

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

PRELIMINARY AGENDA AND DOCKET
NEW MEXICO OIL CONSERVATION COMMISSION MEETING

October 6, 2016

9:00 A.M.

Wendell Chino Building

Porter Hall

1220 S. St. Francis Drive

Santa Fe, New Mexico 87501

The following items are for discussion and possible action:

1. Roll Call.
2. Approve the Agenda.
3. Approve minutes of September 6, 2016 meeting.
4. ***Case No. 15536: Application of the Oil Conservation Division to Amend Certain Provisions of Title 19, Chapter 15, Part 5, Section 9 of the New Mexico Administrative Code Concerning Compliance.*** The proposed rule amendments are intended to increase efficiency, make information more readily accessible, and to make other changes including:

(1) amending Subsection B of 19.15.5.9 NMAC to replace the provision that the Oil Conservation Division ("OCD") mail notice to operators on a monthly basis when according to records on file with the OCD a well on the inactive well list described in Subsection F of 19.15.5.9 NMAC shows no production or injection for the past 12 months with a provision that requires the OCD to post the information on its website. In addition, the OCD would be required to notify an operator by first class mail 60 days prior to commencing an enforcement action against an operator for a violation of 19.15.5.9 NMAC;

(2) amending Paragraph (1) of Subsection E of 19.15.5.9 NMAC to provide that the OCD shall make available on its website penalty assessments assessed over the prior 12 months and the date the operator paid them; and

(3) amending Paragraph (2) of Subsection E of 19.15.5.9 NMAC to remove the first sentence stating that an operator who contests an order assessing penalties may appeal and may seek a stay of the order.

The proposed rule amendment and the meeting agenda are available from Commission Clerk Florene Davidson at (505) 476-3458 or can be viewed on the Hearings Page at the Oil Conservation Division's web site at <http://www.emnrd.state.nm.us/ocd>. Persons **recommending modifications** to the proposed rule amendment must file a notice of recommended modifications with the Commission Clerk no later than 5:00 P.M. on **September 22, 2016**. The notice must include the text of the recommended modifications of the proposed rule amendment, an explanation of the recommended modification's impact, and reasons for adopting the modification. Persons intending to provide **written comments** on the proposed rule change must submit their written comments no

later than 5:00 P.M. on **September 29, 2016** to the Commission Clerk. Persons intending to offer technical testimony at the hearing must file six copies of a **Pre-hearing Statement** conforming to the requirements of 19.15.3.11 NMAC, and six copies of all exhibits the person will offer as evidence at the hearing, no later than 5:00 P.M. on **September 29, 2016**. Proposed modifications and written comments may be hand-delivered or mailed to Ms. Davidson at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505, or may be faxed to Ms. Davidson at (505) 476-3462. Pre-hearing Statements must be hand-delivered or mailed to Ms. Davidson at the above address.

5. Next meeting: November 10, 2016.
6. Adjournment.

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, contact Florene Davidson at least ten days prior to the meeting or as soon as possible at 505.476.3458 or florene.davidson@state.nm.us. Public documents can be provided in various accessible formats. Contact Florene Davidson if accessible format is needed.