

**NM2 - \_\_\_\_\_ 19 \_\_\_\_\_**

**Extension of Time  
Request for Closure  
Approval**

**\_\_November 29, 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, Division Director**  
Oil Conservation Division



November 29, 2021

Stacey Boultinghouse  
ETC Field Services LLC  
8111 Westchester Dr., Suite 600  
Dallas, Texas 75225

**Re: Approval of Extension of Time for Closure Request  
ETC Field Services LLC  
Permit NM2-019  
Location: Unit F of Section 36, Township 23 South, Range 36 East, NMPM,  
Lea County, New Mexico**

Ms. Boultinghouse:

The Oil Conservation Division (OCD) has completed its review of ETC Field Services LLC's (ETC) extension of time to complete closure request pursuant to 19.15.36.15.G(2) NMAC, dated September 3 2021, for the commercial surface waste management facility *permit*, NM2-019.

OCD hereby grants ETC approval of the extension of time to complete closure to permit NM2-019 with the following conditions:

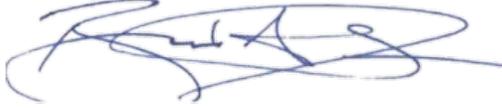
1. ETC shall comply with all applicable requirements of the Oil and Gas Act (Chapter 70, Article 2 NMSA 1978), the existing permit NM1-019 as modified, the transitional provisions of 19.15.36.20 NMAC, and all conditions specified in this approval;
2. ETC shall achieve and demonstrate the closure performance standards specified in Subsection F of 19.15.36.15 NMAC to OCD by **July 31, 2022** or as extended by the division; and
3. ETC shall obtain written approval from OCD prior to implementing any changes to this approval.

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

ETC Field Services, LLC  
Permit NM2-019  
November 29, 2021  
Page 2 of 2

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

Respectfully,

A handwritten signature in blue ink, appearing to read "Brad A. Jones", with a large, stylized flourish at the end.

Brad A. Jones  
*Environmental Specialist*

## Jones, Brad A., EMNRD

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**From:** Jones, Brad A., EMNRD  
**Sent:** Tuesday, November 30, 2021 11:03 AM  
**To:** Boultinghouse, Stacy  
**Subject:** RE: Jal Landfarm-Extension of Time Request for Closure  
**Attachments:** 2021 1129 NM2-019 ETC Approval of Extension of Time for Closure Request.pdf

Stacy,

Please see the attached approval for the extension of time request to complete closure. If you have any questions regarding this mater, 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)  
[www.emnrd.nm.gov](http://www.emnrd.nm.gov)

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**From:** Boultinghouse, Stacy <Stacy.Boultinghouse@energytransfer.com>  
**Sent:** Friday, September 3, 2021 10:24 AM  
**To:** Jones, Brad A., EMNRD <brad.a.jones@state.nm.us>  
**Cc:** Christine Mathews <Christine.Mathews@ghd.com>  
**Subject:** RE: Jal Landfarm-Extension of Time Request for Closure

Good morning.

Your understanding below is correct in that the OCD has not approved the closure of any landfarm cell and as such the December 2020 *Extension of Time Request for Jal Landfarm Closure* has been revised to remove reference to cell tilling cessation.

At this time, we request to **RECALL** the afore mentioned letter December 4, 2020 letter and hereby replace with the revised letter dated today.

Thank you.

"of all the paths you take in life,  
make sure a few of them are dirt"





**Stacy Boultinghouse, PG**(TX4889/LA73)  
EH&S Environmental-Sr. Manager  
Emergency Response/Remediation/Waste/Water  
Energy Transfer

**office:** 210.870.2725  
**cell:** 281.740.0494

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**From:** Jones, Brad A., EMNRD <[brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us)>  
**Sent:** Friday, February 19, 2021 11:49 AM  
**To:** Boultinghouse, Stacy <[Stacy.Boultinghouse@energytransfer.com](mailto:Stacy.Boultinghouse@energytransfer.com)>  
**Subject:** RE: Jal Landfarm-Extension of Time Request for Closure

Stacy,

Thank you for the quick response. No worries about talking today. Next Monday will be fine, but I will not be available from 10 am -11 am due to a scheduled meeting. I also have the same feelings about the snow.

It is my understanding that OCD has not approved the closure of any landfarm cells due to the unapproved and outstanding facility background. Without an OCD approved facility background, ETC is unable to demonstrate closure to 19.15.36.15.F(5) NMAC. On October 26, 2017 OCD approved a cease tilling request based upon ETC ability to demonstrate compliance to 19.15.36.15.F(1-4) NMAC for each landfarm cell. In the request only Cells 3 and 4 were in question. Some how this has been misinterpreted as demonstrating treatment zone closure performance standards of 19.15.36.15.F(1-5) NMAC. Since Feb. 14, 2007, the effective date of Part 36, the transitional provisions of 19.15.36.20.A NMAC, only recognizes agreement that the division has granted in writing to the particular surface waste management facility. OCD has not issued any written landfarm cell closure approvals for this facility. Your extension request for closure only recognizes Cells 3 and 4. OCD wants to ensure that ETC is addressing all their concerns in the closure extension request to remain in compliance to the requirements of Part 36, their existing permit and the OCD approved Closure and Post-Closure care plan. Keep in mind that ETC must demonstrate treatment zone closure performance standards of 19.15.36.15.F(1-5) NMAC for each landfarm cell semi-annually (or 2 consecutive sampling events) as approved in the plan. I wish to discuss the submittal to ensure compliance. I'm looking forward to our discussion next week.

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:** Boultinghouse, Stacy <[Stacy.Boultinghouse@energytransfer.com](mailto:Stacy.Boultinghouse@energytransfer.com)>  
**Sent:** Friday, February 19, 2021 10:11 AM

**To:** Jones, Brad A., EMNRD <[brad.a.jones@state.nm.us](mailto:brad.a.jones@state.nm.us)>  
**Subject:** [EXT] Jal Landfarm-Extension of Time Request for Closure

Good morning, Brad.

I received your VM requesting to speak about our 12/4/2020 Extension of Time Request for the Landfarm Closure.

May I call you back Monday, next week?

I have been forced to work remotely this entire week due to all the inclement weather we've experienced in STX (I hope to not ever see snow again). As such, I do not have access to my files or notes (which reside in my office) for ease of reference for successful a discussion. If you need something immediately, Christine may be able to assist you further on my behalf.

Thank you for your consideration.

"of all the paths you take in life,  
make sure a few of them are dirt"



**Stacy Boultinghouse, PG** (TX4889/LA73)  
EH&S Environmental-Sr. Manager  
Emergency Response/Remediation/ Waste/Water  
Energy Transfer

**O:** 210.870.2725  
**C:** 281.740.0494

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This email may contain confidential attorney-client privileged information or attorney work product. If you received this email in error, please contact me at one of the above phone numbers.

Private and confidential as detailed [here](#). If you cannot access hyperlink, please e-mail sender.

Private and confidential as detailed [here](#). If you cannot access hyperlink, please e-mail sender.



September 3, 2021

Reference No. 11208903

Mr. Brad Jones  
Energy Minerals and Natural Resources Department  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

Dear Mr. Jones:

**Re: Extension of Time Request for Jal Landfarm Closure  
Landfarm Permit No. NM2-019  
Lea County, New Mexico**

ETC Field Services LLC (ETC) is requesting an extension of time per part 19.15.36.15 G (2) of the New Mexico Administrative Code (NMAC), to meet closure performance standards of 19.15.36.15 F NMAC for treatment zone soils in all Cells at the Jal Landfarm No. 4, permit number NM2-019.

Due to administrative changes and the onset of COVID-19 restrictions for the New Mexico Oil Conservation Division (NMOCD), there was a delay in response from the NMOCD to correspondence submitted by ETC in late 2019. A previous extension submitted December 14, 2018 and approved December 17, 2018 allow until July 23, 2020. At this time an extension to meet closure performance standards is being requested to allow time to address any outstanding correspondence between ETC and the NMOCD and continue progress towards closure of Landfarm treatment zone soils.

ETC is requesting an extension of time until **July 31, 2022** to address pending correspondence and continue progress towards closure of Landfarm treatment zone soils in all Landfarm cells.

If you have any questions or need anything further, please feel free to contact me at (281) 740-0494 or Christine Mathews with GHD at (505) 884-0672.

Sincerely,

A handwritten signature in blue ink that reads 'SBoultinghouse'.

Stacy Boultinghouse, PG<sub>(TX4889/LA73)</sub>  
EH&S Environmental – Sr. Manager  
Emergency Response/Remediation/Waste/Water

cc: GHD