

RECOMMENDED CHANGE
IN OCD PROPOSED AMENDMENT TO RULE 711

In 711.A.2b:

Change the word "commonly" to "jointly".

(See attached).

Before the
OIL CONSERVATION COMMISSION
Santa Fe, New Mexico
Case No. 1143 Exhibit No. 3
Submitted By: _____
Hearing Date: _____

RULE 711 - ~~COMMERCIAL~~ SURFACE WASTE DISPOSAL MANAGEMENT (as of) FACILITIES

A. A ~~commercial~~ surface waste disposal management facility is defined as any facility that receives compensation for collection, disposal, evaporation, remediation, reclamation, treatment or storage of any produced water, drilling fluids, drill cuttings, completion fluids, contaminated soils, Bottom Sediment & Water (BS&W), tank bottoms, waste oil and/or, upon written approval by the Division, other approved oil field related waste. ~~in surface pits, ponds, or below grade tanks. Such facility will not be allowed to operate unless it has been permitted in conformity with the following provisions:~~

1. A commercial facility is defined as any waste management facility that receives compensation for waste management.
2. A centralized facility is defined as a waste management facility other than a commercial facility that is:
 - a. used exclusively by one owner or operator; or
 - b. used by more than one operator under an operating agreement and which receives wastes that are generated from two or more production units or areas or from a set of commonly owned or operated leases. *JOINTLY*
3. Waste management facilities exempt from the "centralized" definition are:
 - a. facilities that receive wastes from a single well;
 - b. facilities that receive less than 16 barrels of exempt liquid waste per day or have a capacity to hold 500 barrels of liquids or less or 1400 cubic yards of solids or less;
 - c. underground injection wells subject to regulation by the Division pursuant to the federal Safe Drinking Water Act;
 - d. facilities, such as tank only facilities, that do not manage oil-field wastes on the ground in pits, ponds, below grade tanks or land application units;
 - e. emergency pits that are designed to capture fluids during an emergency upset period only