



NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

March 15, 1996

Mr. Walter Biggins
UIC Program Manager
USEPA, Region VI
1445 Ross Avenue
Suite 1200
6WQ-AG
Dallas, Texas 75202-2733

Dear Mr. Biggins:

On October 23, 1995, the Chairman of the Oil Conservation Commission, Mr. William J. LeMay, appointed a NORM Disposal Task Force Committee whose charge was to develop rules and regulations for the Oil Conservation Division regarding the disposal of Naturally Occurring Radioactive Material (NORM's). Between the dates of November 2, 1995, and February 20, 1996, the Committee held six meetings in its effort to draft proposed rules. On March 14, 1996, the Committee formally submitted to Mr. LeMay its proposed rules and regulations. Within the proposed rules and regulations, there are disposal options which include the injection of NORM material in Class II disposal wells and enhanced recovery injection wells. In addition, there is a disposal option which provides for injection into a Class II disposal well at a pressure which exceeds fracture pressure.

During the process of drafting these proposed rules, I have maintained contact with Mr. Ray Leissner, former New Mexico UIC Program Manager. Mr. Leissner has provided the Division with valuable information and guidance during this process. Early on, one of the questions I posed to Mr. Leissner was whether or not the OCD would be required to obtain formal approval from EPA with regards to promulgating these rules and authorizing the disposal of NORM's into Class II disposal and injection wells. He advised me that formal approval under the current UIC Rules and Regulations would not be necessary, however, he requested that EPA be given the opportunity to provide written comments on the proposed rules prior to their promulgation.

The Oil Conservation Division hereby submits the following described documents for EPA's review and comments:

- a) The Final Report of the NORM Disposal Task Force to the Chairman of the Oil Conservation Commission;
- b) The NORM Disposal Task Force Committee Member List;

- c) New Mexico Environmental Improvement Board Regulations (20 NMAC 3.1, Subpart 14);
- d) Memorandum dated February 1, 1996 from Ms. Jayme Boone Ward, El Paso Natural Gas Company to the Committee regarding the applicability of RCRA to Regulated NORM;
- e) NORM Disposal Task Force Proposed Rule;
- f) Exxon Production Research Company technical opinion on this issue of "Disposal of Slurrified NORM Waste in EOR Injection Wells".

The Oil Conservation Commission has scheduled a hearing for April 11, 1996, to consider the Committee's proposed NORM rules. We would appreciate any input from you or your staff regarding these rules. It would be most beneficial if we could receive your comments prior to the April 11 hearing. If I can be of further assistance, please contact me at (505) 827-8184.

Sincerely,


David Catanach
UIC Director

xc: Mr. Ned Kendrick
Chairman, NORM Task Force

✓ Case File-11391

Mr. Ray Leissner
USEPA, Region VI