

**HBP - \_\_\_\_\_17\_\_\_\_\_**

**RENEWAL REQUEST  
AND APPROVAL**

**DATE:**

**\_\_\_\_May 26, 2021\_\_\_\_\_**

State of New Mexico  
Energy, Minerals and Natural Resources Department

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**Michelle Lujan Grisham**  
Governor

**Sarah Cottrell Propst**  
Cabinet Secretary

**Todd E. Leahy, JD, PhD**  
Deputy Secretary

**Adrienne Sandoval**  
Director, Oil Conservation Division



May 26, 2021

Ms. Amy M. Blythe  
El Paso Natural Gas Company  
2 North Nevada Avenue  
Colorado Springs, Colorado 80903

**Re: Request for Renewal of 120-day Temporary Permission to Discharge Hydrostatic Test Water**  
**Company: El Paso Natural Gas Company**  
**Permit: HBP - 017**

Dear Ms. Blythe:

The Oil Conservation Division (OCD) has received El Paso Natural Gas Company's (EPNG) renewal request, dated May 12, 2021, for a 120-day temporary permission to discharge small quantities of hydrostatic test wastewater generated from the testing of new crude and/or natural gas pipelines throughout the State of New Mexico. EPNG's current approval expires June 26, 2021. Also, OCD acknowledges the submittal of the filing fee (\$100.00) and temporary permission fee (\$50.00) with the May 11, 2021 initial request.

Based on the information provided in the request, 120-day temporary permission is hereby granted to EPNG for the discharge of the hydrostatic test wastewater generated from all new pipeline hydrostatic tests the operator may perform during an approved 120-day period with the following understandings and conditions:

1. the volume of the discharge does not exceed 25,000 gallons per hydrostatic test;
2. water from a public/municipal water supply or other OCD approved sources (upon a written request to OCD) is used for each test;
3. email or written notification must be provided to the OCD 72 hours prior to each hydrostatic discharge event. The notice shall contain the following information:
  - a. the proposed location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);

- b. the date of the proposed discharge;
  - c. the volume of the proposed discharge; and
  - d. the source of hydrostatic test water;
4. the discharge does not enter any lake, perennial stream, river, or their respective tributaries that may be seasonal;
5. no discharge shall occur:
  - a. where ground water is less than 10 feet below ground surface.
  - b. within 200 feet of a watercourse (defined in 19.15.7.W(4) NMAC), lakebed, sinkhole, or playa lake (defined in 19.15.7.P(4) NMAC);
  - c. within an existing wellhead protection area (defined in 19.15.7.W(8) NMAC);
  - d. within 500 feet of a wetland (defined in 19.15.7.W(9) NMAC); or
  - e. within 500 feet from the nearest permanent residence, school, hospital, institution, or church;
6. no discharge shall occur to a surface water body without obtaining a National Pollution Discharge Elimination Systems (NPDES) permit from the US EPA, NMED, and OCD prior to the discharge;
7. best management practices must be implemented to contain the discharge onsite, to ensure that the discharge does not impact adjacent property, and to control erosion;
8. the discharge does not cause any fresh water supplies to be degraded or to exceed standards as set forth in Subsections A, B, and C of the 20.6.2.3103 NMAC (the Water Quality Regulations);
9. EPNG shall report all unauthorized discharges, spills, leaks, and releases of hydrostatic test wastewater and conduct corrective action pursuant to the Water Quality Regulations of 20.6.2.1203 NMAC and release notification pursuant to OCD Rule 29 (19.15.29 NMAC);
10. the landowner(s) of each proposed discharge and/or collection/retention or alternative discharge location must be properly notified of the activities prior to each proposed hydrostatic test event; and
11. a report, summarizing each test of new pipeline with less than 25,000 gallons per hydrostatic test per discharge event, will be submitted to OCD within 45 days after the temporary permission expiration date and shall contain the following information:
  - a. the location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
  - b. the date of each discharge;
  - c. the volume of each discharge; and
  - d. the source and quality of test water (laboratory analysis, if necessary).

A 120-day temporary permissions shall expire 120-days after issuance. **This temporary permission will expire October 24, 2021.** Renewal requests for 120-day temporary permission

El Paso Natural Gas Company

Permit: HBP - 017

May 26, 2021

Page 3 of 3

to discharge shall be submitted forty-five (45) days prior to the expiration date. A 120-day temporary permission may be revoked or suspended for violation of any applicable provisions and/or conditions of this approval.

Please be advised that approval of this request does not relieve EPNG of liability should operations result in pollution of surface water, ground water or the environment. Nor does approval relieve EPNG of its responsibility to comply with any other applicable governmental authority's rules and regulations.

If there are any questions regarding this matter, please do not hesitate to contact me at (505) 469-7486 or [brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us).

Respectfully,



Brad A. Jones

*Environmental Specialist*

**From:** [Jones, Brad A., EMNRD](#)  
**To:** [Blythe, Amy M \(Amy\)](#)  
**Subject:** RE: Revised Renewal Submittal for Temp Permission to Discharge & Certified Mail Tracking-EPNG HBP-017  
**Date:** Wednesday, May 26, 2021 8:50:00 AM  
**Attachments:** [2021 0526 HBP-017 120 day temporary permission renewal approval signed.pdf](#)

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Amy,

Please see the attached 120-day temporary permission approval. Please print a copy for your records. OCD will not be sending a hard copy in the mail. If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Brad Jones

**Brad A. Jones** • Environmental Scientist Specialist - Advanced  
Environmental Bureau  
EMNRD - Oil Conservation Division  
1220 S. Saint Francis Drive | Santa Fe, New Mexico 87505  
(505) 469-7486 | [brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us)  
<http://www.emnrd.state.nm.us/OCD/>

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**From:** Blythe, Amy M (Amy) <Amy\_Blythe@kindermorgan.com>  
**Sent:** Wednesday, May 12, 2021 1:28 PM  
**To:** Jones, Brad A., EMNRD <brad.a.jones@state.nm.us>  
**Subject:** [EXT] Revised Renewal Submittal for Temp Permission to Discharge & Certified Mail Tracking-EPNG HBP-017

Hey Brad,

Attached is the signed PDF of the revised request for renewal. I've also attached a photo of the Certified Mail Tracking for the packet that includes the check.

Thanks again for your assistance and have a great day! ☺

Amy

**KINDER MORGAN**

Amy Blythe  
Environmental Specialist  
Two North Nevada Ave  
Colorado Springs, CO 80903  
719.520.4813 or 575.644.3336  
(Child Ambassador - [www.worldvision.org](http://www.worldvision.org))

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**From:** Jones, Brad A., EMNRD <[brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us)>

**Sent:** Wednesday, May 12, 2021 12:54 PM

**To:** Blythe, Amy M (Amy) <[Amy\\_Blythe@kindermorgan.com](mailto:Amy_Blythe@kindermorgan.com)>

**Subject:** RE: Request for Your Review - Revised renewal letter - Will PDF of signed letter suffice?

[This email message was received from the Internet and came from outside of Kinder Morgan.]

[Is this email relevant to Kinder Morgan business?]

[Email that is not related to Kinder Morgan business should be sent to your personal email account.]

Amy,

An emailed pdf should be fine... OCD will not be able to initiate the review and respond until the fees are accepted and processed.

Brad

**Brad A. Jones** • Environmental Scientist Specialist - Advanced  
Environmental Bureau  
EMNRD - Oil Conservation Division  
1220 S. Saint Francis Drive | Santa Fe, New Mexico 87505  
(505) 469-7486 | [brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us)  
<http://www.emnrd.state.nm.us/OCD/>

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**From:** Blythe, Amy M (Amy) <[Amy\\_Blythe@kindermorgan.com](mailto:Amy_Blythe@kindermorgan.com)>

**Sent:** Wednesday, May 12, 2021 10:19 AM

**To:** Jones, Brad A., EMNRD <[brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us)>

**Subject:** [EXT] RE: Request for Your Review - Revised renewal letter - Will PDF of signed letter suffice?

Hey Brad,

Thanks for the help! I'm going to sign this and pdf it to you. Do you really need a hard copy, or does a PDF suffice?

☺

**KINDER MORGAN**

Amy Blythe  
Environmental Specialist  
Two North Nevada Ave  
Colorado Springs, CO 80903  
719.520.4813 or 575.644.3336

(Child Ambassador - [www.worldvision.org](http://www.worldvision.org))

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**From:** Jones, Brad A., EMNRD <[brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us)>

**Sent:** Tuesday, May 11, 2021 5:06 PM

**To:** Blythe, Amy M (Amy) <[Amy\\_Blythe@kindermorgan.com](mailto:Amy_Blythe@kindermorgan.com)>

**Subject:** RE: Request for Your Review - Language for Permit resubmittal . .

[This email message was received from the Internet and came from outside of Kinder Morgan.]

[Is this email relevant to Kinder Morgan business?]

[Email that is not related to Kinder Morgan business should be sent to your personal email account.]

Hey Amy,

I recommend not to use the term “permit.” A “permit” under 20.6.2 NMAC requires public notice. This would be a *120-day temporary permission* request to discharge. Do you want OCD to use the check from the original annual temporary permission renewal request? If so, then do not state that a check for \$150.00, that covers the filing and permission is enclosed within this submittal, unless you are submitting new checks. Provide instructions to use the checks from the original annual temporary permission renewal request.

**Brad A. Jones** • Environmental Scientist Specialist - Advanced  
Environmental Bureau  
EMNRD - Oil Conservation Division  
1220 S. Saint Francis Drive | Santa Fe, New Mexico 87505  
(505) 469-7486 | [brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us)  
<http://www.emnrd.state.nm.us/OCD/>

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**From:** Blythe, Amy M (Amy) <[Amy\\_Blythe@kindermorgan.com](mailto:Amy_Blythe@kindermorgan.com)>

**Sent:** Tuesday, May 11, 2021 4:50 PM

**To:** Jones, Brad A., EMNRD <[brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us)>

**Subject:** [EXT] Request for Your Review - Language for Permit resubmittal . .

Hey Brad,

Does this “verbage” accurately reflect the change in the permit coverage we discussed today?

Please tweak as necessary ☺

Thanks,

Amy

Mr. Brad Jones  
New Mexico Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, NM 87505

**Re: Request for EPNG's Temporary Discharge Permit HBP-017**

Dear Mr. Jones,

El Paso Natural Gas Company (EPNG) is submitting the following request to renew our Temporary Permit to discharge waters from hydrostatic tests from new pipe. Although, the application was completed using the Oil Conservation Division's (OCD) Guidelines for Hydrostatic Test Dewatering, revised October 1, 2019, we understand that based on our conversation today, the permit will only be valid for 120 days instead of a full year. The current permit expires on June 26, 2021. A check for \$150.00, that covers the filing and permission fees, is enclosed within this submittal application.



Amy Blythe  
Environmental Specialist  
Two North Nevada Ave  
Colorado Springs, CO 80903  
719.520.4813 or 575.644.3336  
(Child Ambassador - [www.worldvision.org](http://www.worldvision.org))



May 12, 2021

Mr. Brad Jones  
New Mexico Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, NM 87505

**Re: Request to Renew EPNG's Temporary Permission to Discharge (No. HBP-017)**

Dear Mr. Jones,

El Paso Natural Gas Company (EPNG) is submitting the following request to renew our 120-day Temporary Permission to discharge waters from hydrostatic tests from new pipe. Although, the application was completed using the Oil Conservation Division's (OCD) Guidelines for Hydrostatic Test Dewatering, revised October 1, 2019, we understand that based on our conversation on May 11, 2021, the permission to discharge will be valid for 120 days. The current permission expires on June 26, 2021. Please use the Check No. 137698, submitted in the original annual temporary permission renewal request, in the amount of \$150.00 to cover the filing and permission fees.

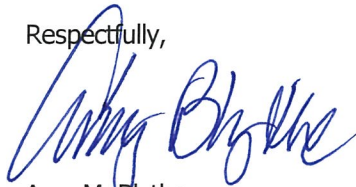
In order to maintain coverage under the Annual Temporary Permit, EPNG will comply with the following conditions:

- 1) The volume will not exceed 25,000 gallons per hydrostatic test;
- 2) Water from a public/municipal water supply or other OCD-approved sources (upon a written request to OCD) is used for each test;
- 3) Email or written notification shall be provided to the OCD 72-hours prior to each hydrostatic discharge event; The notice shall contain the following information:
  - a) The proposed location of hydrostatic test discharge (Section/Township/Range or GPS coordinates);
  - b) The date of the proposed discharge;
  - c) The volume of the proposed discharge; and
  - d) The source of hydrostatic test water.
- 4) The discharge will not enter any lake, perennial stream, river or their respective tributaries that may be seasonal;
- 5) No discharge shall occur:
  - a) Where ground water is less than 10 feet below ground surface;
  - b) Within 200 feet of a watercourse, lakebed, sinkhole, or playa lake;
  - c) Within an existing wellhead protection area;
  - d) Within 500 feet of a wetland; or
  - e) Within 500 feet from the nearest permanent residence, school, hospital, institution, or church.
- 6) No discharge shall occur to a surface water body without obtaining a National Pollution Discharge Elimination Systems (NPDES) permit from the US EPA, NMED, and OCD prior to the discharge;

- 7) Best management practices shall be implemented to contain the discharge onsite, to ensure that the discharge does not impact adjacent property, and to control erosion;
- 8) The discharge will not cause any fresh water supplies to be degraded or to exceed standards as set forth in Subsections A, B and C of the 20.6.2.3103 NMAC (the Water Quality Regulations);
- 9) EPNG shall report all unauthorized discharges, spills, leaks and releases of hydrostatic test wastewater and conduct corrective action pursuant to the Water Quality Regulations of 20.6.2.1203 NMAC and release notification pursuant to OCD Rule 29 (19.15.29 NMAC);
- 10) The landowner(s) of each proposed discharge and/or collection/retention or alternative discharge location shall be properly notified of the activities prior to each proposed hydrostatic test event; and
- 11) An annual report, summarizing each test of new pipe with less than 25,000 gallons per hydrostatic test per discharge event, will be submitted to the OCD within 45 days after the temporary permission expiration date and shall contain the following information:
  - (a) The location of hydrostatic test (Section/Township/Range or GPS coordinates)
  - (b) The date of each test;
  - (c) The volume of each discharge; and
  - (d) The source and quality of test water (laboratory analysis, if necessary).

If you have any questions, please contact me at 719-520-4813.

Respectfully,



Amy M. Blythe  
Environmental Specialist II

**Copy (with enclosure):**

CC: Chris Janak – Environmental Project Permitting Manager



May 11, 2021

Mr. Brad Jones  
New Mexico Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, NM 87505

**Re: Request for EPNG's Annual Temporary Discharge Permit HBP-017**

Dear Mr. Jones,

El Paso Natural Gas Company (EPNG) is submitting the following request to renew our Annual Temporary Permit to discharge waters from hydrostatic tests from new pipe. This application was completed using the Oil Conservation Division's (OCD) Guidelines for Hydrostatic Test Dewatering, revised October 1, 2019. The current permit expires on June 26, 2021. A check for \$150.00, that covers the filing and permission fees, is enclosed within this submittal application.

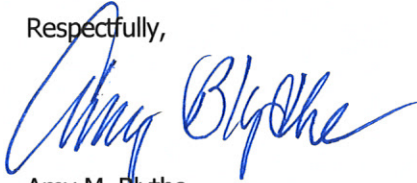
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- 11) An annual report, summarizing each test of new pipe with less than 25,000 gallons per hydrostatic test per discharge event, will be submitted to the OCD within 45 days after the temporary permission expiration date and shall contain the following information:
  - (a) The location of hydrostatic test (Section/Township/Range or GPS coordinates)
  - (b) The date of each test;
  - (c) The volume of each discharge; and
  - (d) The source and quality of test water (laboratory analysis, if necessary).

If you have any questions, please contact me at 719-520-4813.

Respectfully,



Amy M. Blythe  
Environmental Specialist II

**Copy (with enclosure):**

CC: Chris Janak – Environmental Project Permitting Manager

