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OIL CONSERVATION DIV.
SANTA FE

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State of New Mexico
Oil Conservation Division
Attention: Mr. Chris Eustice
P.O. Box 2088
Santa Fe, NM 87504-2088

Dear Mr. Eustice:

Enclosed please find a letter from RMI addressing the Farmington District Office (FDO-BLM) concerns submitted to the NMOCD on the proposed RMI project. The Farmington District Office appreciates RMI's response and the environmental mitigation planned for the project. However, there remain some environmental issues that the FDO-BLM would like to see addressed.

1. RMI stated in their NMOCD application that "The spray evaporation system will be operated in such a manner that all spray will remain within the confines of the lined portion of the pond." RMI also stated in their June 15, 1994 letter that "An anemometer will be wired into the sprinkler system that will have the capability to shut the entire system down in the event of high winds while no operator is on site." The BLM believes that with these practices in place, then there should be no over-spray onto the adjacent lands. Although these guidelines are to be made part of NMOCD's approval process of disposal ponds, the FDO-BLM has observed evaporation ponds on private lands where there is over-spray outside of the pond. We view this is a compliance problem, not a permitting issue.
2. The lining of the pond with a leak detection system should eliminate any migration of liquids that could effect the stock water ponds and spring downstream from the proposed evaporation pond. According to RMI's proposal, if a leak is detected then enhanced evaporation will commence, provided that atmospheric conditions are such that the spray systems can be operated in accordance with the provisions of the permit. The Farmington Office requests that the NMOCD also require other means such as vacuum trucks to empty the pond if atmospheric conditions will not permit enhanced evaporation or in case of an emergency.
3. As per RMI's letter of June 15, 1994 and in reference to potential conflicts with wildlife, RMI made reference to the fact that the proposed evaporation pond will be used only minimally during the winter months. The proposal to the NMOCD does not mention the amount of use at this facility during the winter months. The FDO-BLM recommends that the NMOCD condition the use of the facility during the winter months to help alleviate potential conflicts with wildlife.
4. The FDO-BLM concern for elk calving and mule deer fawning is restricted to the spring time. Although we do not have substantial data concerning this issue, if RMI could minimize road use in the area of the proposed pond during the spring this would help alleviate any conflict in this area.

5. The RMI proposal indicates that approximately 12 acres will be disturbed for the construction of the pond and associated facilities. The mitigation discussed in their proposal is limited to the care taken in the construction of pond walls and stockpiling of topsoil for later reclamation. Due to the

current dry weather conditions, the FDO-BLM requests the NMOCD stipulate the use of water for dust control during construction activities. This will minimize the possible increased sediment load to the existing downstream ponds.

The majority of the RMI project appears to be located in Colorado, on the Southern Ute Indian Reservation. The FDO-BLM questions why the concentrated produced by the reverse osmosis system from the facility is to be pumped uphill a number of miles to the proposed evaporation pond in New Mexico. Would it be preferable to locate the evaporation pond contiguous to the other RIM facilities in Colorado?

The FDO-BLM assumes that the NMOCD will require the appropriate measures and compliance to assure protection of the adjacent federal lands including the existing downstream stock water ponds and spring from any possible surface or ground water contamination from the proposed facility.

The FDO-BLM appreciates the opportunity to comment and NMOCD's continuing cooperation in assuring that this project meets all environmental standards. If you would like to discuss this project further or if we can provide any further information please contact Don Ellsworth at (505) 599-6315.

Sincerely,

/s/ Mike Pool

Mike Pool
District Manager

Enclosure

cc:

Patrick M. Steenburg, RMI Environmental Services, Inc., P.O. Box 2522, Farmington, NM 87499

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