

**1RF – 10**

**Seely Recycling  
Containment and Facility**

**Notification Bird-X Avian  
Deterrence System**

**3 Bear Field Services  
June 3, 2020**

**From:** [Liz Klein](#)  
**To:** [Enviro, OCD, EMNRD](#)  
**Cc:** [Bratcher, Mike, EMNRD](#); [LucasKamat, Susan, EMNRD](#); [Mike Solomon](#); [Matthew Jui](#)  
**Subject:** [EXT] Notification of Bird X Deterrent System at the Seely Recycling Containment and Facility (1RF-10)  
**Date:** Wednesday, June 3, 2020 11:27:55 AM

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Per the approval conditions outlined below, 3 Bear Energy is submitting this email as notification of installation of the approved Bird X System at the Seely Recycling Facility. The installation work will start on June 8, 2020.

Please let me know if you have any questions.

Thank you.

**Liz Klein**

Director, EHS Regulatory Compliance  
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**From:** LucasKamat, Susan, EMNRD [<mailto:Susan.LucasKamat@state.nm.us>]  
**Sent:** Wednesday, June 3, 2020 10:34 AM  
**To:** Liz Klein <[lklein@3bearllc.com](mailto:lklein@3bearllc.com)>  
**Subject:** Approval with Conditions, Seely Recycling Containment and Facility (1RF-10), Avian Deterrence System Variance Request, Section 30. T18S, R34E (Lea County, NM)

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Ms. Klein,

The New Mexico Oil Conservation Division (OCD) has reviewed the recycling facility and containment variance request and related documents, submitted by 3 Bear Field Services (3Bear) (OGRID # 320495) on May 6, 2020, for the installation of an avian deterrence system at the Seely Recycling Containment and Facility (1RF-10) in Lea County, New Mexico.

3Bear requested variances from 19.15.34 NMAC for the Seely Recycling Containment and Facility related to [19.15.34.13](#) (E) wildlife netting requirements. The following variances have

been approved.

- The variance to [19.15.34.13](#) (E) NMAC for the installation of an audible avian deterrence system, a Bird-X Mega-Blaster, is approved.

The Form C-147 form and supporting documents submitted for the variance request for the Seely Recycling Containment and Facility is approved with the following conditions of approval:

- The Seely Recycling Containment and Facility (2RF-10) registration/permit expires on August 8, 2021, which is five (5) years after the initial permit submittal to OCD. If 3Bear wishes to extend operations past five (5) years, an annual permit extension request must be submitted using a form C-147 via email to [OCD.Enviro@state.nm.us](mailto:OCD.Enviro@state.nm.us) by July 8, 2021.
- 3Bear will operate, maintain, close, and reclaim the Seely Recycling Containment and Facility (2RF-10) in compliance with 19.15.34 NMAC, including, but not limited to, the performance of weekly inspections regardless of fluid levels in the containment; recording of detailed inspection reports; removal of debris, foreign objects and oil from the containment; and monthly reporting of recycling and reuse of produced water, drilling fluids, and liquid oil field waste via from C-148. (C-148s are available for download at the OCD website at <http://www.emnrd.state.nm.us/OCD/forms.html>.)
- 3Bear will notify OCD when recycling operations at the Seely Recycling Containment and Facility (2RF-10).
- A minimum of 3-feet freeboard must be maintained in the recycling containment at all times during operations.
- At the time of initial permitting, the calculations for the operational total fluid capacity of the containment was provided (Site Grading Plan and General Notes Seely Containment Sheet CS-101). The operational fluid capacity is the total volume of the containment, minus the volume not utilized due to the freeboard. The Seely Containment is permitted for a total fluid capacity of 320,000 bbls.
- If less than 20% of the total fluid capacity is utilized every six months, beginning from the first withdraw, operation of the facility is considered ceased and notification of cessation of operations should be sent electronically to [OCD.Enviro@state.nm.us](mailto:OCD.Enviro@state.nm.us). An extension to extend the cessation of operation, not to exceed six months, may be submitted using a C-147 form to [OCD.Enviro@state.nm.us](mailto:OCD.Enviro@state.nm.us).
- 3Bear will comply with 19.15.29 NMAC Releases in the event of any release of produced water or produced water or other oil field wastes at P Seely Recycling Containment and Facility 2RF-10. 3Bear will comply with all other OCD rules.
- 3Bear must perform weekly inspections of the containment and leak detection system, regardless of fluid levels in the containment.

The facility has been assigned OCD Administrative Order number 1RF-10. Please reference this permit number in all future communications, modifications, and notices related to the Seely Recycling Containment and Facility and for monthly reporting of recycling and reuse of produced water, drilling fluids, and liquid oil field waste. A copy of the approved C-147 variance request with conditions for 1RF-10 will be uploaded to the OCD Imaging system at

<http://ocdimage.emnrd.state.nm.us/imaging//AEOrderFileView.aspx?appNo=pTO1631546418>

within 24 hours.

Notifications of the installation of the avian deterrence system should be emailed to the OCD Environmental Bureau ([OCD.Enviro@state.nm.us](mailto:OCD.Enviro@state.nm.us)) with a cc to OCD District Manager Mike Bratcher ([mike.bratcher@state.nm.us](mailto:mike.bratcher@state.nm.us)).

Please keep a copy of this electronic communication for your files, as no paper copy of the approval will be delivered. A copy of this electronic communication will be saved in 1RF-10 electronic file on OCD Imaging referenced above.

Thank you for your assistance and cooperation on this matter.

Please do not hesitate to contact me if you have further questions or concerns.

Regards,

**Susan A. Lucas Kamat**

*Environmental Scientist*

Oil Conservation Division

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