents The Pavilion, which will be the base of operations where booths are set up. Spectators will be able to sit along University Boulevard Extension and watch riders work their way up hills or hit high speeds on downhills. "We'll have 400 racers. if

we have a full house, going off that day," Ovis said. The educational and motivational factors are

motivational factors are key reasons for the county's participation, Stebbins said, "Part of my thought about

the county sponsoring the race is it might be a way to get kids hooked on cycling because it's a very exciting event to watch, and then we would have these other components where kids might get engaged in it and maybe make it a lifelong interest " she said.

interest," she said. Ovis said that the cycling community is especially interested in promoting the commuting aspect.

commuting aspect. "The city's Parks and Rec and the county's Parks and Rec have joined together, and we're going do this big bike commuter display," he said. "We're going to have (maps of) the commuter paths. You can go up and see some great commuter gear and buy it, and ... you can see how to get from your house to work."

 Local cyclists also have raised money and solicited donations to secure bikes for underprivileged kids.

"The county is picking from the school system a number of underprivileged children to receive a free bike and helmet," Ovis said. "They're kids who probably wouldn't be able to afford a bike on their own, "We've put together between 25 and 50 really nice

bikes.

and night crawlers; stringers average 6-plus fish. Jan Phillips, director of Shady Lakes

NORTHERN STREAMS: The Rio Grandic (the Box to the Pilar area) is high and off-color, and fishing has been slow. Should improve soon; look for a caddis hatch in about a week. The Cimarron has been middy, but fishing decent with red San Juan Worms. Fair on the Red River below the hatchery for 10- to 12-inch rainbows and browns on 1.6 Pheasant Tail Nymphs and 16 Prince Nymphs.

Taylor Streit, Taos Fly Shop

NOTES FROM NEW MEXICO GAME & FISH: No reports of any luck on ALBUQUERQUE DRAINS. The drains will be longer be stocked with trout until fall. ... Slow at COCHITI. ....Picking up at ELEPHANT BUTTE for black bass on various crankbaits; slow for other species.

NAMBE LAKE: As of Monday. The lake is now open seven days a week, 7 a.m. to 7 p.m. Anglers using assorted PowerBaits are catching limits of rainbow trout averaging 10 to 14 inches. Best bet is salmon peach PowerBait. For more information, call 505-455-2304. Joe Vigit, lake manager

SPRINCER AREA: Bad winds almost every day and not much tishing action. One report from MAXWELL No. 13 — a couple of 14-inch rainbows caught on PowerBait on Saturday. Jim Angel, at Sky Chief, in Springer

SUMNER LAKE: Fishing has been sporadic, but as of Monday picking up. Some walleye and crappic caught on minnows in 10 to 12 feet of water near the mouth of the Alamogordo Arm. Lowis Hancock, park ranger

# NOTICE TO THE PUBLIC STORRIE LAKE WILL BE CLOSED TO THE PUBLIC, EXCEPT FOR FISHING FROM A BOAT

The New Mexico State Parks Division lease of Storrie Lake and the surrounding lake front land expired on July 1, 2009.

The New Mexico State Parks Division has refused to pay for a new lease of the Storrie Lake property from the Storrie Project Water Users Association (SPWUA). SPWUA, the owner of the lake and the land surrounding the lake, offered to renew the lease on the same monetary terms and conditions as the previous lease to the State Parks Division. The State Parks Division refused the offer of a new lease. The State Parks Division, despite having paid SPWUA for 45 years of leases starting in 1959, now and for the first time claims to own the right to take and use the land and the lake without payment to SPWUA and continues to charge the public for access.

SPWUA has filed suit against the State Parks Division in Santa Fe County District Court. Regretfully, Storrie Project Water Users Association has no alternative but to close public access, including bank fishing, by fencing off the lake.

In the absence of a lease with the State Parks Division, SPWUA, by only allowing fishing from a fishing boat on the lake continues to honor the 1944 Deed which granted an easement for fishing privileges only to the New Mexico Department of Game and Fish for fishing from a boat. Therefore, access to the boat ramp and lake will be permitted only for launching boats in order to fish on the lake.

#### NOTICE OF TENTATIVE DECISION

Notice is hereby given that pursuant to New Mexico Surface Waste Management Facilities Rule (19.15.36 NMAC); that a Tentative Decision has been issued by the New Mexico Oil Conservation Division ("OCD"), 1220 S. Sonit Francis Drive, Santa Fe, New Mexico 87505, Telephone (508) 476-3489 for the following proposed facility permit:

(NMI-005) Basin Disposal, Inc. - John Volkerdung, PhD- General Mannger, PO Box 100 Aztee, New Mesico 87410 located at 200 Montana Street, Bloomfield, New Mesico 87413 has submitted an Application for Modification for the Basin Disposal Facility located approximately 3 miles north of the intersection of Highways 550 and 64. The Facility is located in Section 3, Township 29 North, Range 11 West, NMPM, San Juan Connty, New Mexico. The Facility treats oilfield liquid waste and discharges effluent into the on-property OCD permitted Underground Injection Control Class II (non-hazardous) disposal well. The major modification includes the addition of 2 new evaporation ponds (approximately 2, 4 acres each) constructed with 60-mill high density polyethylene (HDPE) primary and secondary linex systems and a leak detection system. In addition, 6 new oilfield liquid waste reactions and value 2 oil sales tanks will be installed at the facility. Included in the Application are updated methods and procedures for bandling oilfield liquid waste reacting and secondary linex systems and a leak detection system. In addition, 6 new oilfield liquid waste reactigationabatement, all other wastes generated will be temporarily stored in tanks or containers and shipped off-site for disposal or recycling at an OCD-approved facility. A perched water zone, nost likely to be affected by a spill, leak, or accidental discharge to the sarface, varies at depths tranging from 20 to 42 fee below the ground surface with a total dissolved solids (TDS) concentration in excess of 24,000 milligrams per liter (mg/l). Fresh water beneath the site is projected at a depth of at least 105 feet below the ground surfaces with a TDS concentration of approximately 1,100 mg/l. The Application addresses how oilfield wastes, and refined products will be properly handled, stored, and disposed oi, including spills, leaks, and other accidental discharges to the surface to notect fresh water. Included in the Application for Modilication, Basin Disposal, Inc. is re

# AVISO DE DECISIÓN TENTATIVA

Se notifica por este medio que, de conformidad con la Norma de Nuevo México para Instalaciones de Manejo de Residuos en Superficie (19.15.36 NMAC), la División para la Conservación del Petróleo de Nuevo México ("OCD", por su sigla en inglést, 1220 S, Saint Francis Drive, Santa Fe, New Mexico 87505, teléfono (505) 476-3489, ha emitido una Decisión Tentativa para el signiente permiso propuesto para las instalaciones:

(NMI-005) Itasin Disposal, Inc. - Dr. John Volkeuling, Gerente General - PO Box 100 Aztee, New Mexice 87410, ubicado en 200 Montana Street, Bloomfield, New Mexico 87413, ha presentado una Solicitud para la

The OCD has determined that the Application is administratively complete and has prepared a Tentative Decision. The OCD will accept comments and statements of interest regarding this Tentative Decision and will create a facility-specific mailing list for persons who wish to receive hume notices regarding this matter. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific mailing list for persons who wish to receive hume notices regarding this matter. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific mailing list for future notices regarding this matter. Remons interested in obtaining a tenter to the may be connected at (503) 476-3489; Oil Conservation Division's Clerk for this matter, fedward J. Hansen; he may be connected at (503) 476-3489; Oil Conservation Division's Clerk for this matter, notating a copy of the Tentative Decision may obtain a copy at the OCD web site <u>http://www.comm.state.</u> num.sgcd/ENM/Draff2ublicEle.htm or from the Division Clerk for this matter at the address given above. Prior to ruling on any proposed permit / major modification, the Director shall allow a period of thirty (34) allows that OCD hold a public hearing to the Division's Clerk for this matter at the address given above. Requests for a public hearing shall state the specifically the reasons why a hearing should be held. A learing on the Application will be held if the Director determines that there is signal shalls thereas.

If no public hearing is held, the Director will approve or disapprove the proposed permit based on information available, including all comments received. If a public hearing is held, the director will approve or disapprove the proposed permit based on information in the Permit Application, comments received, and information submitted at the hearing. 87410, ubicado en 200 Montana Stevet, Bloomfield, New Mexico 87413, ha presentado una Solicitud para la Mudificación de las Instalaciones Hasin Disposal, ubicadas aproximadamente a 3 millas al norte del cruce de las Carreteras 550 y 64. Las instalaciones están ubicadas en la Nección 3, Distrito Municipal (*Township*) 29, Norte, Zona (*Range*) 11 Oeste, NMPM, Condado de San Juan, Nuevo México. Las Instalaciones tratan residuos lípuidos de campos petrolíferos y desengan elluentes en el propiedad. La principal modificación induya el agregado de 2 estanques de evaporación unevos (aproximadamente 2.2 acres cada uno) construïdos con sistemas de revestimento primario y secundario de poletíficao de alta deaxidad (11197), por su sigla en inglés) de 60 milipulgadas y un sistema de detección de párticuleno de alta deaxidad (11197), por su sigla en inglés) de 60 milipulgadas y un sistema de detección de párticuleno de alta deaxidad (11197), por su sigla en inglés) de 60 milipulgadas y un sistema de detección de párticuleno de alta deaxidad (11197), por su sigla en inglés) de incluyen los métodos y procedimientos actualizados para el manejo de la transmitión, el aluacemaniento y el tratamiento de residuos líquidos de campos pertolíferos, de productos de refineria, de residuos y de aguas residuades, y para la intestigación / miligación en el silio. Todos los demás residuos generados serán almacenados temporalmente en tanques o contenedores y enviados fuera de las instalaciones pare aldos están almacenados or un derance, péridia o descarga accidenta la la superficie varia en profondidad elos serán almacenados accidentales a la superficie del suelo, con una concentración total de sólidos disueltos (TDS, por su sigla en inglés) superior a 24.000 miligramos por lito (mg/l). Se proyecti que el agua dulce hajo las instalaciones está a una profundidad inhima de 105 pies por debajo de la superficie del terreno con una concentración de TDS de aproximadamente L.600 mg/l, La Solicitud trata de cómo los residuos de cam

La OCD ha determinado que la Solicitud està administrativamente completa y ha preparado una Decisión Tentativa. La OCD aceptarà comentarios y decharaciones de interès con respecto a esta Decisión Tentativa y creari una lista de correo especifica para estas instalaciones, para las personas que desen recibir faturas notificaciones concernientes a este asunto. Los interesados en obtener más información, presentar comentarios o solicitar su inclusión en la lista de correo especifica para estas instalaciones, para interior comentarios o solicitar su inclusión en la lista de correo especifica para estas instalaciones, para neclibir notificaciones futuras concernientes a este asunto, debeán comunicatas con el Secretario de la División a cargo de este asunto, Edward J. Hansen: (505) 476-5489; Oil Conservation División, Energy, Minerals, and Natural Resources Dept. 1220 South St. Francis Dr. Santa Fe, New Mexico 87505. Los interesados en obtener una copia de la Decisión l'iterativa podrán hacerio a través del sitio Web de la OCD: <u>http://www.enuntd.state.nu.w/ocd/JENV-DraftPublicFre.</u>http o del Secretario de la División a cargo de este asunto, en la dirección antes mencionada. Antes de dixta un fallo sobre cualquier permiso / modificación importante que se proponga, el Director dejarí transcurri un periodo de teriata (201) dias a partir de la Decisión a cargo de este asunto, durante el cual bos interesados podrán presentar comentarios o solicitar ante el Secretario de la División a cargo de este asunto, en la dirección antes mencionadas e obtener una cubica cia da División a cargo de este asunto, en dirección antes mencionadas os solicitar ante el secretario de la División de este asunto, en la dirección antes mencionadas es deletran tarlos y conservation publicación importante que se proponga, el Director dejarí transcurri un periodo de terinta (201) dias a partir de la Decisión a cargo de este asunto, en la dirección antes mencionadas que ha COD celebre una audiencia pública. Los podulos de una audiencia pública deber

De no celebrarse una audiencia pública, el Director aprobará o rechazará el permiso propuesto sobre la base de la información disponible, incluídos todos los comentarios recibidos. De celebrarse una audiencia pública, el Director aprobará o rechazará el permiso propuesto sobre la base de la información incluída en la Solicitud del Permiso, los comentarios recibidos y la información presentada en la audiencia.

CATCH of the WEEK: None qualified.

### Hansen, Edward J., EMNRD

From:Hansen,Sent:Monday,To:'Dacia TSubject:RE: Bas

Hansen, Edward J., EMNRD Monday, March 29, 2010 2:29 PM 'Dacia Tucholke' RE: Basin Notice - update

Dear Ms. Tucholke:

The New Mexico Oil Conservation Division(OCD) has reviewed the draft Notice of Tentative Decision that you submitted on March 29, 2010. The OCD hereby approves the draft with the edits indicated. This draft is hereby approved for publication (in English and Spanish) and mailing by first class mail or email. The notice must be given no later than April 25, 2010 pursuant to 19.36.9E NMAC.

Please let me know if you have any questions regarding this matter.

Edward J. Hansen Division Clerk for this matter

From: Dacía Tucholke [mailto:DTucholke@gordonenvironmental.com]
Sent: Monday, March 29, 2010 1:26 PM
To: Hansen, Edward J., EMNRD
Cc: jwjengr@aol.com; WBCSW@aol.com; Keith Gordon; Pamela Gonzales
Subject: Basin Notice - update

Good Afternoon Ed,

I am currently having the Notice for Basin Disposal translated into Spanish. We identified two additional edits to the text, which I have attached for your review in redlines for ease of reference. If you have any questions or comments, please let me know. Thank you,

Dacia

Dacia R. Tucholke Project Manager Gordon Environmental, Inc. 213 S. Camino del Pueblo Bernalillo, NM 87004 Phone: 505-867-6990 Fax: 505-867-6991



#### NOTICE OF TENTATIVE DECISION

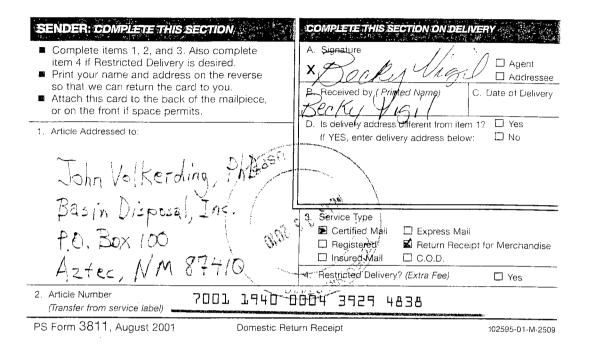
Notice is hereby given that pursuant to New Mexico Surface Waste Management Facilities Rule (19.15.36 NMAC); that a Tentative Decision has been issued by the New Mexico Oil Conservation Division ("OCD"), 1220 S. Saint Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3489 for the following proposed facility permit:

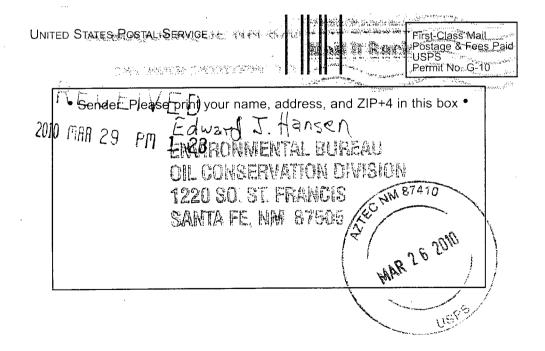
(NM1-005) Basin Disposal, Inc. – John Volkerding, PhD- General Manager, PO Box 100 Aztec, New Mexico 87410 located at 200 Montana Street, Bloomfield, New Mexico 87413 has submitted an Application for Modification for the Basin Disposal Facility located approximately 3 miles north of the intersection of Highways 550 and 64. The Facility is located in Section 3, Township 29 North, Range 11 West, NMPM, San Juan County, New Mexico. The Facility treats oilfield liquid waste and discharges effluent into the on-property OCD permitted Underground Injection Control Class II (non-hazardous) disposal well. The major modification includes the addition of 2 new evaporation ponds (approximately  $2.2 \pm$  acres each) constructed with 60-mil high density polyethylene (HDPE) primary and secondary liner systems and a leak detection system. In addition, 6 new oilfield liquid waste liquid receiving tanks and 2 oil sales tanks will be installed at the facility. Included in the Application are updated methods and procedures for handling oilfield liquid waste transmission, storage and treatment, refinerv products. waste. waste water management. and site investigation/abatement. All other wastes generated will be temporarily stored in tanks or containers and shipped off-site for disposal or recycling at an OCDapproved facility. A perched water zone, most likely to be affected by a spill, leak, or accidental discharge to the surface, varies at depths ranging from 29 to 42 feet below the ground surface with a total dissolved solids (TDS) concentration excess of 24,000 milligrams per liter (mg/l). Fresh water beneath the site is projected at a depth of at least 105 feet below ground surface with a TDS concentration of approximately 1,100 mg/l. The Application addresses how oilfield wastes, and refined products will be properly handled, stored, and disposed of; including spills, leaks, and other accidental discharges to the surface in order to protect fresh water. Included in the Application for Modification, Basin Disposal, Inc. is requesting two exemptions exceptions from 19.15.36 NMAC. Presented in Volume II, Section 6; Migratory Bird Protection Plan provides equivalent protection to the netting requirement in 19.15.36 NMAC. The second exception is a request to substitute a 200-mil geonet in lieu of two feet of compacted soil with a saturated hydraulic conductivity of  $1 \times 10^{-5}$  centimeters per second (cm/sec). The 200-mil geonet has a saturated hydraulic conductivity of 10 cm/sec which provides superior drainage and performance to the specified standards.

The OCD has determined that the Application is administratively complete and has prepared a

Tentative Decision. The OCD will accept comments and statements of interest regarding this Tentative Decision and will create a facility-specific mailing list for persons who wish to receive future notices regarding this matter. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific mailing list for future notices regarding this matter may contact the Division's Clerk for this matter, Edward J. Hansen; he may be contacted at (505) 476-3489; Oil Conservation Division, Energy, Minerals, and Natural Resources Dept. 1220 South St. Francis Dr. Santa Fe, New Mexico 87505. Persons interested in obtaining a copy of the Tentative Decision may obtain a copy at the OCD web site <a href="http://www.emnrd.state.nm.us/ocd/ENV-DraftPublicEtc.htm">http://www.emnrd.state.nm.us/ocd/ENV-DraftPublicEtc.htm</a> or from the Division of this notice, during which interested persons may submit comments or request that OCD hold a public hearing to the Division's Clerk for this matter at the address given above. Requests for a public hearing shall state the specifically the reasons why a hearing should be held. A hearing on the Application will be held if the Director determines that there is significant public interest.

If no public hearing is held, the Director will approve or disapprove the proposed permit based on information available, including all comments received. If a public hearing is held, the director will approve or disapprove the proposed permit based on information in the Permit Application, comments received, and information submitted at the hearing.





## Hansen, Edward J., EMNRD

From:Hansen, Edward J., EMNRDSent:Thursday, March 25, 2010 1:29 PMTo:'jwjengr@aol.com'Subject:RE: Basin draft public noticeAttachments:Basin-NoticeTentativeDec1\_-\_JV1-OCD.doc

Dear Mr. Jordan,

The New Mexico Oil Conservation Division(OCD) has reviewed the draft Notice of Tentative Decision that you submitted on March 24, 2010. The OCD hereby approves the draft with the edits made by OCD (see attached).

If you have any questions regarding this matter, please contact me at 505-476-3489.

Edward J. Hansen Division Clerk for this matter

From: jwjengr@aol.com [mailto:jwjengr@aol.com]
Sent: Wednesday, March 24, 2010 3:31 PM
To: Hansen, Edward J., EMNRD
Cc: jvolkerding@aztecwell.com; pgonzales@gordonenvironmental.com; WBCSW@aol.com; ayuhas@gordonenvironmental.com
Subject: Basin draft public notice

Edward, here you go. Please review and comment.

Jim

#### NOTICE OF TENTATIVE DECISION

Notice is hereby given that pursuant to New Mexico Surface Waste Management Facilities Rule (19.15.36 NMAC); that a Tentative Decision has been issued by the New Mexico Oil Conservation Division ("NMOCD"), 1220 S. Saint Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3489 for the following proposed facility permit:

(NM1-005) Basin Disposal, Inc. - John Volkerding, PhD- General Manager, PO Box 100 Aztec, New Mexico 87410 located at 200 Montana Street, Bloomfield, New Mexico 87413 has submitted an Application for Modification for the Basin Disposal Facility located approximately 3 miles north of the intersection of Highways 550 and 64. The Facility is located in Section 3, Township 29 North, Range 11 West, NMPM, San Juan County, New Mexico. The Facility treats oilfield liquid waste and discharges effluent into the on-property OCD permitted Underground Injection Control Class II (non-hazardous) disposal well. The major modification includes the addition of 2 new evaporation ponds (approximately  $2.2 \pm$  acres each) constructed with 60-mil high density polyethylene (HDPE) primary and secondary liner systems and a leak detection system. In addition, 6 new oilfield waste liquid receiving tanks and 2 oil sales tanks will be installed at the facility. Included in the Application are updated methods and procedures for handling oilfield liquid waste transmission, storage and treatment, refinery products, waste, waste water management, and site investigation/abatement. All other wastes generated will be temporarily stored in tanks or containers and shipped off-site for disposal or recycling at an OCD-approved facility. A perched water zone, most likely to be affected by a spill, leak, or accidental discharge to the surface, varies at depths ranging from 29 to 42 feet below the ground surface with a total dissolved solids (TDS) concentration excess of 24,000 milligrams per liter (mg/l). Fresh water beneath the site is projected at a depth of at least 105 feet below ground surface with a TDS concentration of approximately 1,100 mg/l. The discharge plan Application addresses how oilfield wastes, and refined products will be properly handled, stored, and disposed of; including spills, leaks, and other accidental discharges to the surface in order to protect fresh water. Included in the Application for Modification, Basin Disposal, Inc. is requesting two exemptions from 19.15.36 NMAC. Presented in Volume II, Section 6; Migratory Bird Protection Plan provides equivalent protection to the netting requirement in 19.15.36 NMAC. The second exception is a request to substitute a 200-mil geonet in lieu of two feet of compacted soil with a saturated hydraulic conductivity of  $1 \times 10^{-5}$  centimeters per second (cm/sec). The 200-mil geonet has a saturated hydraulic conductivity of 10 cm/sec which provides superior drainage and drainage and performance to the specified standards.

The NMOCD has determined that the Application is administratively complete and has prepared a Tentative Decision. The NMOCD will accept comments and statements of interest regarding

this Tentative Decision and will create a facility-specific mailing list for persons who wish to receive future notices regarding this matter. Persons interested in obtaining further information, submitting comments or requesting to be on a facility-specific mailing list for future notices regarding this matter may contact the Division's Clerk for this matter, Edward J. Hansen; he may be contacted at (505) 476-3489; Oil Conservation Division, NM-Energy, Minerals, and Natural Resources Dept. 1220 South St. Francis Dr. Santa Fe, New Mexico 875025. Persons interested in obtaining a copy of the Tentative Decision may obtain a copy at the NMOCD web site http://www.emnrd.state.nm.us/ocd/ENV-DraftPublicEte.htm http://www.emnrd.state.nm.us/ocd/env-DraftPub

If no public hearing is held, the Director will approve or disapprove the proposed permit based on information available, including all comments received. If a public hearing is held, the director will approve or disapprove the proposed permit based on information in the Permit Application, comments received, and information submitted at the hearing. New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson Governor

Jon Goldstein Cabinet Secretary Mark Fesmire Division Director Oil Conservation Division



# CERTIFIED MAIL - RETURN RECEIPT REQUESTED (#7001 1940 0004 3929 4838)

March 23, 2010



John Volkerding, PhD Basin Disposal, Inc. P.O. Box 100 Aztec, NM 87410

Dear Dr. Volkerding:

The Oil Conservation Division (OCD) is sending you (please find attached) the OCD's Tentative Decision regarding your application for a major modification to your permit (NM1-005) for the Basin Disposal Facility in accordance with 19.15.36.9D NMAC. The Tentative Decision has also been posted on the OCD's webpage at <u>http://www.emnrd.state.nm.us/ocd/ENV-DraftPublicEtc.htm</u>.

Basin Disposal, Inc. (Basin) is now required to issue notice of the Tentative Decision in accordance with 19.15.36.9E NMAC. This must include, but not limited to, notice by first class mail or email to the OCD's list of interested parties (found at

http://www.emnrd.state.nm.us/oed/ENV-DraftPublicEte.htm) and by first class mail to the persons (four) that contacted the OCD regarding the application:

Charles Eavenson 3300 N. 1<sup>st</sup> St. Bloomfield, New Mexico 87413

#### 2

Leroy Martinez 130 Maryland Bloomfield, New Mexico 87413



John Volkerding, PhD Basin Disposal, Inc. March 23, 2010 Page 2

3 Kenneth Drake Air Star, Inc. 100 Maryland Bloomfield, New Mexico 87413

4 James A. Schaffer 120 E. Utah Bloomfield, New Mexico 87413



In addition, Basin must notice by first class mail or email the governmental agencies listed in the application as noticed for the application.

Please submit a draft Notice of Tentative Decision in accordance with 19.15.36.9F NMAC to the OCD. The OCD must approve the notice prior to Basin issuing the notice.

Also, please provide proof of notification to the OCD within 45 days of receipt of this letter.

If you have questions regarding this matter, please contact me at 505-476-3489.

Sincerely,

Edward . Hansen

Edward J. Hansen Division Clerk regarding this matter

EJH:ejh

Attachment

# SURFACE WASTE MANAGEMENT FACILITY PERMIT NM1-005 MAJOR MODIFICATION OIL CONSERVATION DIVISION'S TENTATIVE DECISION MARCH 23, 2010

After conducting a technical evaluation of the application for modification to the existing surface waste management facility permit, **NM1-005**, and a review of the engineering design and an assessment of the location of the proposed modification to the existing facility, the Oil Conservation Division (Division) has determined that the Owner/Operator has met the permitting requirements of the Surface Waste Management Facilities Rules (19.1536 NMAC, "Part 36") and the Oil and Gas Act (Chapter 70, Article 2 NMSA 1978) and should be granted the modification to the permit provided that the Owner/Operator complies with certain conditions. The Division is confident that the protection of public health and the environment will be ensured as represented in the Permit Major Modification Application of June 11, 2009' (as deemed complete on October 20, 2009) and proposed conditions.

The Division recommends approval of the modification to the permit with the following conditions:

# SURFACE WASTE MANAGEMENT FACILITY PERMIT (NM1-005) MAJOR MODIFICATION

# 1. GENERAL PROVISIONS.

A. PERMITTEE AND PERMITTED FACILITY: The Oil Conservation Division (Division) of the Energy, Minerals and Natural Resources Department issues this surface waste management permit, including a major modification, NM1-005, (Permit) to Basin Disposal, Inc. (Owner/Operator), P:O: Box 100, Aztec, New Mexico 87410, located at 200 Montana Street, Bloomfield, New Mexico 87413 to construct, operate, and close the Basin Disposal, Inc. Surface Waste Management Facility (Facility) located in Section 3, Township 29 North, Range 11 West, NMPM, San Juan County, New Mexico. The Facility is located approximately 3 miles north of the intersection of Highways 550 and 64.

The existing 28 acres ± commercial surface waste management facility includes an evaporation pond, 12 receiving tanks, 3 oily water receiving tanks, 3 skimmed oil tanks, 3 oil heating tanks, 2 sludge settling tanks, 7 oil sales tanks, 3 filtered water tanks, 4 bleach tanks, 1 concrete sludge stabilization station, 2 covered below-grade tanks, and various support facilities including an office, a maintenance building, roads, and a storm water detention basin. Also, within the facility boundaries is an UIC Class II injection well (which is permitted separately by Division order R-8524, API No. 30-045-26862) for the disposal of produced water at the Facility. The major modification includes the addition of 2 evaporation ponds (approximately 4 acres each) constructed with 60-mil high density polyethylene (HDPE) primary liner, leak detection, and

secondary liner systems. In addition, 6 additional oil field waste liquid receiving tanks and 2 oil sales tanks will be installed at the Facility.

**B. SCOPE OF PERMIT:** The Division regulates the disposition of water produced or used in connection with the drilling for or producing of oil or gas or both and to direct surface or subsurface disposal of the water in a manner that will afford reasonable protection against contamination of fresh water supplies designated by the state engineer pursuant to authority granted in the Oil and Gas Act (Chapter 70, Article 2 NMSA 1978) at Section 70-2-12(B)(15) NMSA 1978.

The Division regulates the disposition of nondomestic wastes resulting from the exploration, development, production or storage of crude oil or natural gas to protect the public health and the environment pursuant to authority granted in the Oil and Gas Act (Chapter 70, Article 2 NMSA 1978) at Section 70-2-12(B)(21) NMSA 1978.

The Division regulates disposition of nondomestic wastes resulting from the oil field service industry, the transportation of crude oil or natural gas, the treatment of natural gas of the refinement of crude oil to protect public health and the environment pursuant to authority granted in the Oil and Gas Act (Chapter 70, Article 2 NMSA 1978) at Section 70-2-12(B)(22) NMSA 1978.

This Permit does not convey any property rights of any sort or any exclusive privilege, and does not authorize any injury to persons or property, any invasion of other private rights, or any infringement of state, federal or local laws, rules or regulations.

C. **PERMIT CONDITIONS:** By signing this Permit, the Owner/Operator agrees to the specific provisions set out in this document, and the commitments made in the approved Permit Major Modification Application of June 11, 2009 and the attachments to that application (as deemed complete on October 20, 2009), which are incorporated into this Permit by reference.

**D. DEFINITIONS:** Terms not specifically defined in this Permit shall have the same meanings as those in the Oil and Gas Act or the rules adopted pursuant to that Act, as the context requires.

**E. GENERAL PERFORMANCE STANDARDS:** The Owner/Operator shall operate in accordance with the permit conditions, to comply with the Oil and Gas Act and the rules issued pursuant to that Act, to protect public health and the environment [see Sections 70-2-12(B) (15), (21) and (22) NMSA 1978]; and to prevent waste of oil and gas, prevent the contamination of fresh waters and so that oil and gas are not used wastefully or allowed to leak or escape from a natural reservoir or from wells, tanks, containers, pipe or other storage conduit or operating equipment. See 19.15.2.8 NMAC.

F. EFFECTIVE DATE, EXPIRATION, RENEWAL CONDITIONS, AND PENALTIES FOR OPERATING WITHOUT A PERMIT: This Permit is effective when the Division's Environmental Bureau receives the signed Permit from the Owner/Operator. This Permit will expire on **April XX**, **2020**. This Permit supersedes the Permit Major Modification of May 17, 1999, and any subsequent permit minor modifications to date. The Owner/Operator shall submit to the Division's Environmental Bureau an application for renewal no later than 120 calendar days before **April XX**, **2020**, pursuant to 19.15.36.12A(2)(a) NMAC. If an Owner/Operator submits a renewal application at least 120 calendar days before the Permit expires and is in compliance with the approved Permit, then the existing Permit will not expire until the Division's Environmental Bureau has approved or disapproved the renewal application. See 19.15.36.12A(2)(a) NMAC. Operating with an expired Permit may subject the Owner/Operator to civil and/or criminal penalties. See Section 70-2-31 NMSA 1978.

**G. FINANCIAL ASSURANCE:** The Owner/Operator shall provide financial assurance in a form approved by the Division's Environmental Bureau for the commercial surface waste management facility's estimated closure and post closure cost. See 19:15.36.11 NMAC. The amount of financial assurance required is \$147,099.00 in addition to the current financial assurance of \$140,000.00 for a total amount of \$287,099.00. This Permit cannot be issued until the total amount (\$287,099.00) of financial assurance has been submitted to the Division's. Environmental Bureau. The UIC Class II injection well-located at the Facility is subject to the financial assurance requirements for well plugging specified at in 19.15.8.9 NMAC.

# 2. GENERAL FACILITY OPERATIONS:

A. LABELING: The Owner/Operator shall clearly label all tanks, drums, and containers to identify the contents and provide other emergency notification information in accordance with the tank numbering system as specified in Attachment III.1.F of the approved Application.

**B. INSPECTIONS AND MAINTENANCE OF SECONDARY CONTAINMENT SYSTEMS:** The Owner/Operator shall inspect all secondary containment systems and sumps at least monthly, unless otherwise specified, to ensure proper operation and to prevent over topping or system failure. The Owner/Operator shall empty all secondary containment systems of any fluids within 48 hours of discovery. The Owner/Operator shall keep written records of its inspections using the inspection form as specified in its approved Application and keep written records of any fluid analyses.

- i. **Evaporation Ponds:** If the Owner/Operator determines that fluids are present in the leak detection system in excess of 2 feet, the Owner/Operator shall initiate corrective actions as specified in Section 1 of Volume II of the approved Application. The Owner/Operator shall inspect all secondary containment systems and sumps at least every two weeks.
- Below-grade Tanks, Sumps, and Sludge Stabilization Unit: If the Owner/Operator determines that a secondary containment system has developed a leak, or if any penetration of the below-grade tank, sump or sludge stabilization unit has occurred below the liquid's surface, then the Owner/Operator shall

remove all liquid above the damage or leak line within 48 hours, notify the Division's Environmental Bureau within 48 hours of the discovery and repair the damage or replace the below-grade tank, sump or sludge stabilization unit as specified in Section 1 of Volume II of the approved Application.

C. RELEASE REPORTING AND CORRECTIVE ACTION FOR RELEASES: The Owner/Operators shall comply with the spill reporting and corrective action provisions of 19.15.30 NMAC or 19.15.29 NMAC.

**D. ANNUAL REPORT:** The Owner/Operator shall submit an annual report to the Division's Environmental Bureau by May 17 of each year. The annual report shall include the following information for the preceding calendar year:

- i. A copy of all inspections forms including facility inspections and inspections conducted of leak detection systems and analytical results of fluids if fluids were detected;
- A copy of the annual hydrogen sulfide (H<sub>2</sub>S) monitoring results for tank batteries in accordance with permit condition 9H and the monitoring results for underground process and wastewater pipeline integrity tests in accordance with permit condition 6A;
- iii. A copy of all facility training records
- iv. A copy of all form C-138s for waste generated by the Owner/Operator;
- v. A copy of all complaint logs and resolutions; and,
- vi. In addition to reporting releases as specified in the contingency plan of Section 5 of Volume II of the approved Application and pursuant to 19.15.29 NMAC, a summary report that includes the nature and amount of any reportable releases pursuant to 19.15.29 NMAC, with a description of the disposition of any contaminated soil or water.

# 3. MATERIAL STORAGE.

A. DRUMAND CONTAINER STORAGE: The Owner/Operator shall store all drums and other containers, including empty drums and containers, on a curbed, impermeable pad. "Containers" include tote tanks, sacks, and buckets. The Owner/Operator shall store empty drums on their sides with the bungs in place and lined up on a horizontal plane. The Owner/Operator may store fresh water outside the drum and container, process, maintenance, material and waste storage areas without having a curbed, impermeable pad, liner, pavement, or curbing.

**B. PROCESS, MAINTENANCE, AND MATERIAL STORAGE AREAS:** The Owner/Operator shall pave and curb all process, maintenance, and material storage areas at the Facility, excluding all evaporation ponds, below-grade tanks, and sumps, or incorporate another appropriate spill collection device for these areas.

**C. ABOVE GROUND TANKS:** The Owner/Operator shall place above ground tanks on impermeable pads and surround the tanks with lined berms or other impermeable secondary containment system having a capacity at least equal to one and one-third times the capacity of the largest above ground tank, or, if the above ground tanks are interconnected, of all interconnected above ground tanks. The Owner/Operator may store fresh water outside the drum and container, process, maintenance, material and waste storage areas without having a curbed, impermeable pad, liner, pavement, or curbing.

#### 4. WASTE MANAGEMENT.

A. WASTE STREAMS: This Permit authorizes the Owner/Operator to handle the RCRA exempt liquid waste streams as specified in Section 2 of Volume II of the approved Application. The Owner/Operator must obtain the Division's Environmental Bureau's approval to receive any waste stream not specified in its approved Application for the collection, disposal, evaporation, remediation, reclamation, treatment, or storage.

**B. WASTE STORAGE:** The Owner/Operator shall store waste at the Facility only in clearly marked waste storage areas that have been specified in its approved Application, except that waste generated during emergency response operations may be stored elsewhere for no more than 72 hours. The Division's Environmental Bureau may approve additional waste storage areas on a case-by-case basis.

The Owner/Operator shall not store oil field waste, as defined in 19.15.2.70(3) NMAC, generated at the Facility by the Owner/Operator on-site for more than 180 calendar days from the date that the container is filled without obtaining approval from the Division's Environmental Bureau.

C. CLASS V WELLS: Leach fields and other wastewater disposal systems at Division-regulated facilities that inject non-hazardous fluid into or above an underground source of drinking water are UJC Class V injection wells, pursuant to 20.6.2.5002B NMAC.

This Permit does not authorize the use of a Class V injection well for the disposal of industrial waste at the Facility. The Owner/Operator shall close any Class V industrial waste injection wells at the Facility that inject non-hazardous industrial wastes or a mixture of industrial wastes and domestic wastes (*e.g.*, septic systems, leach fields, dry wells, *etc.*) pursuant to 20.6.2.5005 NMAC within 90 calendar days of the issuance of this Permit. Other Class V wells, including wells used only for the injection of domestic wastes, must be permitted by the New Mexico Environment Department.

#### 5. BELOW-GRADE TANKS AND SUMPS.

A. EXISTING BELOW-GRADE TANKS AND SUMPS: Below-grade tanks and sumps must have secondary containment systems with leak detection. The Owner/Operator shall retrofit existing below-grade tanks and sumps that lack secondary containment and/or leak detection systems to meet the design and construction specifications of 19.15.17.11 NMAC. The Owner/Operator shall submit a retrofit plan for the below-grade tank which includes procedures and protocols for addressing any releases discovered during the retrofit operation to the Division's Environmental Bureau no later than one year from the date of issuance of this Permit. The Division's Environmental Bureau shall review and approve, approve with conditions, or deny the Owner/Operator's retrofit plan. The approved plan for retrofitting existing below-grade tanks and sumps shall be incorporated into any permit renewal.

The Owner/Operator shall test existing below-grade tanks that lack secondary containment and leak detection annually or as specified herein. The Owner/Operator may propose various methods for testing such as pressure testing to 3 pounds per square inch greater than normal operating pressure and/or visual inspection of cleaned tanks and/or sumps, or other Division-approved methods. The Owner/Operator shall maintain the test results for inspection by the Division's Environmental Bureau.

**B. NEW BELOW-GRADE TANKS AND SUMPS:** The Owner/Operator shall obtain the Division's Environmental Bureau's approval before installing a new below-grade tank or sump. The Owner/Operator shall submit a proposed design plan that meets the design and construction specifications for below-grade tanks at 19.15.17.11 NMAC and which meets the definition for sumps specified at 19.15.17.7H NMAC, to the Division's Environmental Bureau to install a new below-grade tanks or sump at least 90 calendar days before it intends to install the new unit. Design plans for below-grade tanks shall incorporate secondary containment and/or leak detection. The Division's Environmental Bureau will review and approve, approve with conditions, or deny the Owner/Operator's proposed design for a new below-grade tank or sump.

# 6. UNDERGROUND PROCESS AND WASTEWATER PIPELINES.

A. **TESTING:** The Owner/Operator shall test all underground process/wastewater pipelines at least once every five (5) years to demonstrate their mechanical integrity, except lines containing fresh water.<sup>4</sup> The Owner/Operator shall test all pressure-rated pipelines to 150% of the normal operating pressure, if possible, or for atmospheric drain systems, to 3 pounds per square inch greater than normal operating pressure, and pressure held for a minimum of 30 minutes with no more than a 1% loss/gain in pressure. The Owner/Operator may propose other test methods for the Division's Environmental Bureau's review and approval. If the pipeline fails the integrity test, then the Owner/Operator shall notify the Division's Environmental Bureau within 72 hours and propose methods to either repair or replace the defective pipeline. The Owner/Operator shall also submit a Remediation Plan to the Division's Environmental Bureau to investigate and remediate

any contamination pursuant to 19.15.29 NMAC. The Owner/Operator shall maintain the test results for inspection by the Division's Environmental Bureau.

**B. SCHEMATIC DIAGRAMS OR PLANS:** The Owner/Operator shall maintain at the Facility all underground process and wastewater pipeline schematic diagrams or plans showing all drains, vents, risers, valves, underground piping, pipe type, rating, size, and approximate location.

C. NEW UNDERGROUND PIPEINES: The Owner/Operator shall notify the Division's Environmental Bureau prior to installing any new underground pipelines. The Owner/Operator shall submit a design plan as specified in permit condition 6B to the Division's Environmental Bureau for new underground pipelines at least 90 calendar days before it intends to begin construction. The Division's Environmental Bureau shall determine whether any modifications to this Permit are necessary and appropriate based on the new underground pipelines.

7. **STORM WATER:** The Owner/Operator shall implement and maintain storm water runon and run-off plans and controls as specified in Sections 1 and 4 of Volume III of the approved Application, and shall comply with any additional commitments as specified in the Contingency Plan in Section 5 of Volume II of the approved Application.

The Owner/Operator shall inspect the berms and the outside walls of pond levees quarterly and after a major rainfall or windstorm, and maintain the storm water control features in such a manner as to prevent erosion.

8. CLOSURE / POST=CLOSURE: In addition to the closure / post-closure plan of Section 4 of Volume II of the approved Application, the Owner/Operator shall complete the following action items during closure of the entire Facility:

A. The Owner/Operator shall close all portions of the Facility including the temporary soil storage area.

**B.** Upon-closure of the entire Facility, the Owner/Operator shall not accept any material for the collection, disposal, evaporation, remediation, reclamation, treatment, or storage.

If the Owner/Operator chooses to close part of the Facility while continuing to operate the other parts of the Facility, it shall submit a partial closure plan to the Division's Environmental Bureau. The Division's Environmental Bureau will review and approve, approve with conditions, or deny the Owner/Operator's proposed partial closure plan.

#### 9. ADDITIONAL SITE SPECIFIC CONDITIONS:

**A.** The Owner/Operator shall comply with all applicable requirements of the Surface Waste Management Facilities Rules (19.15.36 NMAC), the Oil and Gas Act (Chapter 70, Article 2 NMSA 1978), and all conditions specified in the Permit, and shall construct, operate and close the Facility in accordance with the approved Permit Major Modification application of June 11, 2009, as deemed administratively complete on October 20, 2009, and all conditions specified in the Permit.

**B.** The Owner/Operator shall include the surface waste management facility permit number on the sign pursuant to 19.15.36.13J NMAC.

**C.** At least 30 days prior to the start of pond construction, the Owner/Operator shall furnish the Division's Environmental Bureau with a major milestone schedule for pond construction.

**D.** The Owner/Operator shall submit to and obtain approval from the Division's Environmental Bureau of a Liner Certification Report prior to use of Pond #2 and any other ponds that it may construct after the issuance of this Permit.

**E.** The Owner/Operator shall clearly mark the liner of each existing pond to indicate the required 3-foot freeboard within 90 days of issuance of this Permit. Also, the Owner/Operator shall clearly mark the liner of any newly constructed pond to indicate the required 3-foot freeboard prior to use.

**F.** The Owner/Operator shall, within 24 hours of receiving notification from the Division's Environmental Bureau or a concerned party that an objectionable odor has been detected or reported, implement the following response procedures:

i. Log date and approximate time of notice that an odor exists, including the name of the complainant and any contact information;

Investigate the source of the odor and log investigative steps taken, including date and time, and conclusions reached; and,

iii. Take actions to alleviate the odor, which may include adjusting chemical treatment, air sparging, solidification, or similar responses, and log the actions taken.

**G.** In addition to the commitments of the Hydrogen Sulfide ( $H_2S$ ) Prevention and Contingency Plan in Section 3 of Volume II of the approved Application, if a hydrogen sulfide ( $H_2S$ ) reading of <u>10.0 ppm</u> or greater is obtained at the facility boundary, then the Owner/Operator shall notify all persons residing within one-half mile of the facility boundary and assist public safety officials with evacuation as requested.

**H.** In addition to the commitments specified in the Hydrogen Sulfide  $(H_2S)$  Prevention and Contingency Plan in Section 3 of Volume II of the approved Application, the Owner/Operator shall monitor at least once per year for hydrogen sulfide  $(H_2S)$  at the vent of covered tanks or at the top of open tanks as specified in Attachment III.1.F of the approved Application. The Owner/Operator shall comply with 19.15.11.12E NMAC as required. The Owner/Operator shall include the results of the annual hydrogen sulfide monitoring event in its Annual Report.

I. The Owner/Operator shall obtain Division's Environmental Bureau approval prior to any design changes to the produced water receiving, treatment and evaporation area.

**J.** The Owner/Operator shall obtain Division's Environmental Bureau approval prior to the installation of any wells or other structures within the boundaries of the Eacility.

K. In addition to forms that are currently submitted to the Division's Environmental Bureau, the Owner/Operator shall also file to the Division's Environmental Bureau a copy of form C-118, Sheet 1 by the  $15^{th}$  of the next succeeding month and a copy of form C-120-A by the  $15^{th}$  of the second succeeding month.

### **10.** SCHEDULE OF COMPLIANCE:

**A.** The Owner/Operator shall sign and return this Permit to the Division's Environmental Bureau within 30 days of its receipt of this Permit.

**B.** The Owner/Operator shall provide financial assurance in a form approved by the Division's Environmental Bureau for the commercial surface waste management facility's estimated closure and post closure cost within 30 days of its receipt of this Permit. The amount of financial assurance required is \$147,099.00 in addition to the current financial assurance of \$140,000.00 for a total amount of \$287,099.00.

**C.** The Owner/Operator shall clearly mark the liner of each existing pond to indicate the required 3-foot freeboard in accordance with permit condition 9E within 90 days of issuance of this Permit. Also, the Owner/Operator shall clearly mark the liner of any newly constructed pond to indicate the required 3-foot freeboard prior to use. The Owner/Operator shall submit photodocumentation to the Division's Environmental Bureau within 90 days upon completion marking the liner.

**D**. The Owner/Operator shall submit a plan for the retrofitting of below-grade tanks and sumps in accordance with permit condition 5A to the Division's Environmental Bureau no later than one year from the date of issuance of this Permit.

**E.** The Owner/Operator shall submit an annual report pursuant to permit condition 2C to the Division's Environmental Bureau by May 17 of each year.

**F.** At least 30 days prior to the start of pond construction, the Owner/Operator shall furnish the Division's Environmental Bureau with a major milestone schedule for pond construction pursuant to permit condition 9C.

11. **CERTIFICATION: (OWNER/OPERATOR)** by the officer whose signature appears below, acknowledges receipt of this Permit, and has reviewed its terms and conditions.





Oil Conservation Division 1220 South St. Francis Drive Santa Fe, NM 87505 P: (505) 476-3440 F: (505) 476-3462

Applications (Recently Filed and Deemed Administratively Complete.)

APPLIC	ANT	DATE FILED	FACILITY NAME	PERMIT NUMBER (IF FOR RENEWAL)
		]		

#### **Draft Permits and Public Notices**

NOTE: FOR NEW APPLICATIONS, DRAFT PERMITS MAY NOT BE AVAILABLE UNTIL PUBLIC NOTICE PERIOD HAS EXPIRED.

SPANISH LANGUAGE PUBLIC NOTICE

Basin Disposal, Inc. (3/23/10) Basin Disposal Facility - Major Modification (NM1-005) Division's Tentative Decision

Western Refining Southwest, Inc. (3/22/10) Bloomfield Refinery (GW-001) Draft Permit, Public Notice, Administrative Completeness

Western Refining Southwest, Inc. (2/25/10) Class I (non-hazardous) Injection Well - Disposal Well No. 1 (API #30-045-29002) (UICI-009) Draft Permit, Public Notice, Administrative Completeness

El Paso Natural Gas Company (1/20/10) Pipeline No 3201 Hydrostatic Test (HIP-115) Draft Permit, Public Notice, Administrative Completeness

DCP Midstream (11/30/09) Bootleg Compression Staion (GW-176) Draft Permit Cover Letter, Draft Permit, Public Notice, Administrative Completeness

DCP Midstream (11/3/09) Linam Ranch Gas Plant (GW-15) Draft Permit Cover Letter, Draft Permit, Public Notice, Administrative Completeness

Williams Four Corners (10/29/09) Trunk L Compressor Station (GW-180) Draft Permit Cover Letter, Draft Permit, Public Notice, Administrative Completeness

Williams Four Corners (10/29/09) Ojito Compressor Station (GW-400) Draft Permit Cover Letter, Draft Permit, Public Notice, Administrative Completeness

Williams Four Corners (10/29/09) Trunk M Compressor Station (GW-181) Draft Permit Cover Letter, Draft Permit, Public Notice, Administrative Completeness

Williams Four Corners (10/29/09) Honolulu Compressor Station (GW-315) Draft Permit Cover Letter, Draft Permit, Public Notice, Administrative Completeness

Salty Dog, Inc. (10/7/09) Brine Well (BW-8) Public Notice, Administrative Completeness

Basic Energy Services, L.P. (10/7/09) Brine Well (BW-25) Public Notice, Administrative Completeness

Mesquite SWD, Inc. (10/7/09) Brine Well (BW-27) Public Notice, Administrative Completeness

El Paso Natural Gas Company (9/3/09) Pipeline No 1202 Hydrostatic Test (HIP-114) Draft

Permit, Public Notice, Administrative Completeness

**OXY USA WTP Limited Partnership** (8/19/09) Indian Basin Gas Plant (GW-021) Draft Permit, Public Notice, Administrative Completeness

NAVAJO REFINING COMPANY (12/9/08) Lovington Refinery (GW-014) Draft Permit, Attachment One, Attachment Two, Public Notice, Administrative Completeness

Webmaster | Disclaimer

#### Hansen, Edward J., EMNRD

From:	John Volkerding [jvolkerding@aztecwell.com]
Sent:	Monday, March 01, 2010 7:46 AM
To:	VonGonten, Glenn, EMNRD; Hansen, Edward J., EMNRD
Attachments:	Odor Log.pdf; Complaint Log.pdf

Good Morning;

I wanted to follow up our phone call on the permit with some details on how we handle odor complaints.

From my experience at the NMED Air Quality Bureau, when I got here I implemented an odor form (odor log.pdf). The purpose was to identify when odors were being observed in the area, where the people were observing the odors, their relative direction to/from Basin Disposal, the wind speed and direction, the type of odor, and the follow up actions taken by Basin Disposal personnel. There are several potential sources of odors in the area ranging from the Conoco San Juan Gas Plant flare, a couple chemical storage companies, venting from several wells, a couple small feed/animal lots and another produced water disposal company, Agua Moss. By identifying what the odor is, where it is, wind speed and direction, and operations occurring at Basin Disposal a really good picture of whether the odor is from Basin Disposal can be developed and if it is potentially from us then what actions we can take become apparent.

I have also attached a running complaint log that shows the results of the form above.

2007 we received 19 calls about odors and based on the information from the caller(s):

- 5 of those were odors caused by the bleach we add to control the water quality in the pond and eliminate the possibility of the formation of H2S

- 6 of those based on wind speed, direction, location, and odor were not from us

- 8 possibly were from us, but our H2S monitors around the pond showed that the odor was not H2S.

To cut down on the odors I made some changes on how we treat the pond – instead of adding two large doses of bleach daily (morning and evening) we went to adding 4-6 smaller doses. This helped maintain a more steady state and helped reduce any large bleach odor events.

In 2008, we received 4 complaints, so the efforts paid off.

-2 were due to the fact that all of our bleach suppliers ran out of bleach (since it is summer and people use bleach in pools) over the weekend and we were unable to purchase a substitute (sodium chlorite) that Sunday. We changed our process so at the beginning of the summer we now buy a supply of sodium chlorite at the beginning of the summer just in case we have any bleach supply problems

-2 of those based on wind speed, direction, location, and odor were not from us

In 2009, we received 2 complaints, so again the efforts paid off. Neither of those based on wind speed, direction, location, and odor were from us

I just wanted to make sure you aware of how serious we take odor issues and the steps we have taken to minimize any odors from our operations. Like I mentioned there are numerous other odor sources in the area and we are only able to control ours. I hope that does help in understanding our processes and if you have any suggestions on how to improve our process I am always open to ideas.

Thanks, John

John Volkerding General Manager Basin Disposal, Inc. PO Box 100, Aztec, NM 87410 
 Office:
 505-334-3013

 Mobile:
 505-320-2840

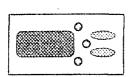
 Fax:
 505-333-3898

 Plant:
 505-632-8936

 Email:
 bdinc@digii.net

Be always at war with your vices, at peace with your neighbors, and let each new year find you a better man. ~Benjamin Franklin

This inbound email has been scanned for malicious software and transmitted safely to you using Webroot Email Security.



# COMPLAINT FORM BASIN DISPOSAL, INC.

"SPECIALIZING IN DISPOSAL OF PRODUCED WATER AND DRILLING MUD" P.O. BOX 100 - AZTEC, NEW MEXICO 87410 - PHONE: (505) 334-3013

DATE/TIME:	DATE/TIME:			EMPLOYEE:					
CALLER:		PHONE:							
LOCATION:									
START TIME:		STOP TI	ME:						
INTENSITY:	01 02 03 04 Very Faint Light	05 01 Moderate	6 07 Strong	08					
ODOR	• Ammonia		• Bleach/S	Swimming Pool					
	• Sewer/Sewage-Like		○ Rotten Egg/Sulfur						
	<ul><li>Sewer/Sewage-Like</li><li>Burnt/Smoky</li></ul>	(	• Other (d	escribe)					
	• Gasoline/Diesel Fuel								
WIND SPEED/D	IRECTION:		2.	4.					
HZ5 METEK KE	ADINGS: 1:2:		<u> </u>	4:					
TIME BLEACH	ADDED:	VOL	UME:						
COMMENTS M	ADE BY COMPLAINANT:								
<u> </u>									
FOLLOW UP:									

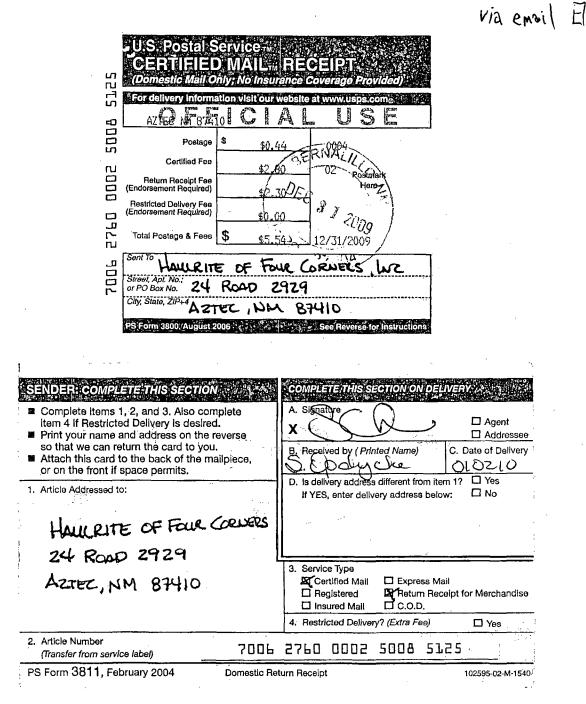
NEW MEXICO OIL CONSERVATION DIVISION APPROVED DISPOSAL SITE LOCATED 3 MILES NORTH OF BLOOMFIELD, NM ON WEST-SIDE OF NM HWY 44

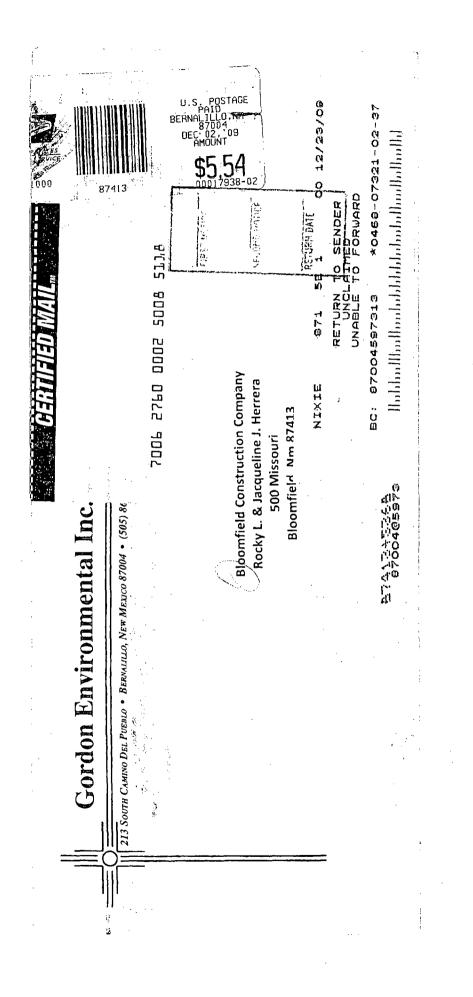
Comment	Wind not blowing from Basin. Odor not us.	John went to the plant and Martinez's. No odor at the Martinez's. Wind not blowing from Basin. Odor not us	Wind not blowing from Basin. Odor not us.	Wind not blowing from Basin. Odor not us.	Wind not blowing from Basin. Odor not us.	Bleach odor	Bleach odor				Bleach odor			Bleach odor	Jimmy went to Martinez's only odor was their feed lot.	Bleach odor					There was a bleach shortage - could not get from anywhere - Albuq, Denver, Phoenix, Salk Lake so were	using what we had sparingly. Ordered Sodium Chlorite totes which arrived 8/4/08.				Blake drove around the area and walked the pond. Only orders noted were a slight bleach on the north side	of pond and a smoke odor on the south.Odors not us.	Wind not blowing from Basin. Odor not us,	Leo went to the Martinez's and no odors.	Edward went to the Martinez's and no odors.
Cl <sup>-</sup> Meter (ppm)													0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
n Info Volume (gallons)	600	200	800	200	600	400	600	200	200	600	800	600	300	600	200	800	300	400	400	400	800	400	400	400			600	600	600	
Bleach Info Time Volum (gallo	20:45	23:45	19:00	6:00	20:00	22:00	20:00	21:00	22:00	22:00	16:00	19:00	21:00	21:45	5:45	19:30	18:00	22:00	18:30	23:00	23:20	3:30	0:20	23:00	20:52	21:35	23:00	21:00	4:00	
1gs 4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
H2S Meter Readings 1 2 <u>3</u>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Meter 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
H2S 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	est			est								est									est	est		1		est	est		Τ	
Met Data Deed Direction To	Northwest	North	North	Northwest	North	South	South	South	South	South	South	Southwest	South	South					,	South	Southwest	Southwest	North	North	West	Southwest	Southwest	East		
Met Data Wind Speed Direction (mph) To						10	2	10	10	7	10	5	10	2	0	0	0	0	0	2	2	2	2	2	2	2	2	2	0	2
10											_													_		_		-		
Intensity (	ć	ć	i	ċ	ć	2	2	7	8	8	ć	8	8	ć	8	80	c	5	80	9	7	80	8	8	80	7	8	ć	-	8
Intensity		¢.	i i	<i>c c</i>	c c	Bleach 2	Bleach 2	2 i	Rotten Egg 8	3 2	Bleach ?	8 2	8 2	Bleach ?	Bleach 8	Bleach 8	i i		80	Rotten Egg	2 2	Diesel 8	Diesel 8	Diesel 8	80	2 6	Rotten Egg 8	<i>č č</i>		Diesel 8
	C.		ć										ć					Southeast ? 5											0	_
Info Smell Intensity	c.	c.		c	ć	Bleach	Bleach	ć	Rotten Egg	ć	Bleach	ć		Bleach		Bleach	ć		¢	Rotten Egg	ć	Diesel	Diesel	Diesel	ć	c	Rotten Egg	ć	South ?	Diesel
Odor Info Location Smell Intensity	South ? ?	South ?	South ?	South ?	South ?	South Bleach	? Bleach	South ?	South Rotten Egg	South ?	South Bleach	South ?	South ?	South Bleach	Bleach	South Bleach	South ?	Southeast ?	South ?	Southeast Rotten Egg	č č	South Diesel	South Diesel	South Diesel	South ?	South ?	South Rotten Egg	South ?	Leroy Martinez South ?	South Diesel

### RECEIVED

## JAN 1 1 2010 Environmental Bureau

Oil Conservation Division





## RECEIVED

# JAN - 4 2010 Environmental Bureau

Oil Conservation Division

213 S. Camino del Pucblo

(505) 867-6991 Fax

(505) 867-6990

**Consulting Engineers** 

Bernalillo, New Mexico 87004

December 17, 2009

Mr. Edward Hansen Hydrologist Oil Conservation Division NM Energy, Minerals and Natural Resources Department 1220 South St. Francis Dr. Santa Fe, NM 87505

RECEIVED OCD 2001 DEC 18 P 2:51

Re: Basin Disposal, Inc. [520.01.01/01] Application for Permit Modification; Public Notice

Dear Mr. Hansen,

Pursuant to 19.15.36.9.A NMAC please find enclosed documentation that Basin Disposal, Inc. (BDI) has provided public notice of the Division's determination that the Application for Modification for the BDI facility is administratively complete. Public notice was provided to surface owners of record as determined by the San Juan County Assessor's Office on November 05, 2009. Additionally, appropriate city officials within one-half mile, San Juan County officials and potentially affected federal, tribal or pueblo governmental agencies have been notified.

Enclosed for your review is a map of surface owners of record superimposed on a USCS quadrangle indicating the locations for persons notified within one-half mile of the BDI facility, Attachments A through D provide a copy of the notice, list of notified parties, and certified mail receipts showing dates sent and received by affected persons. This transmittal is three-hole punched should you wish to insert it into the existing binder.

Upon your review and approval of this notification, and receipt of the Division's tentative decision concerning the application in accordance with 19.15.36.9.D, Gordon Environmental, Inc (GEI) will prepare notice in accordance with 19.15.36.9.E & F. Please call us at (505) 867-6990 or James Jordan at (505) 280-2823 should you have any questions or comments.

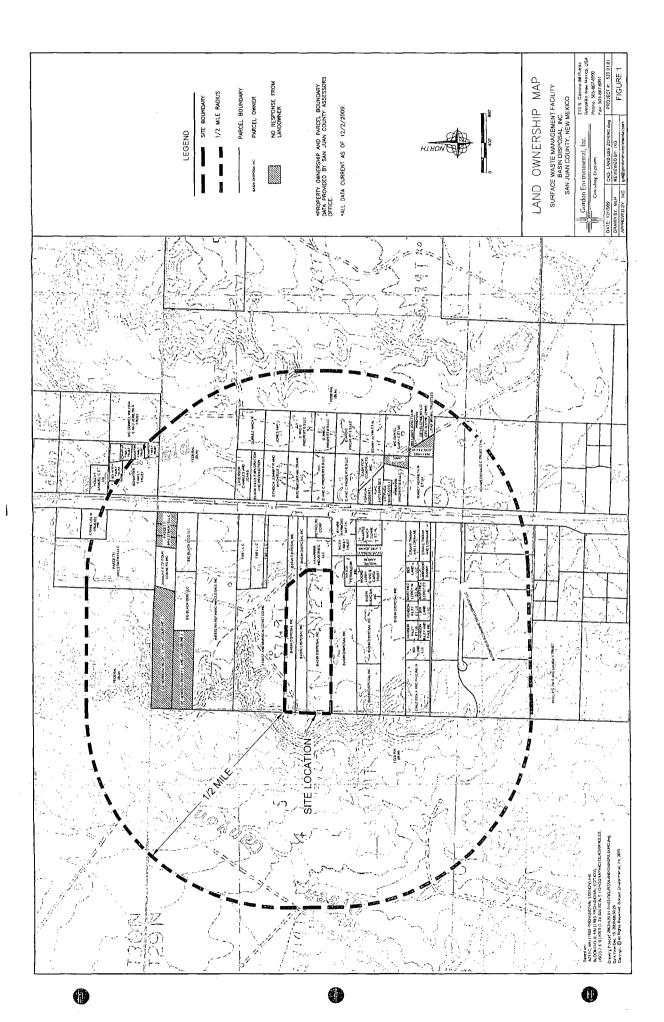
Very truly yours, Gordon Environmental, Inc.

I. Keith Gordon, P.E. Principal

Attachments:

- Figure 1 Land Ownership Map
- A Notice of Major Modification
- B List of Entities to Whom Notice was Mailed
- C Proof of Mailing
- D Second Attempt at Notification
- cc: Mr. John Volkerding, Ph.D., General Manager; Basin Disposal, Inc. Mr. Jim Jordan, P.E.; JEI

Figure 1 Land Ownership Map



Attachment A Notice of Major Modification

Notice of Major Modification- Basin Disposal, Inc. (BDI)	
Pursuant to 19.15.36 NMAC, Oil Conservation Division Surface Waste Management Facilities regulations; Basin Disposal, Inc. (BDI) is providing notice that, on October 20, 2009 the Oil Conservation Division has deemed administratively complete an Application for Modification to an existing Surface Waste Management Facility Permit NM-01-0005 submitted by BDI. Comments regarding the Application may be submitted to OCD within 30 days of Notice.	nc. (BDI) cation for rding the
1. Applicant's name and address: Jerry Sandel, President Basin Disposal, Inc. P.O. Box 100, Aztec, NM 87410. Contact Mr. John Volkerding, General Manager Telephone: (505) 632-8936	ntact Mr.
2. Facility location and address: 200 Montana Street, Bloomfield, NM 87413. Location of facility is approximately 3 miles north of the intersection of Highways 550 and 64.	iles north
3. Brief description of surface waste management facility: The existing 28 acres ± facility includes Evaporation Pond #1, 12 receiving tanks, 3 oily water receiving tanks, 3 skimmed oil tanks, 3 oil heating tanks, 2 sludge settling tanks, 7 oil sales tanks, 3 filtered water tanks, 4 bleach tanks, 1 concrete sludge stabilization station and 2 covered below grade tanks, 1 injection well, and various support facilities including office, maintenance building, roads, and detention basin. The major modification includes the addition of two (2) evaporation ponds (approximately 4 acres each) constructed with 60-mil high density polyethylene (HDPE) primary liner, leak detection, and secondary liner systems. In addition, six (6) additional oil field waste liquid receiving tanks and two (2) oil sales tanks will be installed at the facility.	nd #1, 12 les tanks, tion well, dification h density eld waste
4. Depth and quality of shallowest aquifer: The depth to the perched water zone beneath the site ranges from 29.25 feet in assessment well (AW) AW-1 to 42 feet in AW-2 with the total dissolved solids (TDS) determined to be 38,000 mg/l and 24,000 mg/l, respectively. Fresh water beneath the site is projected at a depth of at least 105' below the lowest elevation on-site.	25 feet in mg/l and ation on-
Interested parties may contact Mr. Edward J. Hansen, OCD Hydrologist at (505) 476-3489 for further information.	

a de la serie

Attachment B List of Entities to Whom Notice was Mailed

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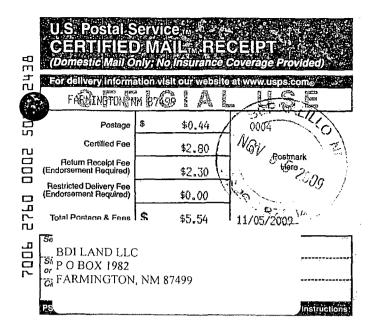
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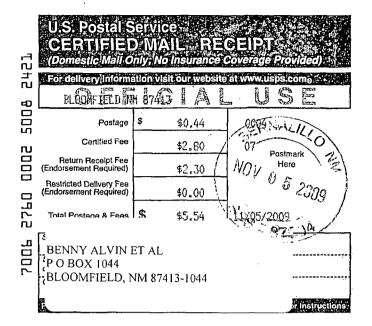
#### Attachment B List of Entities to Whom Notice was Mailed Basin Disposal, Inc.

Address Company					
9321 N 136 E AVE, OWASSO, OK 74055	AAAARRRR INDUSTRIES LLC 4153573	Y	Y	N/A	N/A
P O BOX 190, AZTEC, NM 87410	ADAMS DONALD C TRUST ETAL	Y	Y	N/A	N/A
8359 CORONA LOOP NE STE 100, ALBUQUERQUE, NM 87113-1614	AJAC ENTERPRISES	Y	<u> </u>	N/A	N/A
506 W ARRINGTON, FARMINGTON, NM 87401	BDI LAND LLC	Y	Y	N/A	N/A
P O BOX 1982, FARMINGTON, NM 87499	BDI LAND LLC	Y	Y	N/A	N/A
P O BOX 1044, BLOOMFIELD, NM 87413-1044		Y	Y	N/A	. N/A
PO BOX 458, BLOOMFIELD, NM 87413	BIG BLACK DOG LLC	Y	Y	N/A	N/A
25528 GENESEE TR RD, GOLDEN, CO 80401	BIG BLACK DOG LLC	Y	N	N/A	N/A
350 INDIANA ST STE 400, GOLDEN, CO 80401	BLACK HILLS EXPLORATION AND PRODUCTION	Y	N	Y	Y
7615 INDIAN SCHOOL ROAD NE, ALBUQUERQUE, NM 87110	BLOOMFIELD ECONOMIC DEVELOPMENT LLC	Y	Y	N/A	N/A
9321 N 138 E AVE, OWASSO, OK 74055	BYARS RAYMOND M ETAL	Y	Y	N/A	N/A
P O BOX 1431, BLOOMFIELD, NM 87413	CANUTO JANIE	Y	N	Y	N
712 FORD ST, AZTEC, NM 87410-2007	CASH FOR CONTRACTS INC	Y	Y	N/A	N/A
125 S POLLARD, AZTEC, NM 87410-2073	CRANE LEE M TRUST	Y	Y	N/A	N/A
33 ROAD 5290 NO 3027B, FARMINGTON, NM 87401	CRUZ BEN A AND PAULINE N	Y	Y	N/A	N/A
PO BOX 1735, EUNICE, NM 88231	D AND C PROPERTIES LLC	Y	Y	N/A	N/A
323 ROAD 4990, BLOOMFIELD, NM 87413	DAVIS DONALD L AND JOANN	Y	N	Υ	N
922 W MAIN, BLOOMFIELD, NM 87413	DE HERRERA ROCKY L AND JACQUELINE	Y	N	Y	N
322 W MAIN, BLOOMFIELD, NM 67413-6180	DE HERRERA ROCKY L AND JACQUELINE J	Y	N	Y	N
P O BOX 448, FLORA VISTA, NM 87415	DRAKE TWANA AND LORRAINE	Y	Y	N/A	N/A
P O BOX 507, BLOOMFIELD, NM 87413-0507	EAVENSON CHARLES AND JOAN E	Y	Υ	N/A	N/A
P O BOX 2124, BLOOMFIELD, NM 87413	ESTRADA FRANCISCO J	Y	Y	N/A	N/A
PO BOX 187, BLOOMFIELD, NM 87413	F&BLLC	Y	Y	 N/A	N/A
P 0 B0X 187, BLOOMFIELD, NM 87413	FOUTZ AND BURSOM CONST CO INC	'	Y	N/A	N/A
P O BOX 1024, BLOOMFIELD, NM 87413-1024	GURULE MACK R		Y	N/A	N/A
P O BOX 295, BLOOMFIELD, NM 87413-0285	HARRISON DANNY	Y	Y		N/A
P 0 BOX 1441, BLOOMFIELD, NM 87413-1441	HENSON RILEY ET UX			 N/A	N/A
		Y	Y		
P O BOX 2016, BLOOMFIELD, NM 87413-2016	HOLLAR SAMUEL C ET UX	Y	Y	N/A	N/A
2730 N NELLIS BLVD, LAS VEGAS, NV 89115-4507		Y	Y	N/A	N/A
P O BOX 2775. BLOOMFIELD, NM 87413-2775		Y	Y	N/A	<u>N/A</u>
PO BOX 1134, BLOOMFIELD, NM 87413		Y	Y	N/A	N/A
P O BOX 518. BLOOMFIELD, NM 87413-0518		Y	Y	N/A	N/A
5310 HALLMARC DR, FARMINGTON, NM 87402	MANTLE MACK DUANE ET AL	Y	Y	N/A	N/A
P O BOX 685, BLOOMFIELD, NM 87413-0685	MARTINEZ LEROY ET AL	Y	Y	N/A	N/A
P O BOX 685, BLOOMFIELD, NM 87413	MARTINEZ LEROY M ET AL	Y	Y	N/A	N/A
P O BOX 941, AZTEC, NM 87410-0941	MC CONNEL WILLIAM E AND JERILYN R TRUST	Y	Y	N/A	N/A
P O BOX 2225, BLOOMFIELD, NM 87413-2225	MC DANIEL GARY C ET UX	Y	Y	N/A	N/A
23 RD 2685, AZTEC, NM 87410	MOORE AARON	Y	Y	N/A	N/A
502 E SMITH LN. BLOOMFIELD, NM 87413	MOORE LARRY G AND B CAROL TRUST	Y	Y	N/A	N/A
PO BOX 445, BLOOMFIELD, NM 87413	NATCO PETROLEUM INC	Y	N	Y	Y
34940 HWY 550 NORTH, DURANGO, CO 81301	PASCETTE INVESTMENTS LLC	Y	N	N/A	N/A
34940 HWY 550, DURANGO, CO 81301-6125	PASCETTI INVESTMENTS LLC	Y	N	N/A	N/A
P O BOX 92108, AUSTIN, TX 76709	PETROLITE CORP	Y	Y	N/A	N/A
P O BOX 2122, BLOOMFIELD, NM 87413-2122	RANEY KENNETH N AND ROSE A		Y	N/A	N/A
1803 CHACO, FARMINGTON, NM 87401	ROTH FAMILY TRUST	Y	Y	N/A	N/A
P O BOX 23, AZTEC, NM 87410	SCHAFFER FAMILY TRUST	Y	Y	N/A	N/A
P O BOX 615. AZTEC, NM 87410	STINSON JOHNNY R AND MACHELLE A	Y	Y	N/A	N/A
PO BOX 65102, PHOENIX, AZ 85085	WESTERN REFINING WHOLESALE INC	Y	Y	N/A	N/A
P Q BOX 1902. BLOOMFIELD, NM 87413	WILLIAMS JORETTA W	Y	N	Y	N
8 APACHE PLUME DR, SANTA FE, NM 87508	WINDHAM DEVELOPMENT LLC	Y	Y	N/A	N/A
109 6TH ST, WAXACHIE, TX 75165-2530	WINDHAM PROPERTIES LLC	<u>'</u>	Y	N/A	N/A
514 SMITH, BLOOMFIELD, NM 87413	YOAKUM ROBERT L		Y	N/A	N/A
PO BOX 188, BLOOMFIELD, NM 87413	YOCUM DONALD P SR AND SUE TRUST		   Y	N/A	N/A
235 LA PLATA HWY, SUITE A, FARMINGTON, NM 87401-8731	BUREAU OF LAND MANAGEMENT	Y	Y	N/A	N/A
20 BOX 1148, SANTA FE, NM 87504	NEW MEXICO STATE LAND OFFICE		Y		
······································	COUNTY OF SAN JUAN			N/A	N/A
100 S. OLIVER DR. AZTEC, NM 87410	ļ	Y	Y	N/A	N/A
BOD MUNICIPAL DR, FARMINGTON, NM 87401		Y	Y	N/A	N/A
201 W. CHACO, AZTEC, NM 87410	CITY OF AZTEC	Y	Y	N/A	N/A
915 N 1ST STREET, BLOOMFIELD, NM 87413	CITY OF BLOOMFIELD	Y	Y	N/A	N/A
GENERAL DELIVERY, TOWAOC, CO 81334	UTE MTN. UTE TRIBE	Y	Y	N/A	N/A
PO BOX 737, IGNACIO, CO 81137	SOUTHERN UTE TRIBE	Y	Y	N/A	N/A
PO BOX 968, BLOOMFIELD, NM 87413	HUERFANO NAVAJO CHAPTER	Y	Y	N/A	N/A
PO BOX 1257, FRUITLAND, NM 87416	UPPER FRUITLAND NAVAJO CHAPTER	Y	Y	N/A	N/A
	NAVAJO NATION	Y	Y	l	

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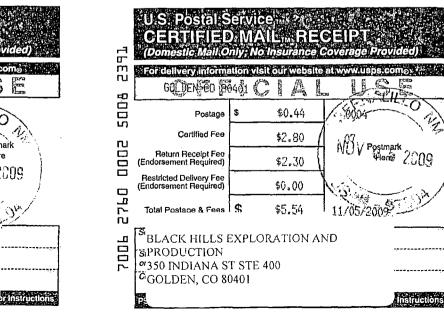
Attachment C Proof of Mailing

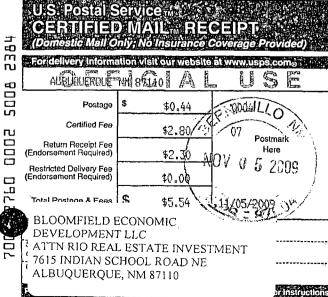


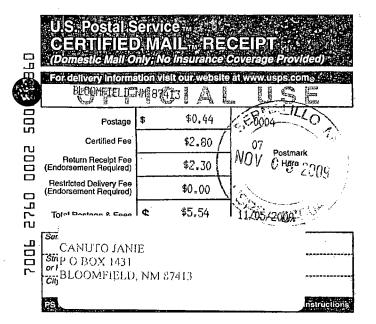


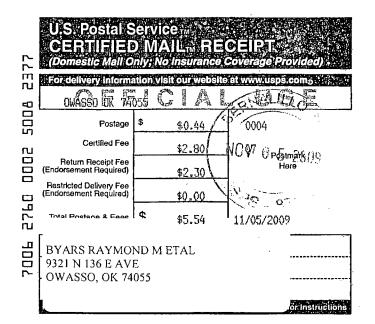






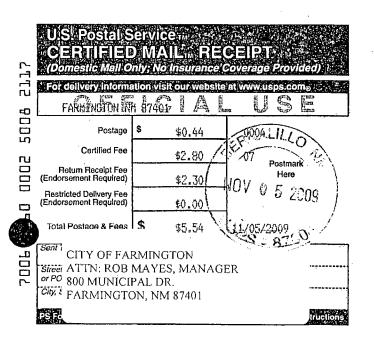


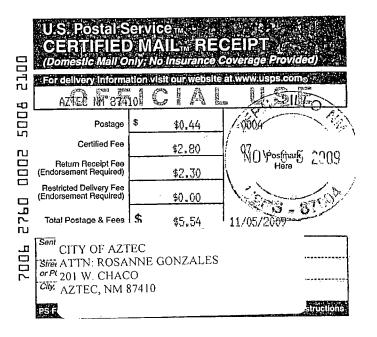


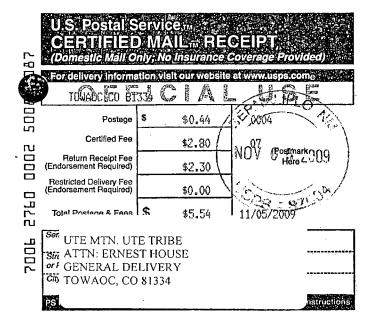


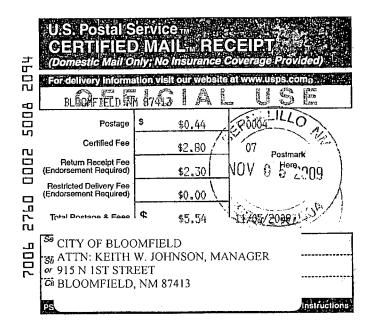


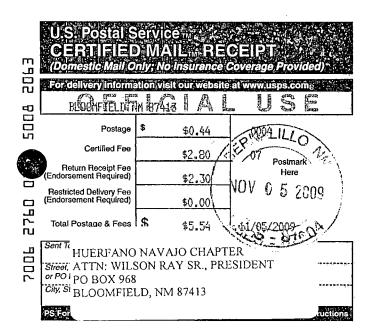


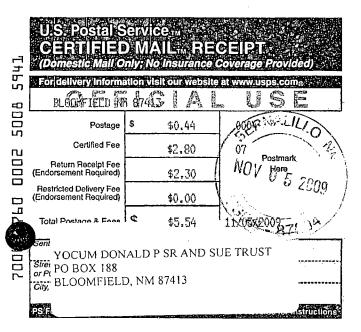


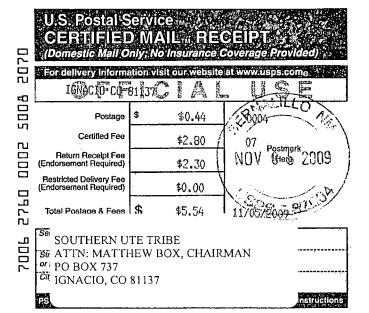




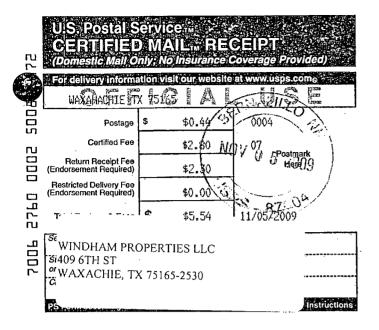


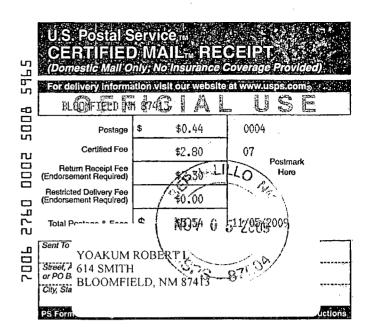


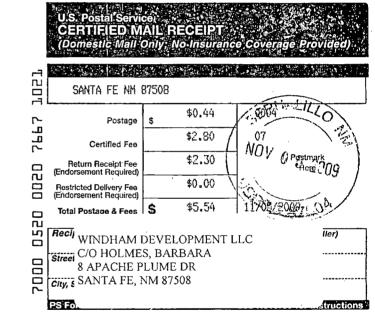


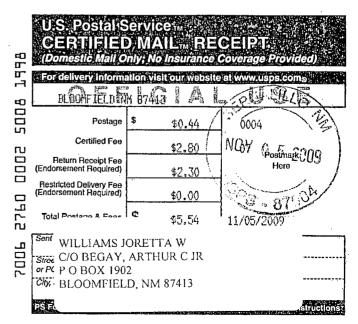


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000	Return Receipt Fee (Endorsement Required)	\$2.30 NOV 0 5 2008
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276	Total Postana & Feas	\$ \$5.54 11/05/2009
7006		LAND MANAGEMENT
Н		E HENKE, DISTRICT MGR
r-	or PC1235 LA PLA	TA HWY, SUITE A
	<i>City</i> , FARMINGTO	N, NM 87401-8731
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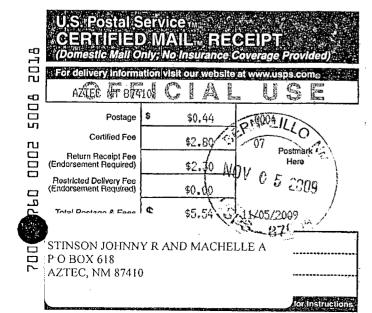






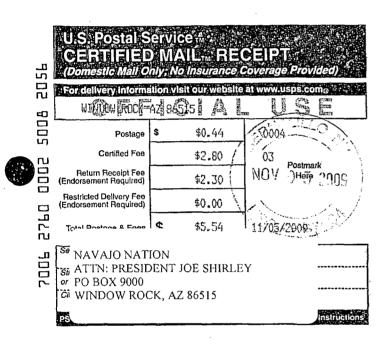


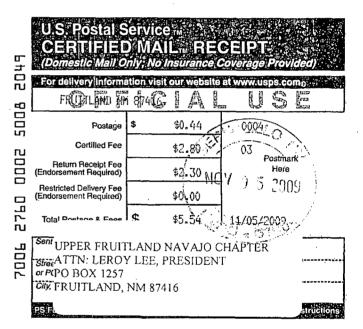
U.S. Postal Service mis CERTIFIED MAILS RECEIPT (Domestic Mail Only: No Insurance Coverage 10 For delivery information visit PHOENIX AZ 185085 C S 12.003 Ð EPROVAN LILLO \$ Postage \$0.44 LI) Certified Fee \$2.80 07 Postmark 🚽 Return Receipt Fee Here (Endorsement Required) \$2.30 0 Restricted Delivery Fee (Endorsement Regulred) \$0.00 ピ Total Postace & Fees \$5.54 1/05/2005 'n S. .... WESTERN REFINING WHOLESALE INC PO BOX 65102 Ċ CPHOENIX, AZ 85085 Instructions

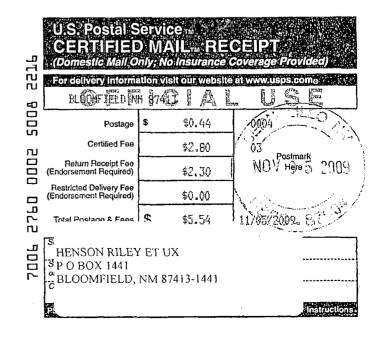


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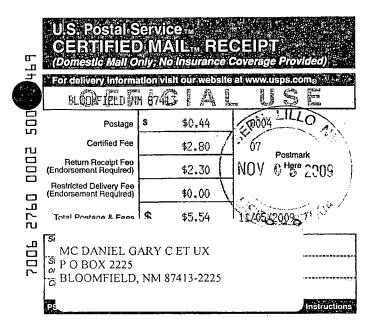
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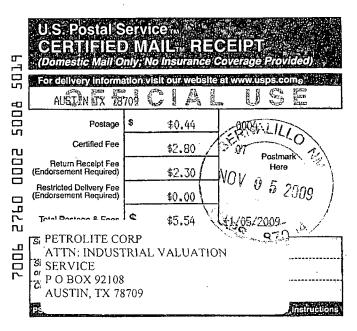


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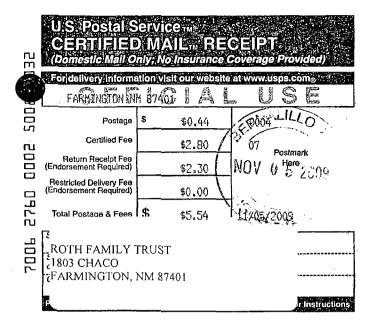






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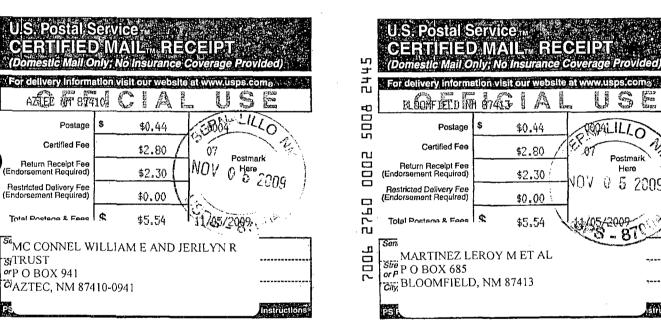
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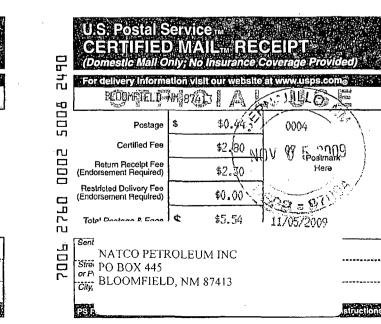
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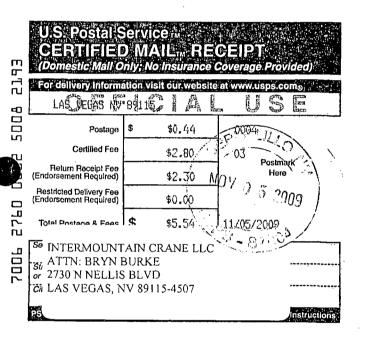




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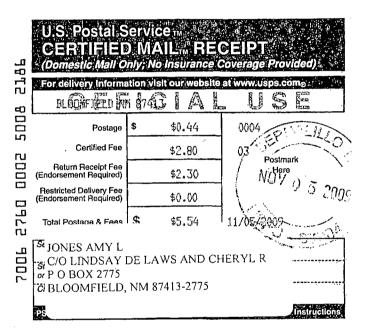


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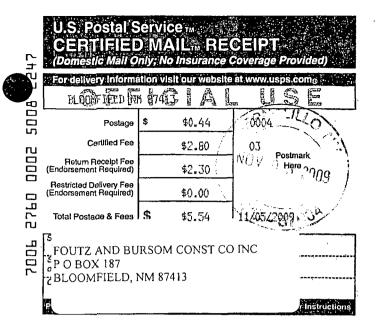
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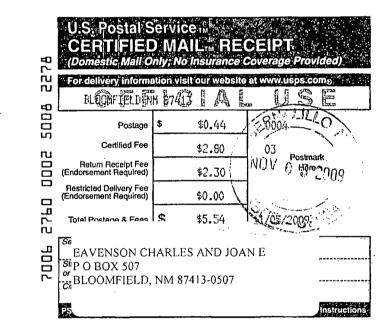


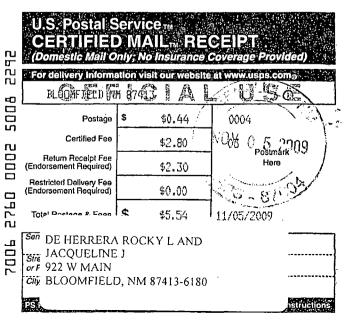
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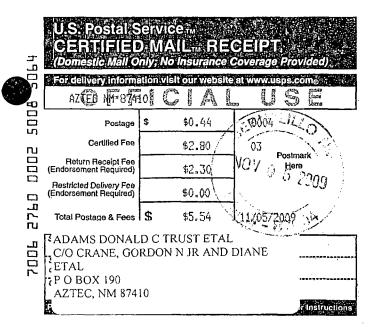


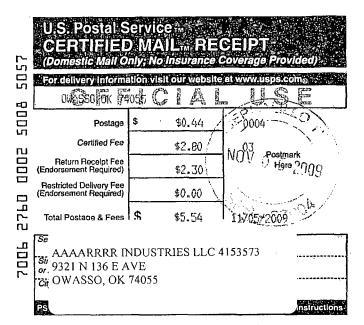


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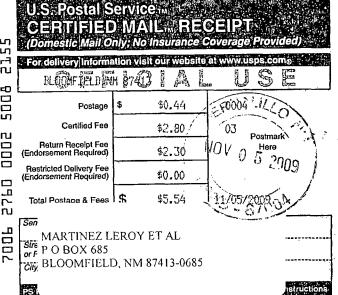
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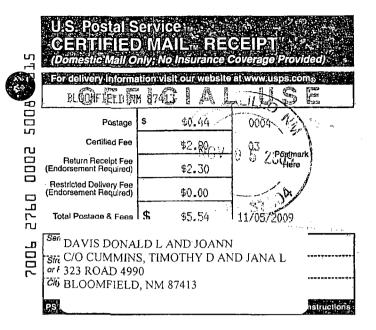


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ENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ol> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ol>		<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the malipiece, or on the front if space permits.</li> </ul>	
Article Addressed to: NOV 0 9 2009 F&B L L C	<ul> <li>D. Is delivery address different from item 1?</li> <li>□ YES, enter delivery address below:</li> <li>□ No</li> </ul>	1. Article Addressed to: ESTRADA FRANCISCO J	D. Is delivery address different from item / y ves If YES, enter delivery address below:
BLOOMFIELD, NM 87413	3 Seprice Type         3 Certified Mail         Certified Mail         1 Registered         1 Registered         1 Insured Mail         1 Destricted Deliveror (Evene Seal	BLOOMFIELD, NM 87413	3. Service Type     A Certified Mail     D Express Mail     D Registered     R Return Receipt for Merchandis     Insured Mail     C.O.D.     A. Restricted Deliverv? (Extra Fee)     D Yes
. Article Number (Transfer from service label) 7006 2	5 L	2. Article Number (Transfer from service label)	
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<ol> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ol>	Signatura OD Que Course 12 Boceived by (Printed Name) DA 10 E A VENSDA	<ul> <li>Complete items 1, 2, and 3. Also complete ttem 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the malipiece, or on the front if space permits.</li> </ul>	WAUNE DALL
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AVENSON CHARLES AND JOAN E O BOX 507 BLOOMFIELD, NM 87413-0507	<ul> <li>3. Service Type</li> <li>3. Service Type</li> <li>3. Service Type</li> <li>3. Service Type</li> <li>4. Restricted Delivery? (Extra Fee)</li> </ul>	DRAKE TWANA AND LORRAINE P O BOX 448 FLORA VISTA, NM 87415	Supple Service A Definition     Express Mail       Registered     Return Receipt for Merchandis       Insured Mail     D.C.O.D.       4. Restricted Delivery? (Extra Fee)     Test
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٢	A. Signature       A. Signature         A. Signature       A. Signature         A. Signature       A. Signature         A. Signature       C. Date of Deliver         B. Received by Printing Marrel       C. Date of Deliver         B. Selivery address different from item 1?       D. Is delivery address below:         D. Is delivery address below:       D. No	3. Service Type         X Certified Mail         Certified Mail         Chaptered         Return Receipt for Merchandis         Insured Mail         Insured Mail         C.O.D.         4. Restricted Delivery? (Extra Fee)	06 2760 0002 5008 2247	Domestic Return Receipt 102595-02-1M-15 COMPLETE THIS SECTION ON DELIVIERY	A. Signature X. C. M. K. C. M. D. D. D. B. Perel Woor C. Date of Deliver D. Is deliver address different from item 17 D Yes	If YES, enter delivery address below:	3. Service Type Certified Mail Express Mail Thegistered Areturn Receipt for Me Insured Mail C.O.D.	2760 0002 5008 2483	Domestic Return Receipt 102595-02-M-15
	<ul> <li>SENDER: COMPLETE THIS SECTION</li> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your narre and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space perpits.</li> <li>1. Article Addressed to: 0.9 2009</li> <li>EDUTT AND BURSOM CONST CO INC</li> </ul>	· · · · · · · · · · · · · · · · · · ·	2. Article Number (Transfer from service label) 7006	PS Form 3811, February 2004 SENDER: Complete THIS SECTION		1. Article Addressed to: MOORE LARRY G AND R CADOL 2001	502 E SMITH LN BLOOMFTELD, NM 87413	2. Article Number (Transfer from service label) 7006	PS Form 3811, February 2004
	Completing Stephonopativers     A. Signature     A. Signature	3. Service Type     3. Service Type       3. Certified Mail     B. Exrops and and	o 0002 5008 2452	tum Receipt COMPLETETHIS SECTION ON DELIVERY	A. Signature X C. N. S. V. V. V. C. C. C. D. C. D. M. Gent B. Received by (Printed Name) B. Received by (Printed Name) C. Date of Delivery C. Date of Delivery C. Date of Delivery	u, is derivery address dimerent from trem in the state of	Mail Receipt for Me	4. Restricted Delivery? (Extra Fee) Crea 2760 0002 5008 2445	
		MC CONNEL WILLIAM E AND JERILYN R TRUST P O BOX 941 AZTEC, NM 87410-0941	Article Number (Transfer from service label) 7006 2760	<sup>1</sup> S Form 3811, February 2004 Domestic Return Receipt ENDER: COMPLETE THIS SECTION COMPLE	<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailplece, or on the front if space permits.</li> </ul>	. Article Addressed to: AARTINEZ LEROY M ET AL	O BOX 685 3LOOMFTELD, NM 87413	. Atticle Number (Transfer from service Jahan) 7006 2	2004 Domestic F

FETROLITE CORP ATTN: INDUSTRIAL VALUATION SERVICE P 0 BOX 92108 AUSTIN, TX 78709
RANEY KENNETH N AND KOSE A P 0 BOX 2122 BLOOMFTELD, NM 87413-2122 BLOOMFTELD, NM 87413-2122 D Registered Mail D Express Mall D Registered Mail D C.O.D. 4. Restricted Delivery? (Extra Fee) Nea

•	Signature Signature Signature Received by ( <i>Printed Name</i> ) C. Date Received by ( <i>Printed Name</i> ) C. Date Donned Mane ( <i>Printed Name</i> ) C. Date Done ( <i>Printed Name</i> ) C. Date ( <i>Printed Name</i> ) C. Date	4. Restricted Delivery/ (Extra Fee)     7es       2760 0002 5008 2476     102595-02-M-15       eturn Receipt     102595-02-M-15       A Signatura     EPAgent       A Signatura     EPAgent       A Signatura     EPAgent       B. Racelved by (Printed Name)     C. Date of Delivery       B. Racelved by (Printed Name)     C. Date of Delivery       B. Is delivery address different from item 17     Yes       D. Is delivery address below:     No       3. Service Type     A. Return Receipt for Merchandis	ated Delivery
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	And the second s	4. Restricted Delivery/ (Extra Fee)       7es         27LD       0002       5003       24L5         Atum Receipt       102595-02.M-1540         Atum Receipt       102595-02.M-1540         As Signature       Agent         A. Signature       Agent         A. Signature       Adentessee         B. Received by (Pringed Name)       C. Date of Delivery         D. Is delivery address different from item 1?       Ves         D. Is delivery address different from item 1?       Ves         B. Service Type       No         B. Service Type       D. Is delivery address below:         D. Is Genered Mail       Express Malt	cted Delivery? (Extra Fee) 미 Yes 2 5008 건고고? 102595-02-M-1540
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	A. Signature       A. Signature         A. Signature       A. Signature         B. Beceived by (Printed Name)       C. Date of Deliver         C. Date of Deliver       C. Date of Deliver         C. Date of Deliver       D. Is delivery address different from item 1?       T ves         D. Is delivery address different from item 1?       D ves       D ves	3. Service Type         3. Service Type         3. Service Type         3. Service Type         3. Returned Mail         1 Restricted Mail         1 Insured Mail         2.0.0.0.         4. Restricted Delivery? (Extra Fee)         70015       71,724	Return Receipt	Conntant Multiple       A Signature       A Signature       A Agent         Verse       A Signature       A Agent       A Agent         Verse       B. Received by (Printed Name)       C. Date of Deliver         Didd       A Signature       A Agent         Verse       B. Received by (Printed Name)       C. Date of Deliver         Didd       A Signature       A Control (Control (Contro) (Control (Co	
		ATTIN: JAMES HENDERSON 100 S. OLIVER DR AZTEC, NM 87410 2. Article Number	102595-02-M-1540 PS Form 3811, February 2004 Dom	<ul> <li>SENDER: COMPLETENTISSECTION</li> <li>Complete Items 1, 2, and 3. Also complete Items 4. f. Restricted Delivery is desired.</li> <li>Frint your name and address on the reso that we can return the card to you.</li> <li>Attach this card to the back of the mall or on the front if space permits.</li> <li>1. Article Addressed to: NOV 0.9</li> <li>BDI LAND LLC</li> <li>P 0 BOX 1982</li> <li>FARMINGTON, NM 87499</li> <li>2. Article Number</li> <li>Carticle Number</li> <li>Carticle Number</li> <li>Carticle Addressed to: Article Number</li> <li>PS Form 3811, February 2004</li> </ul>	
	A. Signafure     A. Signafure     Addressee       A. Signafure     Addressee       B. Receiled by ( <i>Printed Name</i> )     C. Date of Delivery       B. Receiled by ( <i>Printed Name</i> )     C. Date of Delivery       D. Is delivery address different from item 1?     Yes       P. Strand of the strand	A Certified Mail A Certified Mail Pregistered, p.S. Insured Mail 4. Restricted Delivery?		Source for the second of th	
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<ul> <li><b>ENDER: COMPLETE THIS SECTION</b></li> <li><b>ENDER: COMPLETE THIS SECTION</b></li> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the malipiece, or on the front if space permits.</li> <li>Attach Addressed to:</li> </ul>	Completentia Section on periver A. Signature A. Signature B. Received by (Printed Name) C. Signature D. Is delivery address different from item 17 If YES, enter delivery address below:	$\begin{array}{c} \label{eq:constraint} \end{tabular} \$	<ul> <li>SENDER: COMPLETE THIS SECTION</li> <li>Complete trêms 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your mane and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the maliplece, or on the front if space permits.</li> <li>Anticle Addressed to</li> </ul>		MIPLETE THIS SECTION ON DELI Signature Signature Acceived by (Printed Name) (2) (2) (2) (2) (2) (2) (2) (2) (2) (2)	Image: Comparison         I
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.ARKISON DANNY O BOX 295 1.DOMFIELD, NM 87413-0295	3. Service Type         3. Service Type         D Certified Mail       Express Mail         □ Registered       R Return Recei         □ Insured Mail       □ C.O.D.         4. Restricted Delivery? (Extra Fee)	Express Mail Return Receipt for Merchandise C.O.D.	BIG BLACK DOG LLC 25528 genesee tr Rd Golden, co 80401		3. Service Type     3. Service Type     Centified Mail     Express Mail     Registered     Registered     A Restricted Mail     C.O.D.     A. Restricted Delivery/ (Extra Fee)     Development	or Merchandis
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COMPLETE THIS SECTION ON DELWERY A. Signature A. Signature B. Received by ( <i>Printed Name</i> ) C. Date of Deliver B. Received by ( <i>Printed Name</i> ) C. Date of Deliver D. Is delivery address different from item 1?	3. Service Type         3. Service Type         3. Certified Mail         1 Registered         2 Return Receipt for Merchandis         1 Insured Mail         2. Restricted Delivery? (Extra Fee)	7006	Conduct Turis Section on Derivern       lete     A. Signature       B. Received by (Printed Name)       D. Is delivery address below:       D. Is delivery address below:       D. Service Type       B. Service Type       B. Service Type       B. Service Type       B. Restricted Mail       D. C. D.       J. Secontal       J.
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Complete This section on Derivery	<ol> <li>Service Type</li> <li>Service Type</li> <li>Certified Mail</li> <li>Express Mail</li> <li>Return Receipt for Merchandise</li> <li>Insured Mail</li> <li>C.O.D.</li> <li>Restricted Delivery<sup>1</sup> (Extra Fee)</li> </ol>	2760 0002 5008 21.86 um Receipt 102595-024M-1540	A. Signature     A. Signature       B. Received by (Printed Name)     C. Date of Delivery       D. Is delivery address officerent from them 17     D Veloc       A. W. W. M.     A. W.       M. W. W.     A. W.       M. W. W.     A. Service Iyee       B. Service Iyee     Antifuture Receipt for Merchandise       D. Is delivery (Extra Fee)     D Ves       A. Bestricted Delivery/ (Extra Fee)     Ves       276.D     D D D Z       200.B     Z16.Z
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Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailplece, or on the front if soace permits.	B. Beceived by (Printed Name) C. Date of Delivery Dore the William's 11-12-9	Attach this card to the back of the mailpiece, or on the front if space permits.	B. Received by (Printed Name) C. Date of Deliver SQA JAC, YOG KUA, 1/-9-00
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WINDHAM PROPERTIES LLC 409 6TH ST WAXACHIE, TX 75165-2530		YOAKUM ROBERT L 614 SMITH BLOOMFIELD, NM 87413	
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LOOMFIELD, NM 87413-1441	3. Service Type Certified Mail D Express Mail Registered Stretum Receipt for Merchandise	P. O BOA 2010 BLOOMFIELD, NM 87413-2016	3. Service Type ★ Certified Mail □ Express Mail □ Registered ★ Return Receipt for Merchandis
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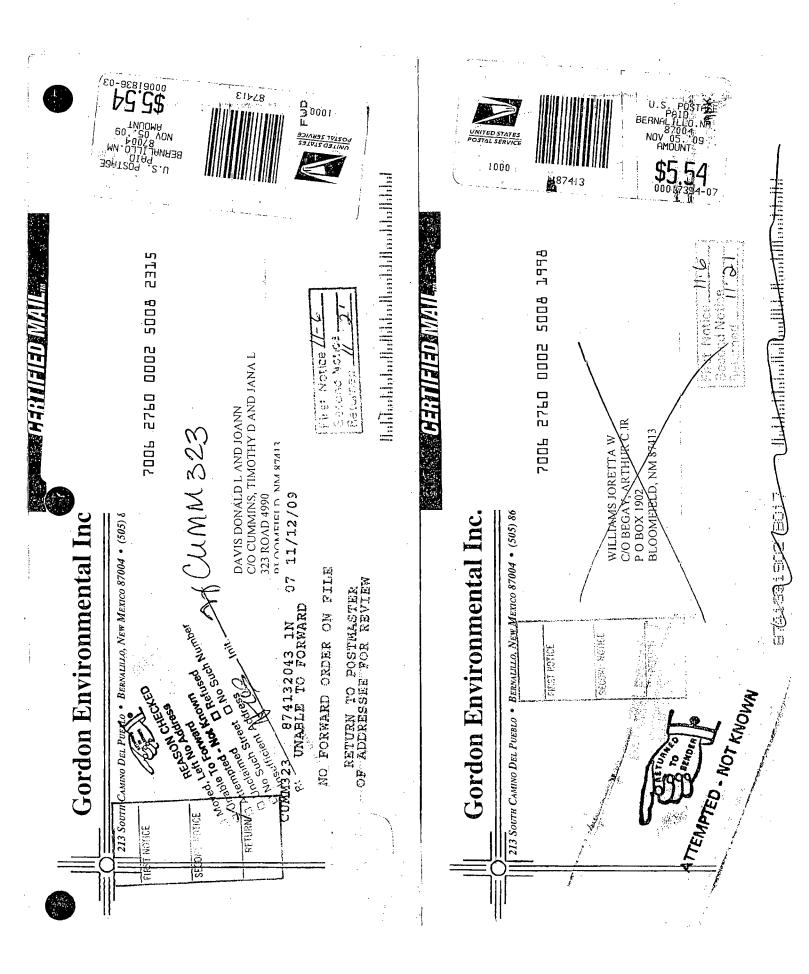
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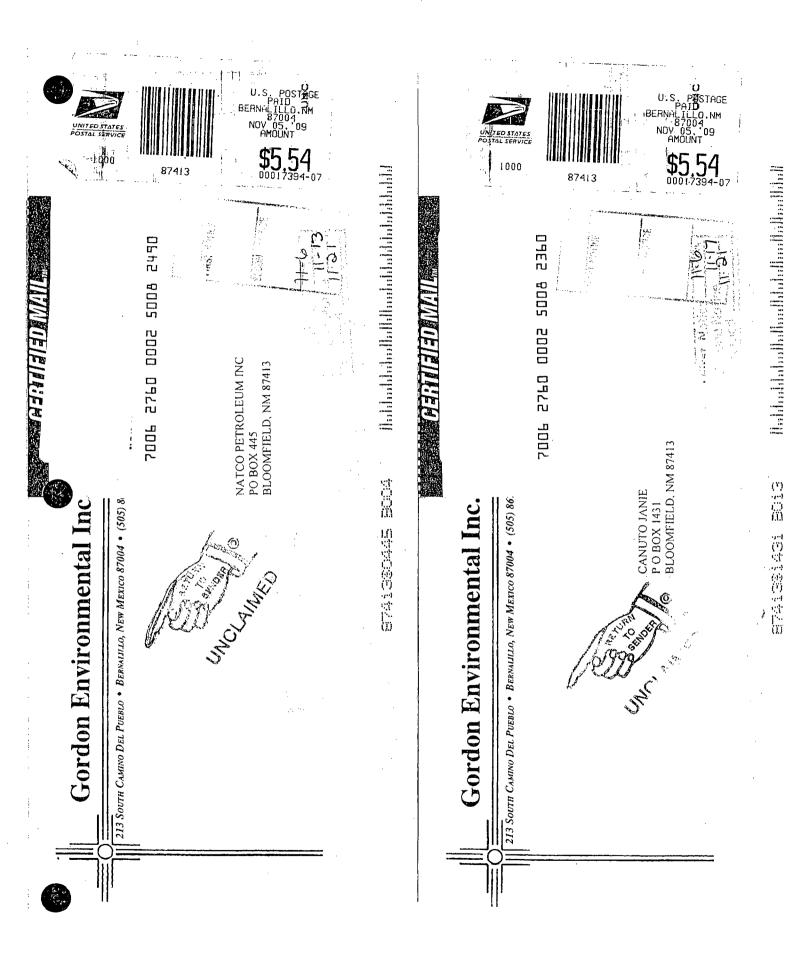
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۲	<b>ENDEF:</b> CONPLETE ATISSECTION       A. Slop         I Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.       A. Slop         I Print your name and address on the reverse so that we can return the card to you.       B. Rec         Attach this card to the back of the malipiece, or on the front if space permits.       B. Rec         Article Addressed to:       NOV       D       2009         Article Addressed to:       NOV       D       South         Artach       D       D	Article Number       7006       7560       0006         (Itransfer from service label)       7004       2750       0006         S Form 3811, February 2004       Domestic Return Receipt	<ul> <li>A. Signature</li> <li>A. Signature</li> <li>Complete items 1, 2, and 3. Also complete</li> <li>Complete items 1, 2, and 3. Also complete</li> <li>To complete items 4, 2, and 3. Also complete</li> <li>A. Signature</li> <li>A. Signatur</li></ul>		( <i>Transfer from service label</i> ) 7006 2750 0 S Form 3811, February 2004 Domestic Return Receipt

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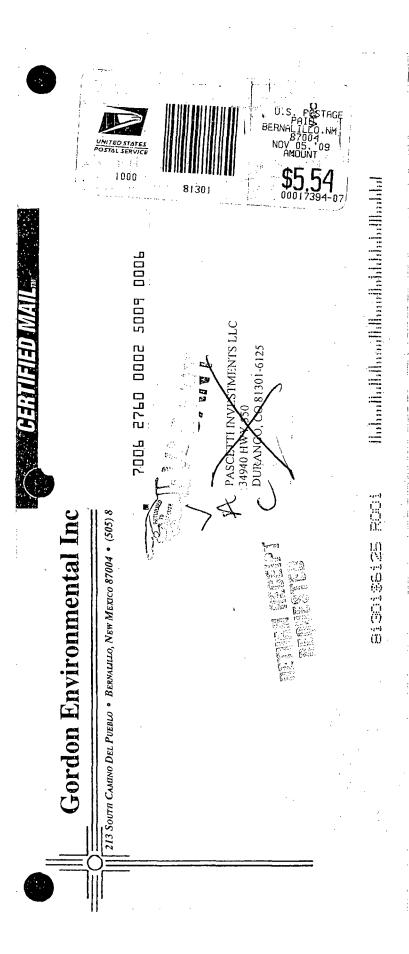
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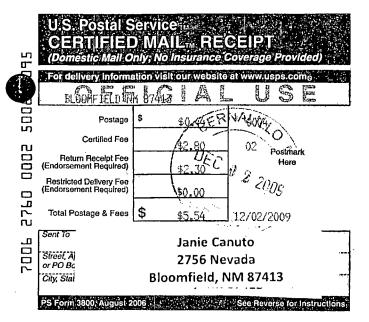
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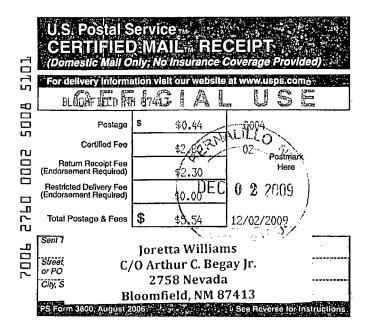
#### CERTIFIED MAIL RETURN RECEIPT REQUESTED

Dear Property Owner,

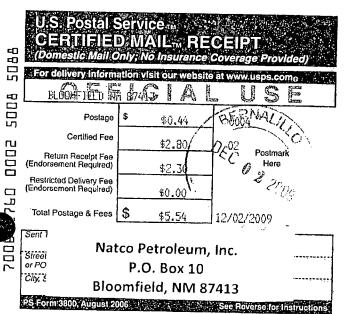
By letter postmarked November 5, 2009, you were sent a copy of a Public Notice of the Filing of Application before the Oil Conservation Division (OCD) by Basin Disposal, Inc. for a permit modification for its surface waste management facility in Bloomfield, NM. The original copy of this notification was returned as undeliverable, and this mailing represents our second attempt at notification.

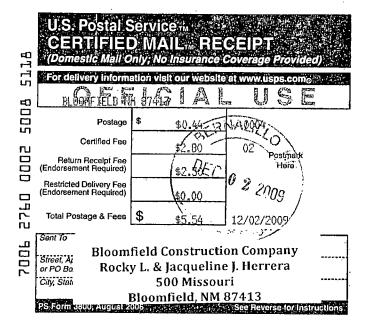
Very truly yours, Gordon Environmental, Inc.









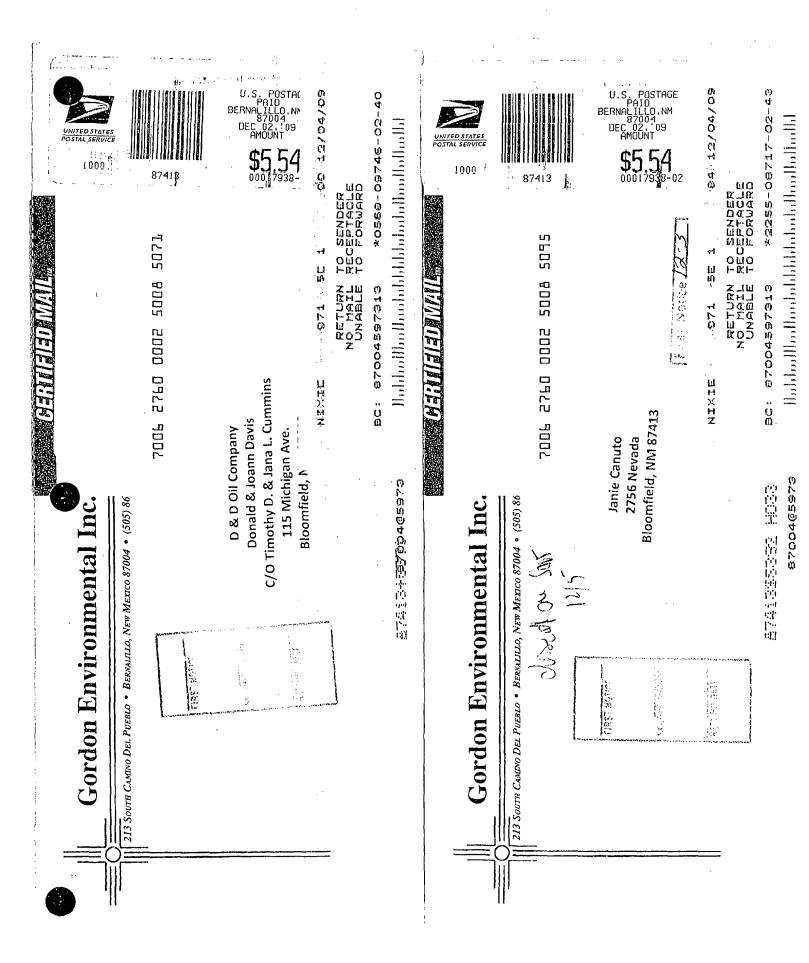


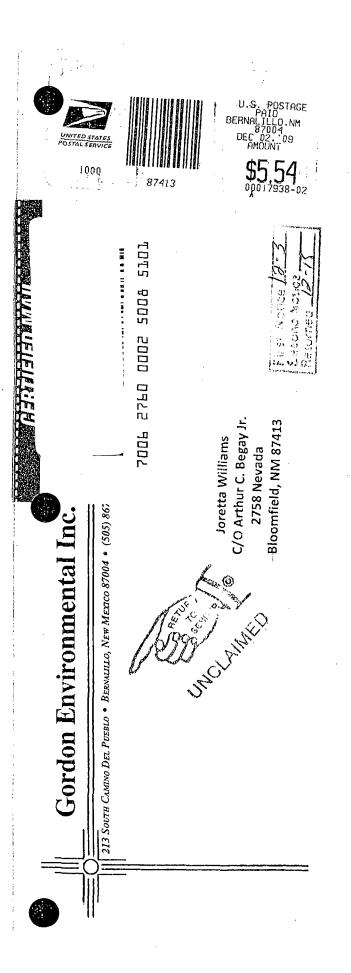


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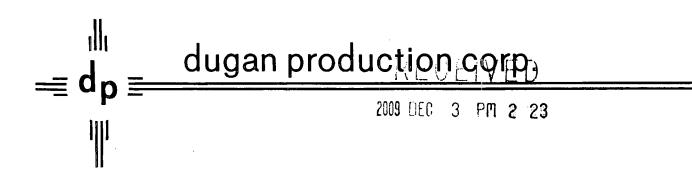
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2012年2月12月期



December 2, 2009

Mr. Edward J. Hansen Environmental Bureau New Mexico Oil Conservation Division 1220 South St. Francis Drive Santa Fe, NM 87505

FAX NO 1-505-476-3462

Re: Application of Basin Disposal Inc. (BDI) Modification to existing surface waste management facility

Dear Mr. Hansen,

Dugan Production Corp. is writing to support the subject application. It is our understanding that the proposed modifications will more than double BDI's water disposal capacity and will substantially reduce the time required for water truck unloading.

The disposal of produced water is a very important element in the production of oil and gas and BDI's facility provides producers with an economical option that is environmentally sound.

BDI is to be commended for their efforts to expand water disposal capability at a time that oil and gas activity and field operations are fairly slow. This reflects their overall commitment to provide an efficient and environmentally sound water disposal facility for producers in the San Juan Basin.

Should you have any questions, please let me know.

Sincerely,

John D. Ree

John D. Roe Engineering Manager

JDR/tmf

cc: John Volkerding

Nacogdoches Oil & Gas, Inc.

2009 NOU 20 PM 1 39

November 17, 2009

Mr. Edward J. Hansen

NMOCD/Environmental Bureau

1220 South St. Francis Dr.

Santa Fe, NM 87505

Dear Mr. Hansen,

Please allow this letter to express our support at Nacogdoches Oil and Gas, Inc. for Basin Disposal's application for major modification to their facility. This modification includes additional evaporation ponds and facilities for water disposal. The need for additional disposal capacity for produced water is an important issue for the oil and gas industry. With development and drilling to increase in the future, it becomes even more essential.

Our company has been pleased with the excellent service that Basin Disposal continues to provide. At Basin Disposal with John Volkerding as General Manager, the company has shown to have extensive knowledge regarding environmental issues and regulations.

Thank you for your consideration in approving the application. Basin Disposal has our continued support in this endeavor.

Sincerely,

President

From:	Duran-Saenz, Theresa, EMNRD
Sent:	Tuesday, October 20, 2009 2:59 PM
То:	Hansen, Edward J., EMNRD
Subject:	Sharing invitation: Duran-Saenz, Theresa, EMNRD - Notice & Docket Distribution List

#### Microsoft Exchange Contacts:

Duran-Saenz, Theresa, EMNRD - Notice & Docket Distribution List Duran-Saenz, Theresa, EMNRD (Theresa.Duran-Saenz@state.nm.us) has invited you to view his or her "Notice & Docket Distribution List" contacts folder.



# Allen, Bob

E-mail: ballen@sesi-nm.com

# Altomare, Mikal

E-mail: Mikal.Altomare@state.nm.us



## Bailey, Jami

E-mail: jbailey@slo.state.nm.us

### Blakeman, Marita

Bus: (505) 986-2692 E-mail: mblakeman@montand.com

# Boneau, Dave & Phyllis

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# Brooks, David K.

E-mail: david.brooks@state.nm.us

# **Bush**, Elizabeth

E-mail: elizabeth\_bush@oxy.com



# Carlile, Jimmy D.

Bus: (432) 697-1777 E-mail: jimmyc@forl.com

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# Creekmore, Chuck

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### Ellenburg, Diane

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# Ezeanyim, Richard

E-mail: richard.ezeanyim@state.nm.us



# Feil, Tyra 🦲

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### Foppiano, Rick

E-mail: Rick\_Foppiano@oxy.com

# Foster, Karin V.

Mobile: (505) 238-8385 E-mail: fosterassociates2005@yahoo.com



#### Gray, Lisa Curry

126 East DeVargas Street Santa Fe, NM 87501 Bus: (505) 982-8711 E-mail: lisa@lcgraylaw.com



# Hall, J. Scott

PO Box 2307 Santa Fe, NM 87504-2307 Bus: (505) 982-3873 E-mail: shall@montand.com

# Harmon, Dexter

E-mail: dexterh@forl.com

### Herrell, Tony

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# Hill, Larry

E-mail: larry.hill@state.nm.us



# Jankowitz, Rachel

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# Jones, Will

E-mail: William.V.Jones@state.nm.us



# Kendrick, Edmund H.

E-mail: ekendrick@montand.com



# Levine, Joel\_\_\_\_

E-mail: jlevine@pnm.com



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E-mail: gail.macquesten@state.nm.us

### Merritt, Mark B.

E-mail: markm@forl.com



# Neeper, Don

E-mail: dneeper@earthlink.net



#### O'Sullivan, Paul M.

8 Greenway Plaza, Suite 400 Houston, TX 77046 Bus: (713) 962-1300 E-mail: Paul.OSullivan@rlicorp.com



# P.O. Box 4200 Roswell, NM 88202-4200 E-mail: rel@dfn.com

Patsy-L. Clugston

# Perrin, Charlie

E-mail: charlie.perrin@state.nm.us

Phillips, Stan

E-mail: stan.phillips@apachecorp.com

# Portwood, Jay

E-mail: jtportwood@mindspring.com



### Roberts, Kelly

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# Spear, Shane

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# Stovall, Cheryl

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Swazo, Sonny

E-mail: Sonny.Swazo@state.nm.us



# Tupman, Rebecca

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W

# Warnell, Terry

E-mail: TerryG.Warnell@state.nm.us

# Watson, Robert

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# Whitaker, Mark

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# Wooldridge, Jan

E-mail: jan.wooldridge@dvn.com



# Yahney, Suzi

E-mail: syahney@heyco.org

postmaster@pvtnetworks.net on behalf of Postmaster [postmaster@pvtnetworks.net] From: Thursday, November 19, 2009 1:20 PM Sent: Hansen, Edward J., EMNRD To: **Undeliverable Mail** Subject: User mailbox exceeds allowed size: <a href="mailto:ccarter@pvtnetworks.net">ccarter@pvtnetworks.net</a> Original message follows. Received: from 64.18.0.166 [64.18.0.166] by pvtnetworks.net (SMTPD-11.0) id 655e0005430b4ef6; Thu, 19 Nov 2009 13:19:39 -0700 Received: from source ([208.87.136.234]) by exprod5mx246.postini.com ([64.18.4.10]) with SMTP; Thu, 19 Nov 2009 12:19:41 PST Received: from webmail3.state.nm.us ([164.64.4.69]) by sv4-mta-53a.emailfiltering.com with emfmta (version 4.1.0.193.1.rd-3.2.3-libc2.3.2) vanilla id 139763152 for ccarter@pvtnetworks.net; Thu, 19 Nov 2009 12:19:40 -0800 Received: from CEXMB3.nmes.lcl ([10.6.0.107]) by cexfe8.nmes.lcl with Microsoft SMTPSVC(6.0.3790.1830); Thu, 19 Nov 2009 13:19:36 -0700 X-MimeOLE: Produced By Microsoft Exchange V6.5 Content-class: urn:content-classes:message MIME-Version: 1.0 Content-Type: multipart/mixed; boundary="--- = NextPart 001 01CA6955.8E0F09E3" Subject: FW: Permit (NM1-5) Major Mod. Application - Determination of Administratively Complete Date: Thu, 19 Nov 2009 13:19:06 -0700 Message-ID: <<u>D0C91A5E9D076B4F9D2407A9E504FC460968C523@CEXMB3.nmes.lcl</u>> X-MS-Has-Attach: yes X-MS-TNEF-Correlator: Thread-Topic: Permit (NM1-5) Major Mod. Application - Determination of Administratively Complete thread-index: AcpR1HfL1fqCW96mR1Wx1SiEYG+I+QXg05FA From: "Hansen, Edward J., EMNRD" <edwardj.hansen@state.nm.us> To: <ccarter@pvtnetworks.net> Return-Path: edwardj.hansen@state.nm.us X-OriginalArrivalTime: 19 Nov 2009 20:19:36.0388 (UTC) FILETIME=[9D317040:01CA6955] X-pstn-neptune: 0/0/0.00/0 X-pstn-levels: (S:99.90000/99.90000 CV:99.9000 FC:95.5390 LC:95.5390 R:95.9108 P:95.9108 M:97.0282 C:98.6951 ) X-pstn-settings: 5 (2.0000:2.0000) s cv gt3 gt2 gt1 r p m c X-pstn-addresses: from <edwardj.hansen@state.nm.us> [928/35] X-CTCH-RefID: str=0001.0A010209.4B05A85E.00B1:SCFSTAT9991886.ss=1.fgs=0 This is a multi-part message in MIME format. ----- = NextPart 001 01CA6955.8E0F09E3 Content-Type: multipart/alternative; boundary="---\_=\_NextPart\_002\_01CA6955.8E0F09E3"

[message truncated]

This inbound email has been scanned for malicious software and transmitted safely to you using Webroot Email Security.

From:Hansen, Edward J., EMNRDSent:Thursday, November 19, 2009 1:19 PMTo:'ccarter@pvtnetworks.net'Subject:FW: Permit (NM1-5) Major Mod. Application - Determination of Administratively CompleteAttachments:Basin\_AdminCompLetter10-20-09.pdf

From: Hansen, Edward J., EMNRD

Sent: Tuesday, October 20, 2009 4:27 PM

**To:** 'E-mail:'; Altomare, Mikal, EMNRD; Bailey, Jami C.; 'E-mail:'; 'E-mail:'; Bratcher, Mike, EMNRD; Brown, Maxey G, EMNRD; 'E-mail:'; 'E-mai

Subject: Permit (NM1-5) Major Mod. Application - Determination of Administratively Complete

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### BASIN DISPOSAL, INC. SURFACE WASTE MANAGEMENT FACILITY

## SURFACE WASTE MANAGEMENT FACILITY PERMIT NM01-0005 MODIFICATION APPLICATION – Public Comment November 17, 2009

#### **Commenter:**

Charles Eavenson 3300 N. 1<sup>st</sup> St. Bloomfield, New Mexico 87413 505-632-2057

Mr. Eavenson (resident within one-half mile of the Basin Disposal Facility) telephoned Edward J. Hansen, OCD, on November 17, 2009. Mr. Eavenson commented that the Facility should not be expanded and the facility should be moved. Mr. Eavenson commented that he has observed odors from the facility at his residence. Also, Mr. Eavenson has a concern that the expansion of the current facility may increase vapor emissions from the facility at his residence. In addition, Mr. Eavenson has a concern for increased traffic hazards that may be associated with an expansion of the facility.

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### BASIN DISPOSAL, INC. SURFACE WASTE MANAGEMENT FACILITY

## SURFACE WASTE MANAGEMENT FACILITY PERMIT NM01-0005 MODIFICATION APPLICATION – Public Comment November 16, 2009

#### **Commenter:**

Leroy Martinez 130 Maryland Bloomfield, New Mexico 87413 505-214-6144

Mr. Martinez (resident within one-half mile of the Basin Disposal Facility) telephoned Edward J. Hansen, OCD, on November 16, 2009. Mr. Martinez commented that he has observed odors from the facility at his residence. Mr. Martinez has a concern that the expansion if to the south of the current facility may increase odors at his residence.

#### BASIN DISPOSAL, INC. SURFACE WASTE MANAGEMENT FACILITY

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NM01-0005 November 10, 2009

### SURFACE WASTE MANAGEMENT FACILITY PERMIT NM01-0005 MODIFICATION APPLICATION – Public Comment November 10, 2009

#### **Commenter:**

Kenneth Drake Air Star, Inc. 100 Maryland Bloomfield, New Mexico 87413 505-320-3787

Mr. Drake (business within one-half mile of the Basin Disposal Facility) telephoned Edward J. Hansen, OCD, on November 10, 2009. Mr. Drake commented that storm water runoff from Basin property has entered his business property. Mr. Drake has a concern that the runoff may contain oil field waste based on the odor of the runoff.

## SURFACE WASTE MANAGEMENT FACILITY PERMIT NM01-0005 MODIFICATION APPLICATION – Public Comment November 9, 2009

#### **Commenter:**

James A. Schaffer 120 E. Utah Bloomfield, New Mexico 87413 505-632-5194

Mr. Schaffer (resident within one-half mile of the Basin Disposal Facility) telephoned Edward J. Hansen, OCD, on November 9, 2009. Mr. Schaffer commented that the Facility should not be expanded. However, the Facility could remain as currently exists. Mr. Schaffer has a concern that the environment should be protected from the Facility expansion and that property values could be negatively impacted by the Facility expansion.

From:	Hansen, Edward J., EMNRD
Sent:	Thursday, November 05, 2009 10:23 AM
To:	'John Volkerding'
Cc:	WBCSW@aol.com; PGonzales@gordonenvironmental.com; 'jwjengr@aol.com'
Subject:	RE: Highways

Dear Dr. Volkerding:

The New Mexico Oil Conservation Division (OCD) has received the minor amendment (dated November 5, 2009) to the draft public notice as request by the OCD in the Administratively Complete letter of October 20, 2009, and has reviewed the notice. The public notice meets the requirements of 19.15.36.9 NMAC. Therefore, the public notice as specified may be given in accordance with Subsection A of 19.15.36.9 NMAC. Once the notice is given, Basin Disposal, Inc., must furnish proof to the OCD that it has given the required notices. The proof must consist of copies of the signed certified mail return receipts (cross-referenced against the public notice recipients list provided in the modification application). Please provide the proof of notice within 30 days of the notice.

If you have any questions regarding this matter, please contact me at 505-476-3489.

Edward J. Hansen Hydrologist Environmental Bureau

From: jwjengr@aol.com [mailto:jwjengr@aol.com] Sent: Thursday, November 05, 2009 9:41 AM To: Hansen, Edward J., EMNRD Subject: Highways

Minor amendment correcting State Road to Highways on #2.

Jim

This inbound email has been scanned for malicious software and transmitted safely to you using Webroot Email Security.

<ul> <li>Pursuant to 19.15.36 NMAC, Oil Conservation Division Surface Waste Management Facilities regulations; Basin Disposal, Inc. (BD) is providing notice that, on October 20, 2009 the Oil Conservation Division has deemed administratively complete an Application for Modification may be submitted to OCD within 30 days of Notice.</li> <li>1. Application may be submitted to OCD within 30 days of Notice.</li> <li>1. Application for Noterding, General Manager Telephone: (505) 632-8936</li> <li>2. Facility location and address: Jerry Sandel, President Basin Disposal, Inc. P.O. Box 100, Aztec, NM 87410. Contact Mr. John Volkerding, General Manager Telephone: (505) 632-8936</li> <li>2. Facility location and address: Jon Montana Street, Bloomfreld, NM 87413. Location of facility is approximately 3 miles north of the intersection of Highways 550 and 64.</li> <li>3. Brief description of surface waste management facility: The existing 28 acres ± facility includes Evaporation Pond #1, 12 receiving tanks, 3 oily water receiving tanks, 3 oily water receiving tanks, 1 oil states tanks, 3 filtered water tanks. I concrete sludge stabilization station and 2 covered below grade tanks, 1 injection well, and vasons support facilities including offree, maintenance building, roads, and detention basin. The major modification includes the addition of two (2) evaporation ponds (approximately 4 acres cach) constructed with 60-mil high density polyethylene (HDE) primary line; leak detection, and scorodary line; systems. In addition, six (6) additional oi field waste liquid receiving tanks and two (2) oil sales tanks will be installed at the facility.</li> <li>4. Depth and quality of shallowest aquifer: The depth to the perched water zone beneath the site ranges from 2925 feet in assessment well (AW) AW-1 to 42 feet in AW-2 with the total dissolved solids (TDS) determined to be 38,000 mg/l and 24,000 mg/l, respectively. Fresh water beneath the site is projected at a depth of at least 105' below the lowest elevition on site.</li> <li>Int</li></ul>	Notice of Major Modification- Basin Disposal, Inc. (BDI)		
<ol> <li>Applicant's name and address: Jerry Sandel, President Basin Disposal, Inc. P.O. Box 100, Aztec, NM 87410. Contact Mr. John Volkerding, General Manager Telephone: (305) 632-8936</li> <li>Facility location and address: 200 Montana Street, Bloomfield, NM 87413. Location of facility is approximately 3 miles north of the intersection of Highways 550 and 64.</li> <li>Brief description of surface waste management facility: The existing 28 acres ± facility includes Evaporation Pond #1, 12 receiving tanks, 3 oily water receiving tanks, 1 concrete sludge stabilization station and 2 covered below grade tanks, 1 injection well, and various support facilities including office, maintenance building, roads, and detention basin. The major modification includes the addition of two (2) evaporation ponds (approximately 4 acres each) constructed with 60-mil high density polyethylene (HDPE) primary liner, leak detection, and secondary liner systems. In addition, six (6) additional oil fled waste liquid receiving tanks and two (2) oil sales tanks will be installed at the facility.</li> <li>Depth and quality of shallowest aquifer: The depth to the perched water zone beneath the site ranges from 29.25 feet in assessment well (AW) AW-1 to 42 feet in AW-2 with the total dissolved solids (TDS) determined to be 38,000 mg/l and 24,000 mg/l, respectively. Fresh water beneath the site is projected at a depth of at least 105' below the lowest elevation onsite.</li> </ol>	Pursuant to 19.15.36 NMAC, Oil Conservation Division Surface Waste Management Facilities regulatio is providing notice that, on October 20, 2009 the Oil Conservation Division has deemed administrativel Modification to an existing Surface Waste Management Facility Permit NM-01-0005 submitted by E Application may be submitted to OCD within 30 days of Notice.	gulations; Basin Disposal, Inc. (BDI) tratively complete an Application for d by BDI. Comments regarding the	
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<ul> <li>4. Depth and quality of shallowest aquifer: The depth to the perched water zone beneath the site ranges from 29.25 feet in assessment well (AW) AW-1 to 42 feet in AW-2 with the total dissolved solids (TDS) determined to be 38,000 mg/l and 24,000 mg/l, respectively. Fresh water beneath the site is projected at a depth of at least 105' below the lowest elevation on-site.</li> <li>Interested parties may contact Mr. Edward J. Hansen, OCD Hydrologist at (505) 476-3489 for further information.</li> </ul>		ty includes Evaporation Pond #1, 12 ludge settling tanks, 7 oil sales tanks, d below grade tanks, 1 injection well, tion basin. The major modification onstructed with 60-mil high density tion, six (6) additional oil field waste	
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		her information.	

From: postmaster@pvtnetworks.net on behalf of Postmaster[postmaster@pvtnetworks.net] Sent: Wednesday, November 04, 2009 3:09 PM Hansen, Edward J., EMNRD To: Subject: Undeliverable Mail User mailbox exceeds allowed size: ccarter@pvtnetworks.net Original message follows. Received: from 64.18.0.55 [64.18.0.55] by pvtnetworks.net (SMTPD-11.0) id ba7c001a230ea88d; Wed, 4 Nov 2009 15:08:53 -0700 Received: from source ([208.87.137.234]) by exprod5mx259.postini.com ([64.18.4.10]) with SMTP; Wed, 04 Nov 2009 17:08:54 EST Received: from webmail6.state.nm.us ([164.64.4.75]) by sv4-mta-53b.emailfiltering.com with emfmta (version 4.1.0.193.1.rd-3.2.3-libc2.3.2) vanilla id 120631366 for ccarter@pvtnetworks.net; Wed, 04 Nov 2009 14:08:53 -0800 Received: from CEXMB3.nmes.lcl ([10.6.0.107]) by CEXFE6.nmes.lcl with Microsoft SMTPSVC(6.0.3790.1830); Wed, 4 Nov 2009 15:08:52 -0700 X-MimeOLE: Produced By Microsoft Exchange V6.5 Content-class: urn:content-classes:message MIMÉ-Version: 1.0 Content-Type: multipart/mixed; boundary="---- = NextPart 001 01CA5D9B.417E5E68" Subject: FW: Permit (NM1-5) Major Mod. Application - Determination of Administratively Complete Date: Wed, 4 Nov 2009 15:07:50 -0700 Message-ID: <D0C91A5E9D076B4F9D2407A9E504FC460950369C@CEXMB3.nmes.lcl> X-MS-Has-Attach: yes X-MS-TNEF-Correlator: Thread-Topic: Permit (NM1-5) Major Mod. Application - Determination of Administratively Complete thread-index: AcpR1HfL1fqCW96mR1Wx1SiEYG+I+QACc/4gAFaQQxACmKsK4A== From: "Hansen, Edward J., EMNRD" <edwardj.hansen@state.nm.us> To: <ccarter@pvtnetworks.net> Return-Path: edwardj.hansen@state.nm.us X-OriginalArrivalTime: 04 Nov 2009 22:08:52.0014 (UTC) FILETIME=[647454E0:01CA5D9B] X-pstn-neptune: 0/0/0.00/0 X-pstn-levels: (S:99.90000/99.90000 CV:99.9000 FC:95.5390 LC:95.5390 R:95.9108 P:95.9108 M:97.0282 C:98.6951 ) X-pstn-settings: 5 (2.0000:2.0000) s cv gt3 gt2 gt1 r p m c X-pstn-addresses: from <edwardj.hansen@state.nm.us> [928/35] X-CTCH-RefID: str=0001.0A010203.4AF1FB78.002D:SCFSTAT9991888,ss=1,fgs=0. This is a multi-part message in MIME format. -----\_=\_NextPart 001 01CA5D9B.417E5E68 Content-Type: multipart/alternative; boundary="---- = NextPart 002 01CA5D9B.417E5E68"

[message truncated]

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From:Hansen, Edward J., EMNRDSent:Tuesday, November 03, 2009 3:41 PMTo:bdinc@digii.netCc:WBCSW@aol.com; pgonzales@gordonenvironmental.com; 'jwjengr@aol.com'Subject:RE: Final Notice

Dear Dr. Volkerding:

The New Mexico Oil Conservation Division (OCD) has received the draft public notice as request by the OCD in the Administratively Complete letter of October 20, 2009, and has reviewed the notice. The public notice meets the requirements of 19.15.36.9 NMAC. Therefore, the public notice as specified may be given in accordance with Subsection A of 19.15.36.9 NMAC. Once the notice is given, Basin Disposal, Inc., must furnish proof to the OCD that it has given the required notices. The proof must consist of copies of the signed certified mail return receipts (cross-referenced against the public notice recipients list provided in the modification application). Please provide the proof of notice within 30 days of the notice.

If you have any questions regarding this matter, please contact me at 505-476-3489.

Edward J. Hansen Hydrologist Environmental Bureau

From: jwjengr@aol.com [mailto:jwjengr@aol.com]
Sent: Tuesday, November 03, 2009 12:59 PM
To: Hansen, Edward J., EMNRD
Cc: WBCSW@aol.com; bdinc@digii.net; pgonzales@gordonenvironmental.com
Subject: Final Notice

Sorry guys, but one more time with the Permit number added in the first paragraph.

Jim

This inbound email has been scanned for malicious software and transmitted safely to you using Webroot Email Security.

<ul> <li>Notice of Major Modification- Basin Disposal, Inc. (BDI)</li> <li>Pursuant to 19.15.36 NMAC, Oil Conservation Division Surface Waste Management Facilities regulations; Basin Disposal, Inc. (BDI) is providing notice that, on October 20, 2009 the Oil Conservation Division has deemed administratively complete an Application for Modification to an existing Surface Waste Management Facility Permit NM-01-0005 submitted by BDI. Comments regarding the Applicant may be submitted to OCD within 30 days of Notice.</li> <li>1. Applicant's name and address: Jerry Sandel, President Basin Disposal, Inc. P.O. Box 100, Aztec, NM 87410. Contact Mr. John Volkerding, General Manager Telephone: (505) 632-8936</li> <li>2. Facility location and address: 200 Montana Street, Bloonfield, NM 87413. Location of facility is approximately 3 miles north of the intersection of State Roads 550 and 64.</li> <li>3. Brief description of Surface waste management facility: The existing 28 acres ± facility includes Evaporation Pond #1, 12 erceiving tanks, 3 oily water receiving tanks, 3 skimmed oil tanks, 3 sil heating tanks, 2 sludge settling tanks, 1 ingreion well, and various support facilities including office, maintenance building, roads, and detention basin. The major modification includes the addition of two (2) evaporation ponds (approximately 4 acres each) constructed with 60-mil high density polychylene (HDPE) primary liner, leak detection, and secondary liner systems. In addition, itx (6) additional oil field waste liquid receiving tanks and two (2) oil sales tanks will be installed at the facility.</li> <li>4. Depth and quality of shallowest aquifer: The depth to the perched water zone beneath the site ranges from 29.25 feet in assessment well (AW) AW-1 to 42 feet in AW-2 works elevation one state states and detection, and secondary liner systems. In addition, itx (6) additional oil field waste liquid receiving tanks and two (2) oil sales tanks wi</li></ul>	DRAFT
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<ul> <li>4. Depth and quality of shallowest aquifer: The depth to the perched water zone beneath the site ranges from 29.25 feet in assessment well (AW) AW-1 to 42 feet in AW-2 with the total dissolved solids (TDS) determined to be 38,000 mg/l and 24,000 mg/l, respectively. Fresh water beneath the site is projected at a depth of at least 105' below the lowest elevation onsite.</li> <li>Interested parties may contact Mr. Edward J. Hansen, OCD Hydrologist at (505) 476-3489 for further information.</li> </ul>	

#### Hansen, Edward J., EMNRD

From:Hansen, Edward J., EMNRDSent:Tuesday, October 20, 2009 5:38 PMTo:'Tony\_Herrell@blm.gov'Subject:FW: Permit (NM1-5) Major Mod. Application - Determination of Administratively CompleteAttachments:Basin\_AdminCompLetter10-20-09.pdf

From: Hansen, Edward J., EMNRD

Sent: Tuesday, October 20, 2009 4:27 PM

To: 'E-mail:'; Altomare, Mikal, EMNRD; Bailey, Jami C.; 'E-mail:'; 'E-mail:'; Bratcher, Mike, EMNRD; Brown, Maxey G, EMNRD; 'E-mail:'; 'E-mail:

Subject: Permit (NM1-5) Major Mod. Application - Determination of Administratively Complete

### Hansen, Edward J., EMNRD

From:	Hansen, Edward J., EMNRD
Sent:	Tuesday, October 20, 2009 4:27 PM
То:	'E-mail:'; Altomare, Mikal, EMNRD; Bailey, Jami C.; 'E-mail:'; 'E-mail:'; 'Bratcher, Mike, EMNRD; Brown, Maxey G, EMNRD; 'E-mail:';
Cc:	'John Volkerding'; KGordon@gordonenvironmental.com; 'jwjengr@aol.com'
Subject: Attachments:	Permit (NM1-5) Major Mod. Application - Determination of Administratively Complete Basin_AdminCompLetter10-20-09.pdf

1300 Stoff A.C.



Bill Richardson Governor

Joanna Prukop Cabinet Secretary Reese Fullerton Deputy Cabinet Secretary Mark Fesmire Division Director Oil Conservation Division



October 20, 2009

John Volkerding, Ph.D. Basin Disposal, Inc. P.O. Box 100 Aztec, NM 87410

RE: **Determination of Administratively Complete** for Permit (NM-01-005) Major Modification Application for Basin Disposal, Inc. for a Surface Waste Management Facility Section 3, T29N, R11W, NMPM, San Juan County, New Mexico

Dear Dr. Volkerding:

The Oil Conservation Division (OCD) has reviewed the Permit (NM-01-0005) Major Modification Application for the Basin Disposal, Inc. Surface Waste Management Facility for the addition of two evaporation ponds, dated June 11, 2009 (and amended August 27, 2009). Upon review of the Application, the OCD has determined that the information as required in Subsection C of 19.15.36.8 NMAC has been provided in the Application. Therefore, the OCD hereby deems the Application administratively complete and provides notice in accordance with Subsection E of 19.15.36.8 NMAC.

Now that the Application is deemed administratively complete, the public notice requirements of Subsection A of 19.15.36.9 NMAC must be satisfied and demonstrated to the OCD. Please provide to the OCD (for OCD review and approval prior to your distribution of the public notice) a draft public notice with the date the application was deemed administratively complete (i.e., today's date) and that comments regarding the application may be submitted to the OCD within 30 days of the notice. In addition, pursuant to Paragraph (3) of Subsection F of 19.15.36.9 NMAC, the draft public notice must also include (in addition to the proposed modifications) a brief description of the existing facility (e.g., Pond #1, 12 receiving tanks, 3 oily water receiving tanks, 3 skimmed oil tanks, etc.). After you have provided public notice, the OCD will issue a tentative decision concerning the application after a 30-day public comment period.



John Volkerding, Ph.D. Basin Disposal, Inc. October 20, 2009 Page 2

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If you have any questions regarding this matter, please contact me at 505-476-3489 or <u>edwardj.hansen@state.nm.us</u>.

.

Sincerely, E thom

Edward J. Hansen Hydrologist Environmental Bureau

EJH:ejh

OCD; Aztec District Office
 I. Keith Gordon, Gordon Environmental, Inc., 213 South Camino del Pueblo, Bernalillo, NM 87004

#### Hansen, Edward J., EMNRD

From:Hansen, Edward J., EMNRDSent:Wednesday, August 05, 2009 3:28 PMTo:'bdinc@digii.net'Cc:'Pamela Gonzales'; 'Keith Gordon'; Jordon Eng: Jim JordonSubject:NM1-5 Additional Information Required for the revised Application for Basin (Ponds #2 & #3)

Dear Dr. Volkerding:

The New Mexico Oil Conservation Division (OCD) has reviewed the revised Application for Modification – Basin Disposal, Inc. (OCD Permit #NM-01-0005) ("Updated June 2009") received on June 11, 2009. Please amend this revised application as follows:

- On Page 36-11 of Vol. I, please edit to read: "(14)... Volume II, Section 1; Operations, Inspection, and Maintenance Plan describes incorporates a best management practices plan to ensure..."
- 2. On Page 36-15 of Vol. I, please edit to read: "(4)...pursuant to Paragraph (3) of Subsection F of <del>19.1521.7</del> <u>19.15.2.7</u> NMAC..."
- 3. In the title of the Table of Contents page of Section 1 of Vol. II, please edit to read: "Section 1: OPERATION, INSPECTION AND MAINTENANCE PLAN (INCORPORATING A BEST MANAGEMENT PRACTICES PLAN)"
- 4. On page 10 of Section 1, Vol. II, please demonstrate or correct the stated porosity of "0.65" for the granular material (e.g., 0.35)
- 5. On page 11 of Section 1, Vol. II, please edit to read: "Upon discovery of excessive (i.e., >2') liquid presence..."
- 6. On page 12 of Section 3 (3.2.2), Vol. II, please edit to read: "...to raise the pH to the desired optimal level of 8.2 to 9.0."
- 7. On page 3 of Section 4 (3.3), Vol. II, please edit to read: "Any other parameters required by the disposal facility or rule at time of closure"
- 8. On page 7 of Section 1 (7.0), Vol. III, please describe the exact placement for the 6 "new" proposed receiving tanks (e.g., three of the six new tanks will be placed on the east side of the three existing oil skimmer tanks and the other three new tanks will be placed on the west side of the existing oil skimmer tanks)
- 9. On page "A-8" of Attachment III.1.G (Pipe Wall Thickness Information), Vol. III, please provide a title and reference for this table
- 10. On page 4 of Section 2, Vol. III, please edit to read: "The CQA is also required by NMED OCD as means of demonstrating compliance..."

Replacement pages may be submitted to the OCD. OCD will then replace the pages for your convenience.

Please contact me if you have any questions regarding this matter.

Edward J. Hansen Hydrologist Environmental Bureau 505-476-3489 May 15, 2009

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### 2009 MAY 18 AM 9 34

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Edward,

Attached are the revised Permit Plan Sheets 3 and 7 for the BDI Permit Application showing the requested changes.

Thank you,

I. Keith Gordon, P.E. Gordon Environmental, Inc.

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



May 1, 2009

John Volkerding, Ph.D. Basin Disposal, Inc. 200 Montana Street Bloomfield, NM 87413

RE: Request for Additional Information Permit (NM-01-005) Major Modification Application Basin Disposal Evaporation Ponds Section 3, T29N, R11W NMPM San Juan County, New Mexico

Dear Dr. Volkerding:

The New Mexico Oil Conservation Division (OCD) has reviewed the Permit (NM-01-0005) Major Modification Application for the Basin Disposal Evaporation Ponds, dated December, 2008. Upon review of the Application, the OCD has determined that additional information is required before the OCD can deem the application complete. Therefore, the OCD requests additional information (see attached).

Attached is a list of items that must be addressed prior to completing the application review. Once this information is submitted, the OCD will determine if any additional information is required. Please provide a cover letter referencing this list when submitting the requested additional information.

If you have any questions regarding this matter, please contact me at 505-476-3489 or <u>edwardj.hansen@state.nm.us</u>.

Sincerely. Handen Edward J. Hanse

Edward J. Hans Hydrologist

EJH:ejh

cc: OCD; Aztec District Office

1. Keith Gordon, Gordon Environmental, Inc., 213 South Camino del Pueblo, Bernalillo, NM 87004

Oil Conservation Division \* 1220 South St. Francis Drive \* Santa Fe, New Mexico 87505 \* Phone: (505) 476-3440 \* Fax (505) 476-3462\* <u>http://www.emnrd.state.nm.us</u>

### Request for Additional Information For the Basin Disposal, Inc. OCD Permit (NM-01-0005) Major Modification Application May 1, 2009

- 1. Please note the OCD Permit # (NM-01-0005) on the cover sheets of the application.
- Since this application was prepared prior to the re-codification of the OCD's rules, please make the appropriate citation changes: 19.15.3.118 NMAC is now 19.15.11 NMAC (re.: H<sub>2</sub>S Contingency Plans); 19.15.1.7 NMAC is now 19.15.2.7 NMAC (re.: definition of fresh water); 19.15.3.116 NMAC is now 19.15.29 NMAC (re.: release notification); 19.15.1.19 NMAC is now 19.15.30 NMAC (re.: groundwater abatement); 19.15.14.1206 NMAC is now 19.15.4.9 NMAC, etc. (re.: OCC hearing procedures); 19.15.9.712 NMAC is now 19.15.35.8 NMAC, etc. (re.: solid waste facility O/G field waste acceptance).
- 3. Please submit a Best Management Practice Plan describing practices not otherwise specified in the plans submitted (e.g., dust control for daily traffic, minor spill clean-up, daily fence integrity check, potential soils stockpile dust and erosion control, dust control during construction, etc.). 19.15.36.8.C.(14) NMAC
- 4. In the engineering design plan please include additional climatological factors, including freeze-thaw cycles, for the site (e.g., average annual precipitation, pan evaporation rate, etc.). 19.15.36.17.A. NMAC
- Please describe how the liner will be protected from excessive hydrostatic force or mechanical damage at a point of discharge into or suction from the lined ponds. 19.15.36.17.B.(6) NMAC
- 6. Please provide documentation that if HDPE (SDR 11) riser pipes are used the required minimum wall thickness of schedule 80 will be met. 19:15:36:17.B.(9) NMAC
- 7. In Application Volume I, Attachment B please change the OCD contact in the draft public notice from Brad Jones to Edward J. Hansen. 19.15.36.9 NMAC
- 8. In Application Volume II, Section 1 (Operations, Inspection and Maintenance Plan), Subsection 7.0 please indicate that the sumps will be pumped dry prior to acceptance of waste. In addition, please expand the procedures to prevent leakage from the sumps, and procedure to be followed if liquid is discovered in the sumps (e.g., GCL placement under the sumps, increased liquids measurement and pumping frequencies, possible sump liquids and/or groundwater monitoring, proposed action limit for liner inspection and potential repairs, specific action limit for notification of OCD within 24 hours, etc.). 19.15.36.17.C.(2) NMAC

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#### Request for Additional Information For the Basin Disposal, Inc. OCD Permit (NM01-0005) Major Modification Application May 1, 2009

- In Application Volume II, Section 1 (Operations, Inspection and Maintenance Plan), Subsection 9.0 please change the time to retain all records from 3 years to 5 years. (current permit condition); 19.15.36.13.G NMAC
- In Application Volume II, Section 2 (Oil Field Waste Management Plan), Subsection 2.2.1.i) please expand how odor is an indicator or non-exempt waste (e.g., septic waste odor, etc.). 19.15.36.8.C.(6) NMAC
- 11. In Application Volume II, Section 2 (Oil Field Waste Management Plan), Subsection 2.2.2.g) please explain the term "roll". 19.15.36.8.C.(6) NMAC
- In Application Volume II, Section 3 [Hydrogen Sulfide (H<sub>2</sub>S) Prevention Plan] please change the title to Hydrogen Sulfide (H<sub>2</sub>S) Prevention and Contingency Plan. 19.15.36.8.C.(8) NMAC
- In Application Volume II, Section 3 [Hydrogen Sulfide (H<sub>2</sub>S) Prevention Plan] [Hydrogen Sulfide (H<sub>2</sub>S) Prevention and Contingency Plan] please indicate that provisions in Paragraph 7.6 of API, RP 55 have been incorporated into the plan. 19.15.36.8.C.(8) NMAC (19.15.11 NMAC)
- 14. In Application Volume II, Section 3 [Hydrogen Sulfide (H<sub>2</sub>S) Prevention Plan] [Hydrogen Sulfide (H<sub>2</sub>S) Prevention and Contingency Plan], Subsection 3.1 please provide the typical tank volume of the vehicles entering the facility and the typical volume of a coffee can used for dispensing CaOCI. 19.15.36.8.C.(8) NMAC
- 15. In Application Volume II, Section 3 [Hydrogen Sulfide (H<sub>2</sub>S) Prevention Plan] [Hydrogen Sulfide (H<sub>2</sub>S) Prevention and Contingency Plan], Subsection 3.2.2 please explain why there is a range of pH (i.e., "6-7.0") for an action level (e.g., temperature dependent, etc.).
   19.15.36.8.C.(8) NMAC
- 16. In Application Volume II, Section 3 [Hydrogen Sulfide (H<sub>2</sub>S) Prevention Plan] [Hydrogen Sulfide (H<sub>2</sub>S) Prevention and Contingency Plan], Subsection 4.3 please indicate that the OCD will be notified within 4 hours after the contingency plan is activated. 19.15.36.8.C.(8) NMAC (19.15.11 NMAC)
- 17. In Application Volume II, Section 3 [Hydrogen Sulfide (H<sub>2</sub>S) Prevention Plan] [Hydrogen Sulfide (H<sub>2</sub>S) Prevention and Contingency Plan], Subsection 9.0 please indicate the training will include hydrogen sulfide hazards, detection, personal protection and contingency procedures. In addition, please indicate that new employees will receive an orientation regarding hydrogen sulfide safety prior to the annual formal training. 19.15.36.8.C.(8) NMAC (19.15.11 NMAC)

Request for Additional Information For the Basin Disposal, Inc. OCD Permit (NM01-0005) Major Modification Application May 3, 2009

- 18. In Application Volume II, Section 4 (Closure / Post-Closure Plan), Subsection 3.3 please indicate that the geosynthetic waste materials will by well cleaned in accordance with 19.15.35.8 NMAC if proposed to be taken to a solid waste facility for disposal. In addition, please indicate that the sludge will also be tested for chloride concentration and any other parameters required by the disposal facility or rule at the time of closure. 19.15.36.8.C.(9) NMAC
- In Application Volume II, Section 4 (Closure / Post-Closure Plan), Attachments, a letter from the OCD, dated August 26, 2008, indicates that the issue of the surety has yet to be resolved. Please resolve this issue with OCD and submit appropriate documentation. 19.15.36.11 NMAC
- 20. In Application Volume II, Section 6 (Migratory Bird Protection Plan), Subsection 3.2 please indicate that the largest pond (Pond #1) is in full view from the office (and if Ponds #3 or #2 will also be in full view from the office). In addition, please indicate that the facility is open 364 (±1) days per year. 19.15.36.17.C.(3) NMAC; 19.15.36.13.1 NMAC
- 21. In Application Volume III, Section 1 (Engineering Design), Subsection 3.0 please note the citation for the HDPE piping thickness equivalency demonstration. 19.15.36.17.B.(9) NMAC
- 22. In Application Volume III, Section 1 (Engineering Design), Subsection 7.0 please provide an 30-mil PVC or 60-mil HDPE equivalency demonstration for the "30-mil polyester" to be used for secondary containment of the tanks on site. (possible permit condition)
- 23. In Application Volume III, Section 1 (Engineering Design); Attachments please indicate on an existing site plan map exactly where the new proposed tanks will be located. In addition, please indicate exactly where the three oil-skimmer tanks will be located (or re-located if appropriate – the application indicated that these tanks may be moved to the south to allow for the new receiving tanks). Also, please indicate how secondary containment will be maintained for the oil-skimmer tanks. (current permit condition)
- 24. In Application Volume III, Section 1 (Engineering Design), Attachments please indicate that the riser pipes will be covered will select material (e.g., select sand). (possible permit condition)
- 25. In Application Volume III, Section 4 (Stormwater Management Plan), Subsection 2.0 please change the reference to the site size from 22.8 acres± to ~28 acres. 19.15.36.8.C.(11) NMAC

#### Request for Additional Information For the Basin Disposal, Inc. OCD Permit (NM01-0005) Major Modification Application May 1, 2009

- 26. In Application Volume IV, Section 2 (Siting Criteria), Subsection 2.0 please further address the issue of the perched water at the site (i.e., a demonstration that the perched water is not hydraulically connected to the shallowest fresh water aquifer e.g., a comparison of the analytical results of the perched water to the fresh water and citations in the groundwater investigation report; and, the perched water is not from the facility e.g., a comparison of the analytical results of the perched water to the pond water and citations in the groundwater investigation report; 19.15.36.13.A.(5) NMAC; 19.15.27 NMAC
- 27. In Application Volume IV, Section 1 (Siting Criteria), Subsection 4.0 please indicate that the closest water wells are more than 1,000 feet from the facility in accordance with the definition of wellhead protection area in 19.15.2.7 NMAC. 19.15.36.13.B.(2) NMAC
- 28. In Application Volume IV, Section 2 (Siting and Hydrogeology) please indicate the thickness of the shallowest fresh water aquifer under the site in accordance with 19.15.36.8.C.(15)(c) NMAC. In addition, please provide laboratory analyses, in accordance with 19.15.36.8.C.(15)(b) NMAC of the shallowest fresh water aquifer under the site (a water sample taken at the nearest deep well may be sufficient to satisfy this requirement).

GORDON ENVIRONMENTAL, INC.

(505) 867-6991 Fax

**Consulting Engineers** 

Bernalillo, New Mexico 87004

213 S. Camino del Pueblo

March 10, 2009

2009 MAR 12 PM 1 07

Mr. Edward J. Hansen Hydrologist Environmental Bureau Oil Conservation Division NM Energy, Minerals and Natural Resources Department 1220 South St. Francis Dr. Santa Fe, NM 87505

Re: Basin Disposal, Inc. [OCD Permit No. 1-0005] Updated Figure – Existing Site Conditions [520.01.01]

Dear Mr. Hansen,

On behalf of our client, Basin Disposal, Inc., Gordon Environmental, Inc. (GEI) is pleased to provide the Oil Conservation Division (OCD) with an updated replacement copy of the Existing Site Conditions Figure (Sheet 2 of 8) for the Basin Disposal, Inc. site. This figure was originally submitted to OCD as part of the Basin Disposal, Inc. *Application for Modification* (December 2008). The scale has been updated on this figure.

Please contact GEI at (505) 867-6990 if you have any questions. We appreciate OCD's review and look forward to your questions and comments.

Very Truly Yours, Gordon Environmental, Inc.

I. Keith Gordon, P.E.

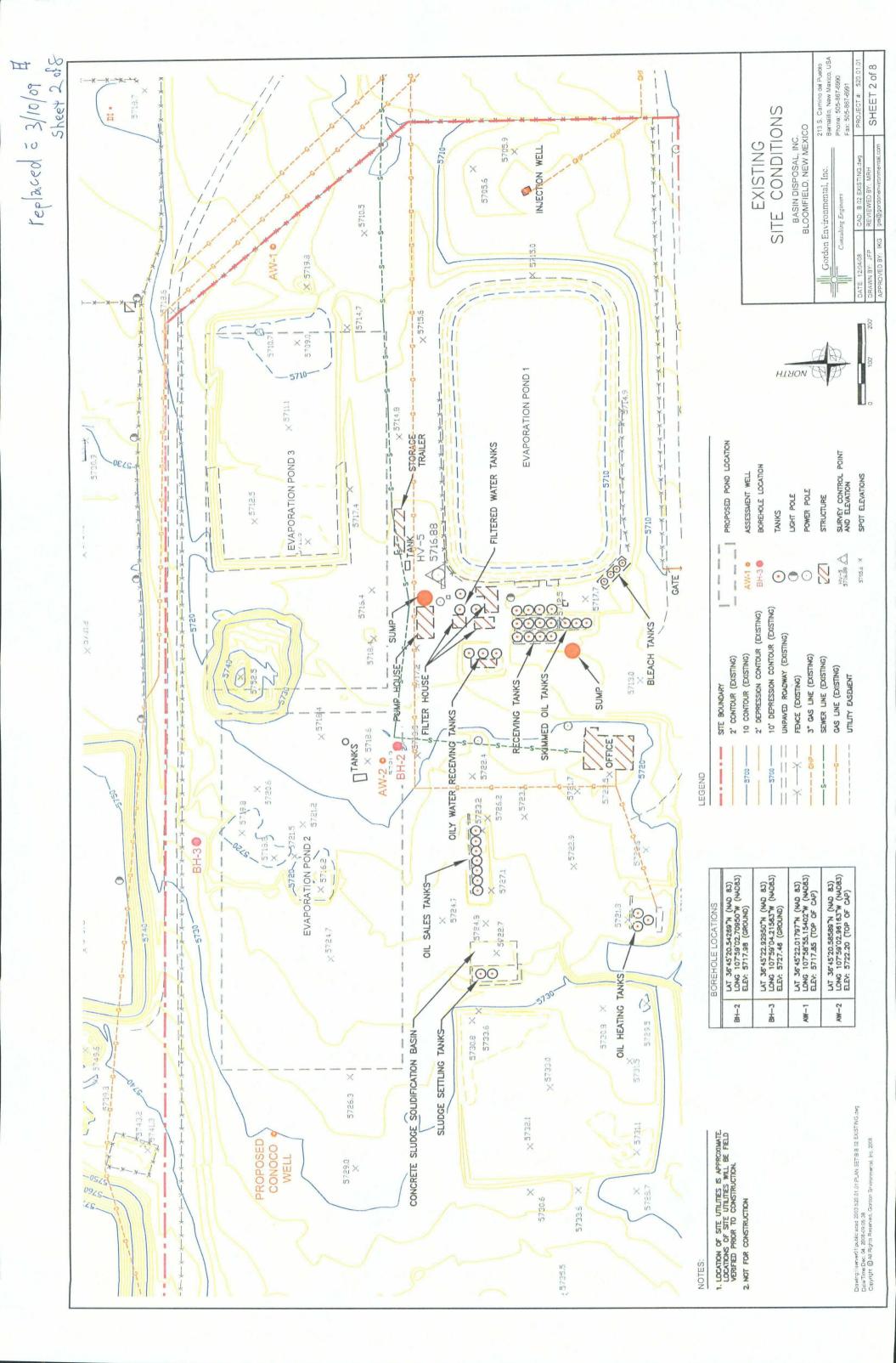
Principal

cc: John Volkerding, Ph.D., General Manager; Basin Disposal, Inc. Jim Jordan, P.E.; JEI

Attachment: Volume III, Section 1; Attachment III.1.A, Permit Plans; Sheet 2 of 8, Existing Site Conditions

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### (505) 867-6990



### PRO NM ENERGY INC. OIL AND GAS PRODUCTION AND PROPERTIES

RECEIVED 2009 JUL 27 PM 1 12

July 24, 2009

Edward J Hansen OCD/Environmental Bureau 1220 South St. Francis Dr. Santa Fe, New Mexico 87505

RE: Support of Basin Disposal Major Modification Permit Application

Dear Mr. Hansen;

Basin Disposal has submitted an application for a major modification to their facility, to include the construction of two additional water storage and evaporation ponds.

The need for increased water capacity in the San Juan area is crucial to the future of the oil and gas industry. The oil and gas industry has substantial impacts on other industries in the area.

In our experience Basin Disposal has been a good corporate citizen and environmental steward. We support their permit application.

Sincerely,

PRO NM ENERGY, INC.

Juiks Henel

Jolene Dicks Director of Operations

460 St. Michael's Drive, Suite 300 • Santa Fe, New Mexico 87505 • 505 988-4171 Fax 505 988-4548

## RECEIVED 2009 JUN 25 PM 1 18



Williams Exploration and Production P.O. Box 640 Aztec, NM 87410 505/634-4200

Mr. Edward J. Hansen New Mexico Oil Conservation Division Environmental Bureau 1220 South St. Francis Drive Santa Fe, New Mexico 87505

RE: Support of Major Modification Permit Application for Basin Disposal Inc.

Dear Mr. Hansen:

Williams is submitting this letter to show support for the Basin Disposal Inc. major permit modification application to build two additional water storage and evaporation ponds.

As you are aware, the need for increased water storage capacity is vitally important to the oil and gas industry. The oil and gas operators, services companies and numerous other businesses that support our industry provide thousands of jobs and many economic benefits to the community and surrounding areas. We consider Basin Disposal to be a good corporate citizen and strong member of the community.

We have worked with Basin Disposal for many years and trust their commitment to public safety, the environment, and regulatory compliance. Williams is pleased to provide this letter on their behalf in unqualified support of the permit application. Please feel free to contact us for further information.

Sincerely,

Sterg Katirgis

Manager, Production Operations San Juan Asset Team Aztec, NM



Edward j. Hanson OCD environmental bureau

1220 south st. francis dr.

Santa Fe N.M 87505

Dear Mr. hanson

I am the the manger of Patriot Tech in the San Jaun basin we at Patriot Tech specialize in pit remediation. We have been in the san juan basin for two years and have used basin for all of our disposal needs they have been a great company to work with and I plan on using them for many more years and hope to see them expand. We believe that the expansion of Basin Disposal will be a great advantage to the oil & gas business in the four corners. Thank you for your time and know that we support the expansion of Basin Disposal Inc.

Sincerely

Matt smith

Noten Smith

**Patriot technologies** 



4900 College Boulevard Farmington VM 87 OP Office: 505.325.8874 Fax: 505.327.9207 2009 JUN 17 PM 2017

June 15, 2009

Mr. Edward J. Hansen NMOCD/Environmental Bureau 1220 South St. Francis Dr. Santa Fe, NM 87505

Dear Mr. Hansen:

As President of Benson-Montin-Greer Drilling Corp., I wish to express my support of Basin Disposal's application for additional evaporation ponds and facilities for water disposal.

Basin has been an excellent operator and with John Volkerding as General Manager, they have superior knowledge of environmental issues, regulations, and reporting. With some signs of our economy improving, drilling in the northwest should be increasing again and the need for additional disposal capacity for produced water will become even more critical than now.

The approval of their application would insure that disposal in the Northwest remains with a prudent, knowledgeable operator. Please accept our unqualified support of Basin's application.

Sincerely,

Almond

Mike Dimond President

Edward J Hansen OCD/Environmental Bureau 1220 South St. Francis Dr. Santa Fe, New Mexico 87505

# RECEIVED 2009 MRY 11 AM 11 21

RE: Support of Basin Disposal Major Modification Permit Application

Dear Mr. Hansen;

Basin Disposal has submitted an application for a major modification to their facility, to include the construction of two additional water storage and evaporation ponds.

The need for increased water capacity in the San Juan area is crucial to the future of the oil and gas industry. The oil and gas industry has substantial impacts on other industries in the area.

I live to the south of Basin Disposal and they have been a good corporate citizen and neighbor. We support their permit application.

Sincerely;

anten -

Adam L. LEE P.O BOX 194 Bloomfield N.M 87413



City of BloomfieldEIVED 2009 MAY 11 AM 11 22

May 7, 2009

Edward J. Hansen OCD/Environmental Bureau 1220 South Saint Francis Dr. Santa Fe, NM 87505

Re: Basin Disposal expansion

Dear Mr. Hansen,

I am writing today to express our support of Basin Disposal's desire to expand their facility with the construction of an additional pond. Basin Disposal, Inc. is a valued business in our community and we believe that with this expansion it will help to make their facility and operations more efficient. If you have any questions please feel free to give me a call. My number is 505-632-6302. Thank you for your consideration. Please give my best regards to Wayne.

Sincerely,

Keith Johnson City Manager

915 N. First • P. O. Box 1839 • Bloomfield, NM 87413 • Fax: (505) 632-6310 • Off.: (505) 632-6300

# **B** & H MAINTENANCE & CONSTRUCTION, INC. LUEIVED

ENVIRONMENTAL AND REMEDIATION SERVICES P.O. Box 185 • Bloomfield, NM 87413 • 505 634-0460 • FAX 565 634-0462 31 PI 12 50

505 394-2588 1-800-782-5901 FAX 505 394-2299 P.O. BOX 970 EUNICE, NM 88231

505 887-9755 887-7931 FAX 505 887-0369 P.O. BOX 98 CARLSBAD, NM 88220

915 550-8210 FAX 915 368-4031 2858 STEVEN ROAD WEST LOOP 338 ODESSA, TX 79769

Edward J Hansen **OCD/Environmental Bureau** 1220 South St. Francis Dr. Santa Fe, New Mexico 87505

**RE: Support of Basin Disposal Major Modification Permit Application** 

B&H Maintenance and Construction owns and occupies property to the east of Basin Disposal's Bloomfield location and we would like to support their application for a major modification to their facility.

The need for increased water capacity in the San Juan area is crucial to the future of the oil and gas industry. The oil and gas industry has substantial impacts on other industries in the area.

We have found Basin Disposal to be a good neighbor and believe their expansion would be a positive addition to the area.

If you need to contact me regarding the aforementioned matter please feel free to call me. I can be reached at (505)215-1020.

J.P. Smith Vice President **B&H Maintenance and Construction Rocky Mountain Division** 

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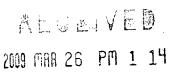
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FABRICATION

WWW.BHPIPELINE.COM

Edward J Hansen OCD/Environmental Bureau 1220 South St. Francis Dr. Santa Fe, New Mexico 87505



RE: Support of Basin Disposal Major Modification Permit Application

Dear Mr. Hansen;

Basin Disposal has submitted an application for a major modification to their facility, to include the construction of two additional water storage and evaporation ponds.

The need for increased water capacity in the San Juan area is crucial to the future of the oil and gas industry. The oil and gas industry has substantial impacts on other industries in the area.

My property is the south east of Basin Disposal. They have been a good neighbor. I support their permit application.

Sincerely;

nay Koth Kay/Roth

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# Line-X of Aztec 505-330-0622

### AEGEIVED 2009 MAR 25 PM 4 19

Edward J Hansen OCD/Environmental Bureau 1220 South St. Francis Dr. Santa Fe N.M. 87505

March 16, 2009

**RE: Support of Basin Disposal Project** 

Dear Mr. Hansen:

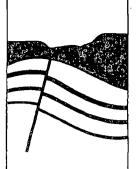
I am Aaron Moore owner of Line-X of Aztec. I own a shop and One acre of land bordering Basin Disposals land. I have found Basin to be good neighbors and wish to show my support in the expansion of water storage and evaporation that they need. Please consider their project and know that these kinds of projects will help the economy around here too.

Sincerely

. 1

Man

Aaron C. Moore



DJ SIMMONS, INC.

1009 Ridgeway Place Suite 200 farmington. New Mexico 87401

505-326-3753 505-327-4659 FAX info@djsimmonsinc.com www.disimmonsinc.com

March 19, 2009

New Mexico Oil Conservation Division Environmental Bureau 1220 South St. Francis Santa Fe, New Mexico 87505

Dear Sirs.

It has come to our attention that Basin Disposal is seeking permission from your agency to build two additional storage and evaporation ponds at their facility in Bloomfield, NM. It is our opinion that the San Juan Basin needs additional produced water storage and disposal capacity. There are numerous reasons for the need for increased capacity. One reason is that many companies, including D.J. Simmons, have chosen to no longer discharge frac flowback water to the reserve pits for evaporation. Instead, we collect the water in flowback tanks and then haul this water away for disposal. Also, due to limits on the amount-of-time-a-reserve-pit-can-be-left open for evaporation, we have a need to haul water off for disposal in order to remove the fluids prior to closure.

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It is important that we enhance our central water storage and disposal facilities like Basin Disposal to accommodate this growing need.

Thank you for your consideration of our comments,

Sincerely Yours,

John A. Byrom

President D.J. Simmons, Inc. 

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Cummins Burner Fuel PO Box 655 Bloomfield, NM 87413 Phone: (505) 632-9130

Edward J Hansen OCD/Environmental Bureau 1220 South St. Francis Dr. Santa Fe N.M. 87505

March 16, 2009

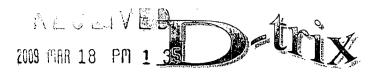
**RE: Support of Basin Disposal Project** 

Dear Mr. Hansen:

I am the owner of Cummins Burner Fuel Inc. I have two acres of land to the south side of Basin disposal and have found them to be very good neighbors in this business area. I have visited with the General Manager of Basin Disposal John Volkerding and am convinced that this project will benefit our area. I have lived in this area all my life and know that without the Oil and Gas industry we would not survive. Therefore I support all efforts to improve our economy that will not have a negative impact on our environment and I believe this would be a good project. Please consider the Permit Application and know that I am in support of their expansion.

Sincerely,

**Timothy D Cummins** 



Detrick Services, LLC PO Box 655 Bloomfield, NM 87413 Phone: (505)632-1453

Edward J Hansen OCD/Environmental Bureau 1220 South St. Francis Dr. Santa Fe N.M. 87505

March 16, 2009

RE: Support of Basin Disposal Major Modification Permit Application

Dear Mr. Hansen:

We here at Detrick Services LLc. wish to show our support of the expansion in evaporation that Basin are proposing. We are a Produced Water Hauling company with a one acre yard just south of Basin. We also haul water to Basin from the field and find them to be a top notch company to work with as well as good business neighbors. Being in the Water Hauling business we understand the need for this expansion to keep things running smoothly throughout the Basin.

Sincerely,

Mike Detrick (owner)



KEUEJVED 2009 MAR 12 PM 1 06

March 9, 2009

Mr. Edward J. Hansen New Mexico Oil Conservation Division Environmental Bureau 1220 South St. Francis Drive Santa Fe, New Mexico 87505

RE: Support of Major Modification Permit Application for Basin Disposal Inc.

Dear Mr. Hansen:

XTO Energy Inc. (XTO) is submitting this letter in support of the Basin Disposal Inc. (BDI) permit application for a major modification to build two additional water storage and evaporation ponds.

As you know, the need for increased water storage capacity is vitally important to the oil and gas industry. The oil and gas operators, services companies and the many other businesses that support our industry provide thousands of jobs and many economic benefits to the community and surrounding areas. We consider BDI to be a good corporate citizen and strong member of the community.

We have worked with BDI for many years and trust their commitment to public safety, the environment, and regulatory compliance. XTO is pleased to submit this letter on their behalf in support of the permit application. Please feel free to contact us for further information.

Sincerely,

cc:

. .

Lisa Winn

Manager of Governmental Affairs - Rockies

Del Craddock, XTO Energy Inc., Vice President of Operations John Volkerding, Basin Disposal Inc., General Manager



### NEVENVED

### 2009 MAR 5 PM 1 06 WILLIAMS PRODUCTION COMPANY, LLC

P O Box 640 Aztec, New Mexico 87410 (505) 634-4244

Edward J Hansen OCD/Environmental Bureau 1220 South St. Francis Dr. Santa Fe, New Mexico 87505

RE: Support of Basin Disposal Major Modification Permit Application Applicant's name and address: Jerry Sandel, President Basin Disposal, Inc. P.O. Box 100, Aztec, NM 87410. Contact Mr. John Volkerding, General Manager Telephone: (505) 632-8936 Facility location and address: 200 Montana Street, Bloomfield, NM 87413

Dear Mr. Hansen;

Basin Disposal has submitted an application for a major modification to their facility, to include the construction of two additional water storage and evaporation ponds.

The need for increased water capacity in the San Juan area is crucial to the future of the oil and gas industry. The oil and gas industry has substantial impacts on other industries and the local area economy.

Basin Disposal has been a good corporate citizen and neighbor. We support their permit application.

Sincerely,

Stergie Katirgis

Production & Operations Manager Williams Production Company, LLC PO Box 640 Aztec, NM 87410 Office: 505-634-4200 Fax: 505-634-4205 Edward J Hansen OCD/Environmental Bureau 1220 South St. Francis Dr. Santa Fe, New Mexico 87505 March 2'nd, 2009: U I V E D 2009 MAR 4 PM 1 40

#### RE: Support of Basin Disposal Major Modification Permit Application

Dear Mr. Hansen;

I understand that Basin Disposal has submitted an application to modify their facility, to include building of two additional water storage and evaporation ponds.

The region needs expanded water disposal capacity for the future of the oil and gas industry.

My property borders Basin Disposal directly to the east. Basin Disposal has been an excellent corporate citizen and neighbor. I support their permit application.

Sincerely;

Mike Turnbaugh

Mike Turnbaugh 102 Montana Street Bloomfield, New Mexico 87413

### FOUTZ & BURSUM

Since 1954

Construction Company, Inc. (C) P.O. BOX 187 BLOOMFIELD, NEW MEXICO-87413 2009 FEB 25 PM 1 26 (505) 634-4000

February 23, 2009

Edward J. Hansen OCD/Environmental Bureau 1220 South St. Francis Dr. Santa Fe, NM 87505

Reference: Support of Basin Disposal Major Modification Permit Application

Dear Mr. Hansen,

Basin Disposal has submitted an application for a major modification to their facility, to include the construction of two additional water storage and evaporation ponds.

The need for increased water capacity in the San Juan area is crucial to the future of the oil and gas industry. The oil and gas industry has substantial impacts on other industries in the area.

Our company borders Basin Disposal to the north. Basin Disposal has been a good corporate citizen and neighbor. We support their permit application.

Sincerely,

e Ei

Steve E Foutz President/CEO Foutz & Bursum Construction Co Inc.

Pipeline • Plants • Utilities • Locations • Maintenance • Hydro Testing