



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

7001 1940 0004 7920 7553

March 4, 2005

**Mark E. Fesmire, P.E.**

Director

**Oil Conservation Division**

Artesia Aeration, LLC  
P.O. Box 310  
Hobbs, NM 88240

Permit Number: NM-1-0030

Re: Administrative Modification of Landfarm Permits

The Oil Conservation Division (OCD) issued the landfarm permit identified above under OCD Rule 711. As explained in the public notice given prior to the issuance of the permit, the permit was for landfarming to remediate hydrocarbon-contaminated soils. The language of the permit, however, is broader, allowing the facility to accept oilfield contaminated solids which are either exempt from the Federal RCRA Subtitle C (hazardous waste) regulations or are "nonhazardous" by characteristic testing. If this language were interpreted to allow the landfarm to accept oilfield waste contaminated with salts, the salts could compromise the biodegradation capacity of the landfarm. And because salts leach more easily than hydrocarbons, the landfarm may pose a greater threat to groundwater.

According to the terms of the permit identified above, the OCD may change the permit conditions administratively for good cause shown as necessary to protect fresh water, human health and the environment. The OCD has determined that it is necessary to protect fresh water, human health and the environment to modify the permit as follows:

**Effective immediately, the NMOCD permitted landfarm identified above is prohibited from accepting oilfield waste contaminated with salts.**

If the landfarm identified above wishes to accept oilfield waste contaminated with salts, you will need to file an application to modify the permit pursuant to OCD Rule 711.B(1) and follow the notice requirements of OCD Rule 711.B(2). If you have already filed a complete application for permit modification with this office and complied with the notice requirements, the OCD will process the application promptly.

Landfarms that wish to accept oilfield wastes contaminated with salts while their application for permit modification is pending may apply to the Division Director for an emergency order under OCD Rule 1202. Applications for emergency orders will be considered on a case-by-case basis.

This notice is being sent to all entities operating landfarm facilities in New Mexico permitted pursuant to OCD Rule 711, as shown on the attached list.

If you have any questions, please contact Ed Martin at (505) 476-3492 or emartin@state.nm.us.

Very truly yours,

Mark E. Fesmire, P.E

**Before the OCD  
Case 13454 & 13455  
OCD Ex. 5**

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

**OFFICIAL USE**

7001 1940 0004 7920 7553

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$4.42</b>

Postmark Here  
 3-7-05  
 NM-1-030

**Sent To**  
 ARTESIA AERATION, LLC  
 Street, Apt. No., or PO Box No. P. O. Box 310  
 City, State, ZIP+4 HOBBS, NM 88240  
 PS Form 3800, January 2001 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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 mailpiece, or on the front if space permits.

1. Article Addressed to:

ARTESIA AERATION LLC  
 P. O. Box 310  
 HOBBS, NM 88240

2. Article Number

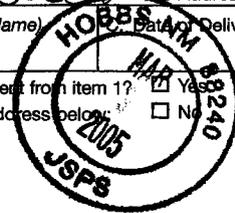
(Transfer from service label) 7001-1940-0004-7920-7553

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
 X [Signature]

B. Received by (Printed Name) [Signature] Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:



3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

NM-1-030

DISTRIBUTION LIST

DD Landfarm, Inc. NM-1-0034  
317 W. Blanco  
Hobbs, NM 88242

C & C Landfarm, Inc. NM-1-0012  
P.O. Box 55  
Monument, NM 88265

Doom Landfarm NM-1-0033  
Box 168  
Jal, NM 88252

South Monument Waste  
Management Facility, LLC NM-1-0032  
P.O. Box 18  
Hobbs, NM 88241

Lazy Ace Landfarm, LLC NM 1-0041  
P.O. Box 160  
Eunice, NM 88231

Lea Land, Inc. NM-1-0035  
5644 Westheimer, #153  
Houston, TX 77056

Gandy Marley, Inc. NM-1-0019  
P.O. Box 1658  
Roswell, NM 88202

Saunders Landfarm, LLC NM-1-0038  
394 State Highway. 206  
Lovington, NM 88260

Rhino Oilfield Disposal, Inc. NM-1-0021  
c/o Diamondback Disposal Services, Inc.  
P.O. Box 2491  
Hobbs, NM 88241

J & L Landfarm, Inc. NM-1-0023  
P.O. Box 356  
Hobbs, NM 88241-0356

Artesia Aeration, LLC NM-1-0030  
P.O. Box 310  
Hobbs, NM 88240

Sid Richardson Energy Services Co.; NM-2-0019  
610 Commerce  
Jal, NM 88252