

State of New Mexico
Energy, Minerals and Natural Resources
Oil Conservation Division
1220 S. St Francis Dr.
Santa Fe, NM 87505
(505) 476-3440

Change of Facility Operator

Previous Operator Information

New Operator Information

Effective Date:

OGRID: _____

OGRID: _____

Name: _____

Name: _____

I hereby certify that the rules of the Oil Conservation Division ("OCD") have been complied with and that the information on this form and the certified list of Facilities is true to the best of my knowledge and belief.

Additionally, by signing below, _____ certifies that it has read and understands the following synopsis of applicable rules.

PREVIOUS OPERATOR certifies that all below-grade tanks constructed and installed prior to June 16, 2008 associated with the selected Facilities being transferred are either (1) in compliance with 19.15.17 NMAC, (2) have been closed pursuant to 19.15.17.13 NMAC or (3) have been retrofitted to comply with Paragraphs 1 through 4 of 19.15.17.11(I) NMAC. Certifies that all monthly venting/flaring reports pursuant to 19.15.27 and 19.15.28 NMAC associated with the selected facilities have been submitted and accepted by the OCD prior to submitting a Change of Operator request.

As the new Operator _____ understands that the OCD's approval of this operator change:

1. constitutes approval of the transfer of the permit for any permitted pit, below-grade tank or recycling facility associated with the selected facilities; and
2. constitutes approval of the transfer of any below-grade tanks constructed and installed prior to June 16, 2008 associated with the selected facilities, regardless of whether the transferor has disclosed the existence of those below-grade tanks to the transferee or to the OCD, and regardless of whether the below-grade tanks are in compliance with 19.15.17 NMAC.

As the new Operator of record of facilities in New Mexico, _____
_____ agrees to the following statements:

1. I am responsible for ensuring that the facilities and related equipment comply with applicable statutes and rules and am responsible for all regulatory filings with the OCD. I am responsible for knowing all applicable statutes and rules, not just the rules referenced in this list. I understand that the official publication of all rules are available at the [New Mexico Administrative Code Titles - State Records Center & Archives](#).,
2. I understand that if I acquire facilities from another operator, the OCD must approve the operator change before I begin operating those facilities. I understand that if I acquire facilities subject to a compliance order, I am responsible for complying with all terms of the order. I understand that if I acquire facilities with unresolved environmental incidents, I am responsible for complying with all remediation requirements and that before the OCD will approve the operator change it may require me to enter into an enforceable agreement to return those facilities to compliance. See 19.15.9.9(C)(2) NMAC.
3. I must file a monthly C-115B report showing venting/flaring for each required facility. See 19.15.27 NMAC and 19.15.28 NMAC.
4. I am responsible for reporting releases as defined by 19.15.29 NMAC. I understand the OCD will look to me as the operator of record to take corrective action for releases at my facilities and related equipment, including releases that occurred before I became operator of record.
5. I am responsible for providing the OCD with my current address to record and emergency contact information, and I am responsible for updating that information when it changes. See 19.15.9.8(C) NMAC. I understand that I can update that information on the OCD's website under "Electronic Permitting."
6. If I transfer facility operations to another operator, the OCD must approve the change before the new operator can begin operations. See 19.15.9.9(B) NMAC. I remain responsible for the facilities and related equipment and all related regulatory filings until the OCD approves the operator change. I understand that the transfer will not relieve me of responsibility or liability for any act or omission which occurred while I operated the wells and related facilities.
7. No person with an interest exceeding 25% in the undersigned company is, or was within the last 5 years, an officer, director, partner or person with a 25% or greater interest in another entity that is not currently in compliance with Subsection A of 19.15.5.9 NMAC.
8. OCD Rule Subsection E and F of 19.15.16.8 NMAC: An operator shall have 90 days from the effective date of an operator name change to change the operator name on the well/facilities sign unless the division grants an extension time, for good cause shown, along with a schedule for making the changes. Each sign shall show the (1) well number, (2) property name, (3) operator's name, (4) location by footage, quarter-quarter section, township and range (or unit letter can be substituted for the quarter-quarter section), and (5) API number

Previous Operator

New Operator

Signature: _____

Signature: _____

Printed
Name: _____

Printed
Name: _____

Title: _____

Title: _____

Date: _____ Phone: _____

Date: _____ Phone: _____