

NM1 - ___21___

**GENERAL
CORRESPONDENCE**

YEAR(S):

2015-2018

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

David Martin
Cabinet Secretary

Brett F. Woods, Ph.D.
Deputy Cabinet Secretary

David R. Catanach, Division Director
Oil Conservation Division



December 14, 2015

Daniele Berardelli
Goo-Yea Landfarm, Inc./Rhino Environmental Services Inc.
4601 Hondo Pass, Suite K
El Paso, Texas 79904

RE: Request for Closure
Goo-Yea Landfarm, Inc./Rhino Environmental Services Inc.
Goo Yea South Commercial Landfarm: Permit NM1-021
Location: S/2 SW/4 and SW/4 SE/4 of Section 11, Township 20 South, Range 38 East,
NMPM, Lea County, New Mexico

Dear Ms. Berardelli:

The Oil Conservation Division (OCD) appreciates Rhino Environmental Services Inc.'s (Rhino) effort to restore communications with OCD over the past couple of months. Based upon conversations with OCD, Rhino ceased operating the landfarm in 2005 due to OCD's directive, at the time, to limit and restrict the acceptance of chloride contaminated soils at OCD permitted landfarm facilities for disposal. OCD's review of the administrative file on OCD Online confirms that the last Rhino's last submittal to OCD was a "request for a temporary emergency order allowing a landfarm to accept salt-contaminated oilfield waste", dated March 13, 2005, in which OCD denied on the day of the request. No additional correspondence has been submitted to OCD since 2005, until a recent email dated October 26, 2015, which only provided Excel summary worksheets of treatment and vadose zone monitoring results, but no laboratory results. In accordance with the conditions of the *Closure* portion of the existing permit, NM1-021, OCD is requesting the submittal of a closure and post-closure care plan.

Pursuant to the Condition 1 of *Closure* portion of Permit NM1-021, "The OCD Santa Fe and Hobbs offices must be notified when operation of the facility is discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Within six (6) months of discontinuing use or within 30 days of deciding to dismantle the facility a closure plan must be submitted to the OCD Santa Fe office. The operator must complete cleanup of constructed facilities and restoration of the facility site within the following six (6) months, unless an extension of time is granted by the Director."

In accordance with Condition 2 of *Closure* portion of Permit NM1-015: "Within six (6) months of discontinuing use or within 30 days of deciding to dismantle the facility a closure plan to include the following procedures must be submitted to the OCD Santa Fe office for approval:

- a. When the facility is to be closed no new material may be accepted.
- b. Existing landfarm soils will be remediated until they meet the OCD standards in effect at the time of closure.
- c. The soils beneath the landfarm cells must be characterized as to the total petroleum hydrocarbons (TPH) and volatile aromatic organics (BTEX) content in order to determine potential migration of contamination beneath the facility.
- d. Contaminated soils exceeding OCD closure standards for the site must be removed or remediated.
- e. The area will be contoured, seeded with native grasses and allowed to return to its natural state. If the landowner desires to keep existing structures, berms, or fences for future alternative uses the structures, berms, or fences may be left in place.
- f. Closure will be pursuant to all OCD requirements in effect at the time of closure, and any other applicable local, state and/or federal regulations."

At a minimum, the closure and post-closure care plan should demonstrate compliance to the following subsections of 19.15.36 NMAC: Subsections D, E, and F of 19.15.36.15 NMAC; Subsections A, B, C, D, and F of 19.15.36.18 NMAC; and Subsection A of 19.15.36.20 NMAC. Please submit a closure and post-closure care plan to OCD, within 45 days from the date of this letter, for OCD's review and consideration of approval. If there are any questions regarding this matter, please do not hesitate to contact Brad Jones of my staff at (505) 476-3487 or brad.a.jones@state.nm.us.

Sincerely,



Jim Griswold
Environmental Bureau Chief

JG/baj

cc: OCD District I Office, Hobbs
Steve Dyer, Goo-Yea Landfarm, Inc., PO Box 57180, Albuquerque, NM 87187