

**STATE OF NEW MEXICO
ENERGY MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION COMMISSION**

2017 5-9

CASE NO 15617

**APPLICATION OF CK DISPOSAL, LLC
FOR A PERMIT TO OPERATE A COMMERCIAL
SURFACE WASTE MANAGEMENT FACILITY,
LEA COUNTY, NEW MEXICO**

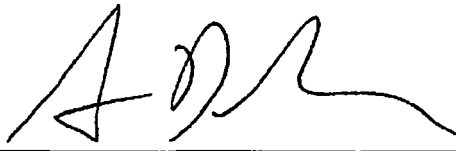
NOTICE OF REQUEST TO SECRETARY FOR PUBLIC HEARING

Louisiana Energy Services LLC d/b/a URENCO USA (LES) hereby provides notice that pursuant to NMSA 1978, § 70 2-26 (1987) it submitted the attached request to the Secretary of the Energy, Minerals and Natural Resources Department ("Secretary) The request asks the Secretary to hold a de novo hearing to determine whether Oil Conservation Commission Order R-14254 B in Case No 15617 contravenes the public interest LES submitted the request on May 9, 2017

Respectfully submitted,

RODEY DICKASON, SLOAN, AKIN & ROBB, P A

By



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By Approved by e mail on May 9, 2017

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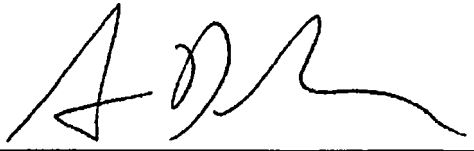
We hereby certify that a copy of the foregoing pleading was e mailed on May 9, 2017, to the following

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May 9, 2017

VIA HAND-DELIVERY

Ken McQueen Secretary
Energy, Minerals and Natural Resources Department
Office of the Secretary
1220 South St Francis Dr
Santa Fe, New Mexico 87505

Re Oil Conservation Commission Order No R 14254 B Granting Application of CK Disposal LLC For A Permit to Operate A Commercial Surface Waste Management Facility Lea County, New Mexico in Case No 15617

Dear Secretary McQueen

Under NMSA 1978 § 70-2-26 (1987), the Secretary of the Energy, Minerals and Natural Resources Department may hold a de novo hearing to determine whether an order of the Oil Conservation Commission (OCC) contravenes the public interest. Louisiana Energy Services, LLC d/b/a URENCO USA (LES) hereby requests that you hold such a hearing.

The background of the request is as follows. On April 4, 2017, following a public hearing and a 3 day technical hearing, the OCC entered Order No R 14254 B granting CK Disposal LLC's application to construct and operate a commercial surface waste management facility in Lea County New Mexico. Following issuance of the order pursuant to NMSA 1978, § 70-2-25 and 19-15-4-25 NMAC, LES filed an application for rehearing, which the OCC refused. LES remains of the view that both the OCC's decision to grant the application and the terms of the order itself show that the OCC did not give due consideration to the serious public health, public safety, and environmental concerns that were raised by LES and concerned members of the public regarding CK Disposal LLC's application.

LES's hearing request requires prompt action. Under § 70-2-26, the hearing must be held within twenty (20) days after entry of the OCC's refusal of an application for rehearing. See also id. (explaining other procedural aspects of a § 70-2-26 hearing, including the requirement that


RODEY DICKASON SLOAN AKIN & ROBB P A

Ken McQueen, Secretary
May 9 2017
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the Secretary enter an order or decision as may be required under the circumstances)
Accordingly LES requests that you promptly notify it and those copied on this letter regarding
your decision on its hearing request

Respectfully,

RODEY DICKASON, SLOAN AKIN & ROBB P A ,

By 

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Cynthia A Loehr
Counsel for LES

and -

Approved by email on 5/9/17

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External General Counsel URECO USA

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Mike Woodward, counsel for CK Disposal, LLC
Wes McGuffey counsel for CK Disposal LLC