

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION COMMISSION FOR
THE PURPOSE OF CONSIDERING:

ORIGINAL

APPLICATION OF THE NEW MEXICO OIL
CONSERVATION DIVISION TO AMEND
CERTAIN PROVISIONS OF TITLE 19,
CHAPTER 15, PART 36 OF THE NEW
MEXICO ADMINISTRATIVE CODE
CONCERNING SURFACE WASTE MANAGEMENT
FACILITIES, PART 35 OF THE NEW
MEXICO ADMINISTRATIVE CODE
CONCERNING WASTE DISPOSAL, AND
PART 2 OF THE NEW MEXICO
ADMINISTRATIVE CODE CONCERNING
THE DEFINITION OF OIL FIELD WASTE.

CASE NO. 15443

REPORTER'S TRANSCRIPT OF PROCEEDINGS

COMMISSION HEARING

May 19, 2016

Santa Fe, New Mexico

BEFORE: DAVID R. CATANACH, CHAIRPERSON
PATRICK PADILLA, COMMISSIONER
DR. ROBERT S. BALCH, COMMISSIONER
BILL BRANCARD, ESQ.

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This matter came on for hearing before the
New Mexico Oil Conservation Commission on Thursday, May
19, 2016, at the New Mexico Energy, Minerals and Natural
Resources Department, Wendell Chino Building, 1220 South
St. Francis Drive, Porter Hall, Room 102, Santa Fe,
New Mexico.

REPORTED BY: Mary C. Hankins, CCR, RPR
New Mexico CCR #20
Paul Baca Professional Court Reporters
500 4th Street, Northwest, Suite 105
Albuquerque, New Mexico 87102

1 (9:05 a.m.)

2 CHAIRPERSON CATANACH: Our next order of
3 business is the consideration of the final rule changes
4 in Case Number 15443. This case is the application of
5 New Mexico Oil Conservation Division to amend certain
6 provisions of Rule Number 19.15.36, surface waste
7 management rule. This case was heard by the Commission
8 on March 10th and again on April 7th, 2016.

9 During those proceedings, the Commission
10 finalized the language in the rule. I believe that part
11 of the case has been taken care of as far as adopting
12 the rule or approving the rule language.

13 Today the only business we have, I believe,
14 is a reviewing the draft order in the case and
15 finalizing the order signing the order.

16 Commissioners, have you had a chance to
17 review the draft order?

18 COMMISSIONER PADILLA: Yes.

19 COMMISSIONER BALCH: And I have as well.

20 CHAIRPERSON CATANACH: Okay. I reviewed it
21 as well. I had a few minor changes that I provided to
22 Bill Brancard. No changes, just some clarifications.
23 Do you guys want a chance to review the amended order
24 or --

25 COMMISSIONER BALCH: If there are no

1 substantial changes --

2 COMMISSIONER PADILLA: Other than for
3 fixing for clerical problems, no.

4 CHAIRPERSON CATANACH: That was basically
5 it.

6 Okay. Okay. Then do I have a motion to
7 adopt the order in that case?

8 COMMISSIONER PADILLA: And I'd move to
9 adopt the order.

10 COMMISSIONER BALCH: I'll second.

11 CHAIRPERSON CATANACH: All in favor?

12 (Ayes are unanimous.)

13 CHAIRPERSON CATANACH: That order will be
14 signed today.

15 And, Mr. Brancard, is that all we had to do
16 with that case?

17 MR. BRANCARD: That is all.

18 I would note -- I don't know if you noticed
19 in the order. We had a statute change last year about
20 how we do rules, and so just for your information, the
21 process that works now is that the Division has to delay
22 20 days before filing the rule with the State Records to
23 allow for that provision in the statute that allows
24 someone to request a rehearing. That is now in the
25 statute, that there is a delay upon filing with the

1 State Records Center. So I put that in the order so the
2 Division really knows when to file the actual rule with
3 the State Records Center.

4 CHAIRPERSON CATANACH: Let's go ahead and
5 sign the order and then move on.

6 Is there an attachment to this order?

7 MR. BRANCARD: That will be the rule.

8 (Case Number 15443 concludes, 9:07 a.m.)

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1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

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4 CERTIFICATE OF COURT REPORTER

5 I, MARY C. HANKINS, Certified Court
6 Reporter, New Mexico Certified Court Reporter No. 20,
7 and Registered Professional Reporter, do hereby certify
8 that I reported the foregoing proceedings in
9 stenographic shorthand and that the foregoing pages are
10 a true and correct transcript of those proceedings that
11 were reduced to printed form by me to the best of my
12 ability.

13 I FURTHER CERTIFY that the Reporter's
14 Record of the proceedings truly and accurately reflects
15 the exhibits, if any, offered by the respective parties.

16 I FURTHER CERTIFY that I am neither
17 employed by nor related to any of the parties or
18 attorneys in this case and that I have no interest in
19 the final disposition of this case.

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21 

22 MARY C. HANKINS, CCR, RPR
23 Certified Court Reporter
24 New Mexico CCR No. 20
25 Date of CCR Expiration: 12/31/2016
Paul Baca Professional Court Reporters