

**Fesmire, Mark, EMNRD**

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**From:** Tracy Ragan [tracy.ragan@openmakesoftware.com]**Sent:** Tuesday, November 13, 2007 9:13 AM**To:** Fesmire, Mark, EMNRD**Subject:** repeal Rul 50 and replaced it with new rules

Dear Mr. Fesmire:

Please accept this email in lieu of my attendance at this public hearing which I was not aware occurred. I would like to go on record in support of repealing Rule 50 [9.15.17.2.50 NMAC] and replacing it with a proposed new rule to be codified as 19.15.17 NMAC.

Thank you for your time and concern.

Best regards,

Tracy Ragan  
197 Wagon Trail Rd  
Cerrillos, NM 87010

The State of New Mexico, through its Oil Conservation Commission, hereby gives notice that the Commission will conduct a public hearing concerning the Oil Conservation Division's proposal to repeal Rule 50 [9.15.17.2.50 NMAC] (concerning pits and belowgrade tanks) and replace it with a proposed new rule to be codified as 19.15.17 NMAC.

The hearing will commence at 9:00 A.M. on Monday, October 22, 2007, in Porter Hall at 1220 South St. Francis Drive, Santa Fe, New Mexico, at which time parties may make opening statements. The hearing will then be adjourned until Monday, November 5, 2007, at 9:00 A.M., at the same location, at which time presentation of evidence will begin. The proposed new rule will ban all unlined pits absent a special exception, adopt new requirements for the closure of pits and belowgrade tanks, otherwise substantially change the Commission's existing requirements concerning the permitting, design, construction and operation of pits and belowgrade tanks (and operation of sumps), used in oil and gas operations, and require the permitting of, and prescribe rules concerning design, construction, operation and closure of, closed loop systems or other alternative methods that may be proposed for use in lieu of pits or belowgrade tanks. In addition, the Division proposes conforming changes to Rules 7 [19.15.1.7 NMAC], 21 [19.15.1.21 NMAC], 52 [19.15.2.52 NMAC], 114 [19.15.3.114 NMAC], 202 [19.15.4.202 NMAC] and 1103 [19.15.13.1103 NMAC]. Copies of the text of the proposed rules are available from Division Administrator Florene Davidson at (505)4763458 or from the Division's web site at <http://www.emnrd.state.nm.us/ocd>.

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