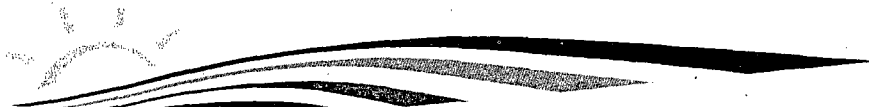


NM1 - 11

**PERMITS,
RENEWALS, &
MODS**



New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson

Governor

Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



July 24, 2008

Mr. Morris D. Young
President
Envirotech, Inc.
5796 US Highway 64
Farmington, New Mexico 87401

RE: Minor Modification Request to Permit NM-1-0011
Envirotech, Inc.
Commercial Landfarm #2: Permit NM-1-0011
Location: NW/4 Section 6, Township 26 North, Range 10 West, NMPM
San Juan County, New Mexico

Dear Mr. Young:

The New Mexico Oil Conservation Division (OCD) has reviewed Envirotech, Inc.'s (Envirotech) request, dated June 9, 2008, to modify a condition to Envirotech's surface waste management facility permit NM-1-0011. OCD understands that the request is to omit the condition "no drilling mud may be accepted at the facility without the generator's written authorization from the District office to move the mud from the drilling location. Authorization will include the following information: 1) well operator name; 2) well name and location; 3) transporter; 4) description of mud program (i.e., mud composition including volume and type of chemicals added); and 5) exact cell location where the material is to be remediated."

OCD accepts Envirotech's justification that the comprehensive revised C-138 form, promulgated under 19.15.36 NMAC, provides the information required for the operator to determine if the drilling mud is acceptable. Envirotech must also comply with the transitional provision of Subsection A of 19.15.36.20 NMAC which states "existing surface waste management facilities shall comply with the operational, waste acceptance and closure requirements provided in 19.15.36 NMAC, except as otherwise specifically provided in the applicable permit or order, or in a specific waiver, exception or agreement that the division has granted in writing to the particular surface waste management facility." Based upon the information provided, OCD hereby approves the minor modification request to omit the condition due to the Envirotech's regulatory obligation to comply with the operational and waste acceptance requirements of 19.15.36 NMAC.



Mr. Young
Envirotech, Inc.
NM-1-0011 Commercial Landfarm #2
July 24, 2008
Page 2 of 2

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

If you have any questions regarding this matter, please contact Brad A Jones of my staff at (505) 476-3487 or brad.a.jones@state.nm.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Price', with a long horizontal stroke extending to the right.

Wayne Price
Environmental Bureau Chief

LWP/baj

cc: OCD District III Office, Aztec

ENVIROTECH INC.

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

RECEIVED
2008 JUN 11 PM 1 57

June 9, 2008

Mr. Wayne Price
Environmental Bureau - NMOCD
1220 S St Francis Drive
Santa Fe, NM 87505

Phone: (505) 476-3490
Fax: (505) 476-3462

RE: Minor modification to Permit #NM-01-0011
Tank Bottoms, Sludge & Drilling Mud Acceptance

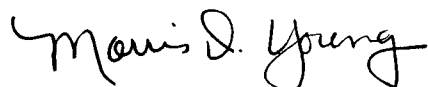
Dear Mr. Price:

Brandon Powell suggested we contact you and request a minor modification to our Landfarm permit regarding drilling mud. In the April 2000 permit on page 3, # 6 under Tank Bottoms, Sludge & Drilling Mud Acceptance it states:

"No drilling mud may be accepted at the facility without the generator's written authorization from the Aztec District office to move the mud from the drilling location."

The very comprehensive form C-138 clearly describes the source and description of the waste, etc. This form is used for all receivals, including drilling mud, and satisfies the intent of stipulation #6. The name of the transporter and the cell location whereby the drilling mud will be remediated is included on each BOL. Under our current standard operating procedures, we have chloride and H2S testing in place. Therefore, by identifying the well operator name, location from which the drilling mud is transported, and a description of the material to be remediated on form C-138, we feel we have a strong case for suggesting that stipulation #6 is no longer needed.

Thank you for your consideration of this request.



Morris D Young
President, Envirotech Inc.
myoung@envirotech-inc.com

ENVIROTECH INC.

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

RECEIVED

JAN 15 2004

Environmental Bureau
Oil Conservation Division

January 13, 2004

Mr. Roger Anderson
New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Phone (505) 476-3490

Fax (505) 476-3462

RE: REQUEST FOR MODIFICATION OF PERMIT NM-01-0011, ENVIROTECH LANDFARM #2

Dear Mr. Anderson:

Envirotech Inc. respectfully requests modification of Permit NM-01-0011. The portion of the permit for which we are requesting modification is Item Number 8 under Tank Bottoms, Sludge, and Drilling Mud Acceptance. This item states "Used drilling mud must be received directly into the concrete mixing impoundment prior to solidification and application to the landfarm." Envirotech wishes to modify this to allow application of drilling fluids directly onto cells as a dust suppressant within the landfarm.

Fluids will be applied evenly over a "sufficiently large" area containing contoured, disturbed soil using a spray bar. The fluids will be applied to active cells and discontinued maintenance status cells within the landfarm. The "sufficiently large" area will be determined on a receipt specific basis with current soil and weather conditions taken into consideration. At no time will the cells be wittingly saturated to the point of causing vertical contaminant migration. No pooling, ponding, or standing fluids will be allowed to accumulate. Envirotech will disk or till cells exhibiting standing fluids within 24 hours of application. Any fluids received containing free oil will have the oil skimmed off prior to land application of the fluids. Recovered free oil will be disposed of in accordance with state and federal regulations. Tank bottoms and other sludges will continue to be stabilized in Envirotech's blending facility prior to land application as required by the current permit. Envirotech will obtain MSDS sheets for drilling mud additives and keep them on-file for review as necessary.

Envirotech's Landfarm #2 is located 1280 feet above groundwater. It is located on top of the Nacimiento Formation that overlies the Ojo Alamo Formation. The Nacimiento Formation extends approximately 1100 feet below the landfarm overlaying the Ojo Alamo Formation. The Nacimiento Formation is an effective aquatard due to the low permeability of mudstone and claystone beds at the top of the formation and interbedded black, carbonaceous mudstones and white, coarse-grained sandstones in the lower part of the formation. The sandy loam which covers the site is an excellent absorbent. Background and quarterly monitoring at the site has shown that there is historically no migration of contamination from stabilized waste below 6 inches into native soil. Therefore, Envirotech is of the opinion that this amendment is protective of groundwater and that no threat to groundwater, human health, or the environment will result from land application and prompt stabilization of drilling fluids. In the event that monitoring at the site should indicate contaminant migration below 6 inches into native soil, Envirotech will

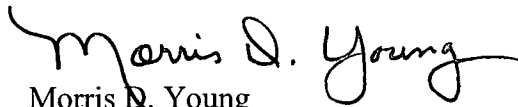
immediately cease direct application of drilling fluids and notify both the Aztec and Santa Fe NMOCD offices.

Envirotech is requesting this modification due to recent changes in BLM and NMOCD regulations regarding Closure of Pits and Below Grade Tanks. The primary beneficiaries of the modification will be the oilfield operators. Direct application of the material onto the farm followed by prompt disking of any free liquids will not only be beneficial for dust control but also will eliminate triple handling of soil and reduce equipment and labor time (currently virgin soil is transferred to the blending facility, the fluid is stabilized, then the material is transferred to its final cell location). Operators will benefit due to a significant decrease in disposal costs, easing the financial burden of compliance with the new regulations. Envirotech will benefit from the modification because the fluids will act as a dust suppressant and moisture amendment to landfarm cells.

We appreciate your attention to this matter and hope that the modification can be approved as expediently as possible. Should you have any questions or require additional information, please do not hesitate to contact us at (505) 632-0615.

Respectfully Submitted,

ENVIROTECH INC.



Morris D. Young
President

myoung@envirotech-inc.com

CC: Martyne Kieling, NMOCD
Denny Foust, NMOCD

MDY:lrj/office/client-landfarm/123003 LF2 Permit Modification.doc

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-137
Revised June 10, 2003

Submit Original Plus 1
Copy to Santa Fe
1 Copy Appropriate
District Office

APPLICATION FOR WASTE MANAGEMENT FACILITY

(Refer to the OCD Guidelines for assistance in completing the application)

☒ Commercial

☐ Centralized

1. Type: ☐ Evaporation ☐ Injection ☐ Other
☒ Solids/Landfarm ☐ Treating Plant

2. Operator: Envirotech Inc.

Address: 5796 U.S. Hwy 64, Farmington, New Mexico 87401

Contact Person: Landrea Jackson or Morris Young Phone: (505) 632-0615

3. Location: /4 NW /4 Section 6 Township 26N Range 10W

Submit large scale topographic map showing exact location

4. Is this a modification of an existing facility? ☒ Yes ☐ No
5. Attach the name and address of the landowner of the facility site and landowners of record within one mile of the site.
6. Attach description of the facility with a diagram indicating location of fences, pits, dikes, and tanks on the facility.
7. Attach designs prepared in accordance with Division guidelines for the construction/installation of the following: pits or ponds, leak-detection systems, aerations systems, enhanced evaporation (spray) systems, waste treating systems, security systems, and landfarm facilities.
8. Attach a contingency plan for reporting and clean-up for spills or releases.
9. Attach a routine inspection and maintenance plan to ensure permit compliance.
10. Attach a closure plan.
11. Attach geological/hydrological evidence demonstrating that disposal of oil field wastes will not adversely impact groundwater. Depth to and quality of ground water must be included.
12. Attach proof that the notice requirements of OCD Rule 711 have been met.
13. Attach a contingency plan in the event of a release of H₂S.
14. Attach such other information as necessary to demonstrate compliance with any other OCD rules, regulations and orders.
15. CERTIFICATION
I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

Name: Morris D. Young

Title: President

Signature: Morris D. Young

Date: 01-13-04

E-mail Address: myoung@Envirotech-Inc.com

5. Attach the name and address of the landowner of the facility site and landowners of record within one mile of the site.

This site is owned by: Morris D. Young.
5796 US Hwy 64
Farmington, New Mexico 87401

All adjacent land is owned by Morris D. Young or:
Bureau of Land Management
1235 La Plata Highway, Suite A
Farmington, New Mexico 87401

6. Attach description of the facility with a diagram indicating location of fences, pits, dikes, and tanks on the facility.

See Attached paperwork submitted with previously approved expansion application.

7. Attach designs prepared in accordance with Division guidelines for the construction/installation of the following: pits or ponds, leak-detection systems, aerations systems, enhanced evaporation (spray) systems, waste treating systems, security systems, and landfarm facilities.

See Attached paperwork submitted with previously approved expansion application.

8. Attach a contingency plan for reporting and cleanup for spills or releases.

The OCD Santa Fe and Aztec offices will be notified within 24 hours of the discovery of any spills or leaks or if any defect in the landfarm is noted. Any necessary repairs will be made as soon as possible after their discovery. If the integrity of the landfarm has been jeopardized, additional wastes will not be placed in the facility until repairs have been completed.

9. Attach a routine inspection and maintenance plan to ensure permit compliance.

The facility will be inspected no less than once every two weeks and following each consequential rainstorm or windstorm.

10. Attach a closure plan.

The OCD Santa Fe and Aztec offices will be notified when operation of the facility is to be discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Within six (6) months after discontinuing use or within 30 days of deciding to dismantle the facility a closure plan will be submitted to the OCD Santa Fe office for approval. Envirotech will complete cleanup of constructed facilities and restoration of the facility site within six (6) months of receiving the closure plan approval.

Our closure plan includes the following procedures:

- a) No new material will be accepted.
- b) Existing landfarm soils will be remediated until they meet OCD standards.
- c) The treatment zone soils within each cell will be sampled at two (2) to three (3) feet below the native ground surface and will be analyzed for TPH, BTEX, major cations/anions, and WQCC metals.
- d) Contaminated soils exceeding OCD closure standards will be remediated.
- e) The facility will be contoured, seeded with native grasses, and allowed to return to its natural state.
- f) Closure will be subject to OCD requirements and applicable laws.

11. Attach geological/hydrological evidence demonstrating that disposal of oilfield wastes will not adversely impact groundwater. Depth to and quality of groundwater must be included.

The property is undeveloped ranch land that is uniquely suited for thin spread soil remediation. The property is relatively plainer with a gentle slope to the west. Groundwater is at approximately 1100 feet below ground surface. The nearest water well is approximately 2 miles to the northwest and is completed in the Ojo Alamo formation. Top perforations are reported to be at 1220 feet below ground surface.

12. Attach proof that the notice requirements of OCD Rule 711 have been met.

This area previously underwent all notification and hearing procedures and was approved for expansion by the NMOCD. Since the property is currently permitted by the OCD and there have been no changes in property ownership near the facility, we do not feel that re-notification is necessary.

13. Attach a contingency plan in the event of a release of H₂S.

Haulers are not to deliver H₂S containing materials to our facility. In the event of a release, personnel will be evacuated to an upwind location until suitable PPE and monitoring equipment can be delivered to the site.

14. Attach such other information as necessary to demonstrate compliance with any other OCD rules, regulations, and orders.

- The active portion of the facility will be fenced and bermed to prevent runoff and runon.
- Disposal will occur only when an attendant is on duty. The facility will be secured when no attendant is present.
- All contaminated soils received at the facility will be spread and disked within 72 hours of receipt.
- Soils will be spread on the surface in lifts of six (6) inches or less.
- Moisture will be added as necessary to enhance bioremediation and to control blowing dust. No ponding or pooling of run off water will be allowed.

ENVIROTECH INC.

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

July 10, 2002

State Of New Mexico
Energy Minerals and Natural Resources Division
Attn: Martyne Keiling
Oil Conservation Division
1220 South Saint Francis Drive
Santa Fe, New Mexico 87504

Re: Expansion of Landfarm #2

Dear Mrs. Keiling:

Envirotech Inc. is requesting approval for an expansion of our active landfarm acreage at our NMOCD permitted Soil Remediation Facility, Landfarm #2. The area we propose to open has been permitted in the past under an expansion approved in 1993. As you will recall the subject area was dropped from active status in 2000 when our permit was renewed. We propose to open the "square" area directly south of the existing berm in Landfarm #2. The proposed expansion will continue south from the existing boundary to the south section line of Section 6. The east boundary will be an extension of the "A-Line" that forms the east boundary of previously closed portions of Landfarm #2. The west boundary of the proposed expansion is a north-south line that intersects the pipeline right-of-way adjacent to the highway right-of-way. We are in the process of making an application to the New Mexico Environment Department Groundwater Pollution Prevention Section to expand Landfarm #3 into the triangular segment bounded by the south line (20 Line) of current Landfarm #2 boundaries, the proposed west line of the Landfarm #2 expansion, and the pipeline/highway right of ways.

We would like to expedite expansion of the facility as we have had an unexpected surge in landfarm activity. We have completed installation of fence on the outer boundaries of the proposed expansion with a five strand barb wire fence to control access and prevent cattle from entering the site. A permanent entrance will be developed at the southwest corner of the expansion area with new gates, road access, and cattle guards. In the interim we propose to use current gates and controls from our existing facility. Access to the expansion area will be along the road parallel to the S-Line. We will open the berm and fence to allow access to the expansion area.

We are in the process of obtaining bonding for the proposed expansion. Based on calculations for our previous bond we are pursuing a bond in the amount of \$55,155.00 for the 82.69 acre expansion.

If you have questions or comments regarding our request to expand Landfarm #2 please feel free to contact us at 800-362-1879.

Respectfully submitted,
Envirotech Inc.



Harlan M. Brown
Geologist / Hydrogeologist
New Mexico Certified Scientist #083

ENVIROTECH INC.

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

July 10, 2002

Ms. Lori Wrotenbery
State of New Mexico
Oil Conservation Division
1220 S. St. Francis Dr.
Santa Fe, New Mexico 87504

Phone (505) 476-3440
Fax (505) 476-3462

**RE: Expansion of Soil Remediation Facility No. 2
Section 6, Township 26 N, Range 10 W
San Juan County, New Mexico**

Dear Ms. Wrotenbery:

Young Environmental Services, dba Envirotech Inc., currently operates Soil Remediation Facility No. 2 in the Northwest ¼ of Section 6, Township 26 North, Range 10 West N.M.P.M., San Juan County, New Mexico. This facility is operated under permit No. NM-01-0011, granted April 18, 2000, by the New Mexico Oil Conservation Division (NMOCD) under OCD Rule 711. The NMOCD is the supervisory agency providing direction and routine inspection of the facility.

Envirotech's current facility consists of approximately 212 acres, 150 of which have been closed by the NMOCD, that are fenced and bermed to provide a secure location. Within the enclosure, we thin spread oilfield hydrocarbon contaminated soils for remediation. The property is located approximately 14 miles south of Bloomfield, New Mexico, off of U.S. Highway 550, in San Juan County.

The proposed expansion area adjoins our current facility on the south. The proposed expansion area encompasses 82.69 acres in Section 6, Township 26 North, Range 10 West, N.M.P.M. This area previously underwent all notification and hearing procedures and was approved for expansion by the NMOCD. However, due to increased bond requirements in 2000, it was not included in our current permit. We are now requesting that this land be repermited.

Morris D. Young personally owns the property. The property is undeveloped ranch land that is uniquely suited for thin spread soil remediation. As per the attached AREA/PROPERTY OWNERSHIP MAP, the site is bounded on all sides by either Bureau of Land Management administered land or land owned by Morris D. Young. As noted, the BLM was notified of the expansion prior to 2000.

The property is relatively plainer with a gentle slope to the west. U.S. Hwy 550 provides year round access to the property. The site is remote from any population except for a mobile home occupied by an employee of the rancher, who is currently leasing a portion of the property for grazing on a monthly basis. Groundwater is at 1,102 feet below ground surface. The only water well within

ten miles of the site is located at the Thriftway Convenience Store approximately two (2) miles to the northwest. This well is completed in the Ojo Alamo formation. Top perforations are reported to be at 1,220 feet below ground surface.

The entire soil remediation site will be bermed and fenced. There is little or no drainage to the property. A 5-foot high earthen berm with a 2:1 slope will ensure positive containment on-site of any storm waters. Normal annual precipitation at the site is approximately 9 ½ inches. A 5-strand barbed wire fence will be placed at the outside toe of the berm to prevent encroachment onto the site of any livestock. All gates will be locked unless an Envirotech employee is present on-site to prevent unauthorized entry to the facility.

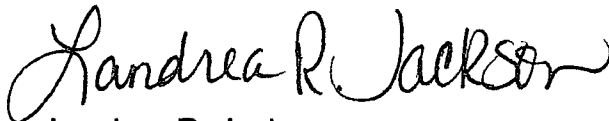
Envirotech's remediation site operating personnel are 40 hour OSHA trained for Hazardous Material Handling and Site Investigation as well as 24-hour State of New Mexico Mine Safety and Health Administration (MSHA) trained.

The proposed expansion area exhibits the same positive site characteristics that make our existing facility situated in the best possible location to efficiently and effectively remediate hydrocarbon contaminated soils without impacting the groundwater and/or the health, safety, and welfare of the population of the San Juan Basin.

Your immediate attention to this application is appreciated. If we can provide any additional information or in any way be helpful, please contact us.

Sincerely,

ENVIROTECH INC.



Landrea R. Jackson
Administrative Assistant

Enclosure

LRJ:\060502 LF Expansion

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources
Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-137
Revised March 17, 1999

Submit Original Plus 1
Copy to Santa Fe
1 Copy Appropriate
District Office

APPLICATION FOR WASTE MANAGEMENT FACILITY

(Refer to the OCD Guidelines for assistance in completing the application)

☒ Commercial

☐ Centralized

1. Type: ☐ Evaporation ☐ Injection ☐ Other
☒ Solids/Landfarm ☐ Treating Plant

2. Operator: Envirotech Inc.

Address: 5796 U.S. Hwy 64, Farmington, New Mexico 87401

Contact Person: Harlan Brown Phone: (505) 632-0615

3. Location: See Attached Description Section 6 Township 26N Range 10W
Submit large scale topographic map showing exact location

4. Is this a modification of an existing facility? ☒ Yes ☐ No

5. Attach the name and address of the landowner of the facility site and landowners of record within one mile of the site.

6. Attach description of the facility with a diagram indicating location of fences, pits, dikes, and tanks on the facility.

7. Attach designs prepared in accordance with Division guidelines for the construction/installation of the following: pits or ponds, leak-detection systems, aerations systems, enhanced evaporation (spray) systems, waste treating systems, security systems, and landfarm facilities.

8. Attach a contingency plan for reporting and clean-up for spills or releases.

9. Attach a routine inspection and maintenance plan to ensure permit compliance.

10. Attach a closure plan.

11. Attach geological/hydrological evidence demonstrating that disposal of oil field wastes will not adversely impact groundwater. Depth to and quality of ground water must be included.

12. Attach proof that the notice requirements of OCD Rule 711 have been met.

13. Attach a contingency plan in the event of a release of H₂S.

14. Attach such other information as necessary to demonstrate compliance with any other OCD rules, regulations and orders.

15. CERTIFICATION

I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

Name: HARLAN M. BROWN
Signature: Harlan M. Brown

Title: Vice President - OPERATIONS

Date: 7.10.02

5. Attach the name and address of the landowner of the facility site and landowners of record within one mile of the site.

This site is owned by: Morris D. Young.
5796 US Hwy 64
Farmington, New Mexico 87401

All adjacent land is owned by Morris D. Young or:
Bureau of Land Management
1235 La Plata Highway, Suite A
Farmington, New Mexico 87401

6. Attach description of the facility with a diagram indicating location of fences, pits, dikes, and tanks on the facility.

See Attached Figures.

7. Attach designs prepared in accordance with Division guidelines for the construction/installation of the following: pits or ponds, leak-detection systems, aerations systems, enhanced evaporation (spray) systems, waste treating systems, security systems, and landfarm facilities.

See Attached Figures.

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The OCD Santa Fe and Aztec offices will be notified within 24 hours of the discovery of any spills or leaks or if any defect in the landfarm is noted. Any necessary repairs will be made as soon as possible after their discovery. If the integrity of the landfarm has been jeopardized, additional wastes will not be placed in the facility until repairs have been completed.

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The facility will be inspected no less than once every two weeks and following each consequential rainstorm or windstorm.

10. Attach a closure plan.

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Our closure plan includes the following procedures:

- a) No new material will be accepted.
- b) Existing landfarm soils will be remediated until they meet OCD standards.
- c) The treatment zone soils within each cell will be sampled at two (2) to three (3) feet below the native ground surface and will be analyzed for TPH, BTEX, major cations/anions, and WQCC metals.
- d) Contaminated soils exceeding OCD closure standards will be remediated.
- e) The facility will be contoured, seeded with native grasses, and allowed to return to its natural state.
- f) Closure will be subject to OCD requirements and applicable laws.

11. Attach geological/hydrological evidence demonstrating that disposal of oilfield wastes will not adversely impact groundwater. Depth to and quality of groundwater must be included.

The property is undeveloped ranch land that is uniquely suited for thin spread soil remediation. The property is relatively plainer with a gentle slope to the west. Groundwater is at 1100 feet below ground surface. The nearest water well is approximately 2 miles to the northwest and is completed in the Ojo Alamo formation. Top perforations are reported to be at 1220 feet below ground surface.

12. Attach proof that the notice requirements of OCD Rule 711 have been met.

The proposed expansion area adjoins our current facility on the south. This area previously underwent all notification and hearing procedures and was approved for expansion by the NMOCD. However, due to increased bond requirements in 2000, it was not included in our current permit. Since there have been no changes in property ownership near the facility we don't feel re-notification is necessary.

13. Attach a contingency plan in the event of a release of H₂S.

Haulers are not to deliver H₂S containing materials to our facility. In the event of a release, personnel will be evacuated to an upwind location until suitable PPE and monitoring equipment can be delivered to the site.

14. Attach such other information as necessary to demonstrate compliance with any other OCD rules, regulations, and orders.

- The active portion of the facility will be fenced and bermed to prevent runoff and runoff.
- Disposal will occur only when an attendant is on duty. The facility will be secured when no attendant is present.
- All contaminated soils received at the facility will be spread and disked within 72 hours of receipt.
- Soils will be spread on the surface in lifts of six (6) inches or less.
- Moisture will be added as necessary to enhance bioremediation and to control blowing dust. No ponding or pooling of runoff water will be allowed.



STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR

ANITA LOCKWOOD
CABINET SECRETARY

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

August 17, 1993

CERTIFIED MAIL

RETURN RECEIPT NO. P-667-242-007

Mr. Morris D. Young
Envirotech Inc.
5796 U.S. Highway 64 - 3014
Farmington, New Mexico 87401

**RE: ENVIROTECH INC. LANDFARM NO. 2 EXPANSION
OCD RULE 711 PERMIT MODIFICATION APPROVAL**

Dear Mr. Young:

The New Mexico Oil Conservation Division (OCD) has received your May 14, 1993, request for a permit modification to expand your current soil remediation facility at landfarm No. 2. The commercial landfarm facility remediates oilfield contaminated solids which are either exempt from the Federal RCRA Subtitle C (hazardous waste) regulations or are "nonhazardous" by characteristic testing. The facility was administratively approved pursuant to OCD Rule 711 by the Director on September 29, 1993, for a period of five (5) years and expires on September 29, 1997. The permit modification is to expand the facility to the south and east an additional two-hundred and sixty-six (266) acres.

The permit modification for expansion of the Envirotech Inc. Commercial Landfarm No. 2 located in the SE/4, Section 6, Township 26 North, Range 10 West, NMPM, San Juan County, New Mexico, is hereby approved in accordance with the OCD Rule 711. The modification application consists of the original application dated May 14, 1993, and the materials dated June 28, 1993, and July 26, 1993, submitted as amendments to the application. The construction, operation, monitoring and reporting of the expanded facility shall be as specified in the September 29, 1993 approval, the OCD correspondence dated March 12, 1992, and the following conditions:

Mr. Morris D. Young
August 17, 1993
Page 2

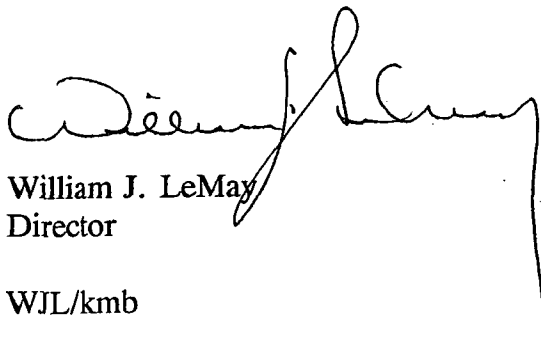
1. A fifty (50) foot buffer zone will be maintained around all pipelines and roadways crossing or running adjacent to the landfarm expansion area.
2. Prior to placing any contaminated soil in the expanded portion of the landfarm, one (1) background soil sample will be taken from the center portion of the expansion area, two (2) feet below the native ground surface. The sample will be analyzed for total petroleum hydrocarbons (TPH), volatile aromatic organics (BTEX), major cations/anions, and heavy metals using approved EPA methods.
3. There will be a physical separation maintained at all times between the OCD permitted site and any adjacent disposal/remediation facilities permitted by another regulatory agency. There will be no transfer or mixing of wastes between the OCD permitted landfarm and any other disposal/remediation facilities.

Please be advised approval of this facility expansion does not relieve you of liability should your operation result in actual pollution of surface or ground waters or the environment actionable under other laws and/or regulations. In addition, the OCD approval does not relieve you of liability for compliance with any other laws and/or regulations.

The Division shall have the authority to administratively change this permit to protect fresh water, human health and the environment.

If you have any questions, please do not hesitate to contact Kathy Brown at (505) 827-5884.

Sincerely,

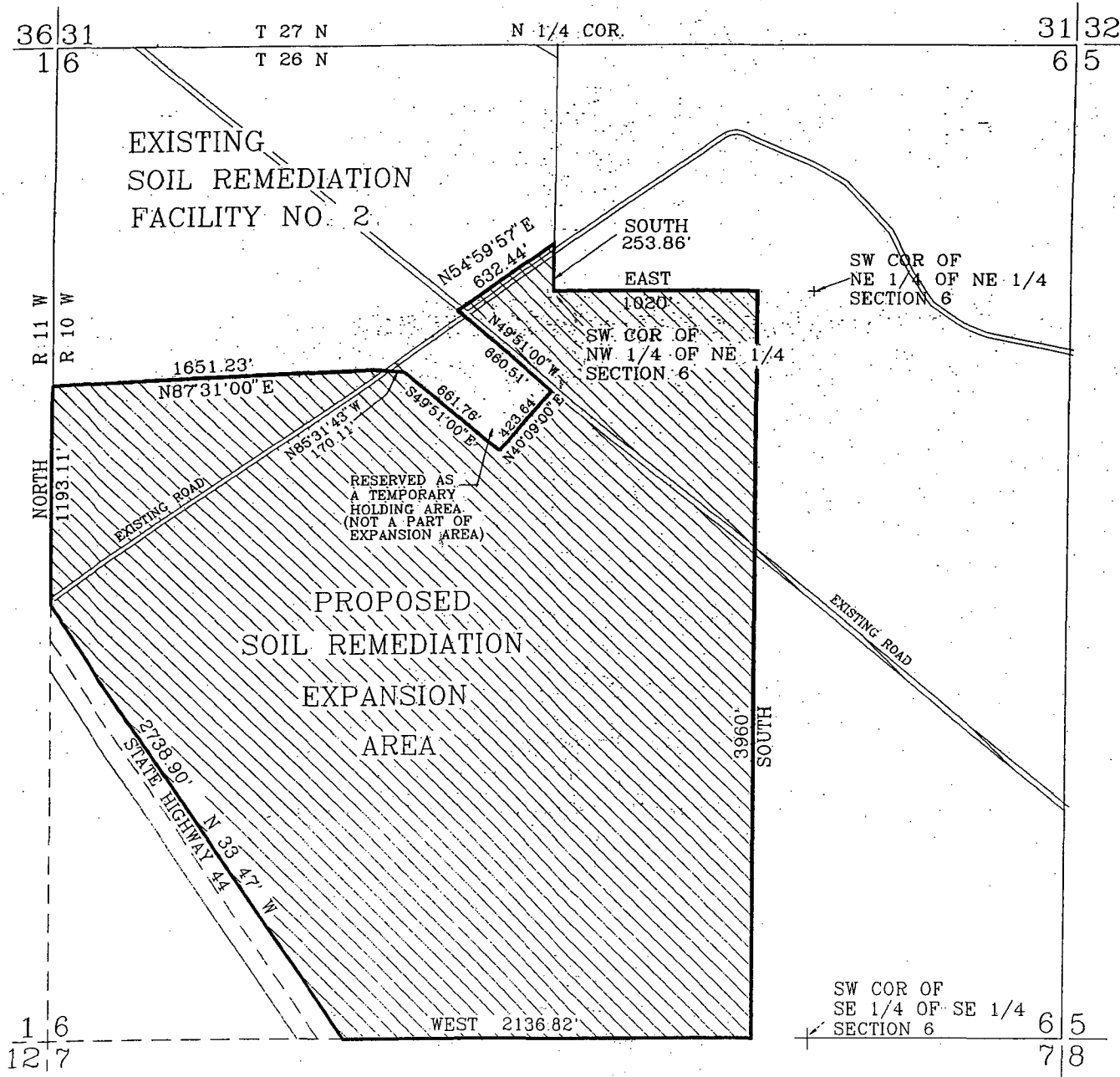


William J. LeMay
Director

WJL/kmb

xc: Denny Foust, OCD Aztec Office
Ms. Ilyse Gold, BLM, Farmington

PLAT
TO ACCOMPANY DESCRIPTION FOR
YOUNG ENGINEERING SERVICES INC.
dba ENVIROTECH INC.
SOIL REMEDIATION FACILITY NO. 2 EXPANSION AREA



YOUNG ENGINEERING INC.
dba ENVIROTECH INC.
SOIL REMEDIATION FACILITY NO. 2 EXPANSION AREA

Tract in Section 6, T-26-N, R-10-W,
N.M.P.M., San Juan County, New Mexico.

A tract of land in Section 6, Township 26 North, Range 10 West, N.M.P.M., San Juan County, New Mexico, and being more particularly described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 6 AND RUNNING THENCE ALONG THE WEST LINE OF SAID SECTION 6 TO THE BEGINNING CORNER OF THE PROPERTY BOUNDARY, NORTH 2276.89 FEET; THENCE 1193.11 FEET NORTH ALONG THE WEST BOUNDARY OF SECTION 6 TO THE SOUTHWEST CORNER OF THE EXISTING SOIL REMEDIATION FACILITY NO. 2; THENCE NORTH 87° 31' EAST 1651.23 FEET TO THE SOUTHEASTERLY CORNER OF THE SAID FACILITY NO. 2; THENCE SOUTH 85° 31' 43" EAST 170.11 FEET TO THE MOST WESTERLY CORNER OF THE TEMPORARY HOLDING AREA; THENCE SOUTH 49° 51' EAST 661.76 FEET TO THE MOST SOUTHERLY CORNER OF THE TEMPORARY HOLDING AREA; THENCE NORTH 40° 09' EAST 423.64 FEET TO THE MOST EASTERLY CORNER OF THE TEMPORARY HOLDING AREA; THENCE NORTH 49° 51' WEST 660.51 FEET TO THE MOST NORTHERLY CORNER OF THE TEMPORARY HOLDING AREA; THENCE ALONG THE BOUNDARY OF SAID FACILITY NO. 2 NORTH 54° 59' 57" EAST 632.44 FEET MORE OR LESS TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 6; THENCE ALONG SAID CENTER-LINE, SOUTH 253.86 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE EAST 1020 FEET MORE OR LESS ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST 1/4 OF SAID SECTION 6, THENCE SOUTH 3960 FEET MORE OR LESS TO THE SOUTHLINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 6; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 6 2136.82 FEET; THENCE NORTH 33° 47' WEST 2738.90 FEET TO THE WEST LINE OF SAID SECTION 6, MORE OR LESS TO THE POINT OF BEGINNING.

THE TRACT CONTAINS APPROXIMATELY 266.3 ACRES AND NO RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS OR RESERVATIONS WERE RESEARCHED OR SHOWN.



BRUCE KING
GOVERNOR

ANITA LOCKWOOD
CABINET SECRETARY

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

August 23, 1993

Mr. Morris D. Young
Envirotech Inc.
5796 U.S. Highway 64 - 3014
Farmington, New Mexico 87401

**RE: ENVIROTECH INC. LANDFARM NO. 2 EXPANSION
OCD RULE 711 PERMIT MODIFICATION APPROVAL**

Dear Mr. Young:

On August 17, 1993 the New Mexico Oil Conservation Division (OCD) approved the permit modification for expansion of your current soil remediation facility at landfarm No. 2. The approval letter stated that the facility was administratively approved pursuant to OCD Rule 711 by the Director on September 29, 1993, for a period of five (5) years and expires on September 29, 1997. The permit approval date of September 29, 1993 is incorrect. The correct date of approval is September 29, 1992. The expiration date of September 29, 1997 is correct.

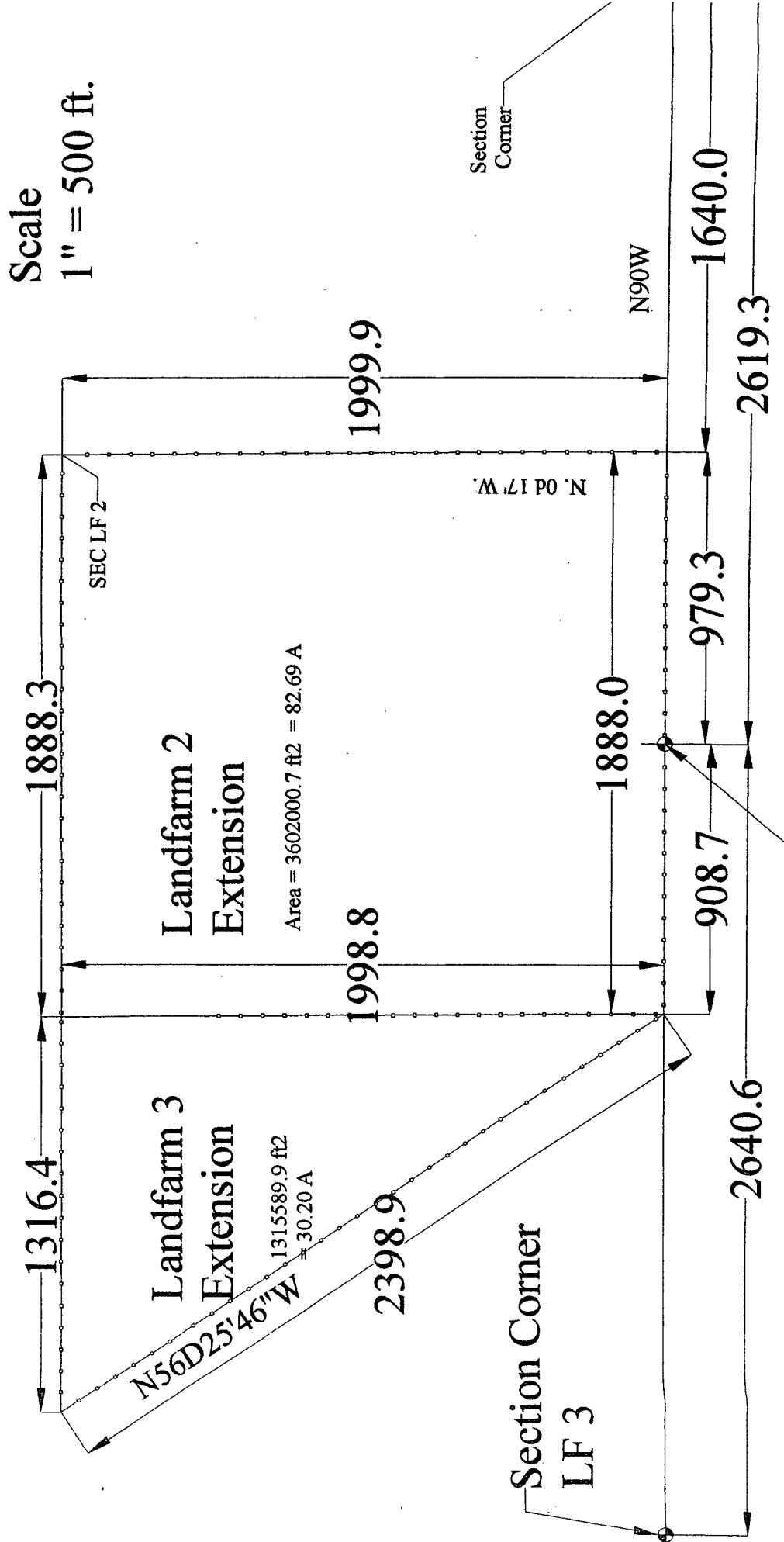
I am sorry for any inconvenience that this may have caused you. If you have any questions, please do not hesitate to contact me at (505) 827-5884.

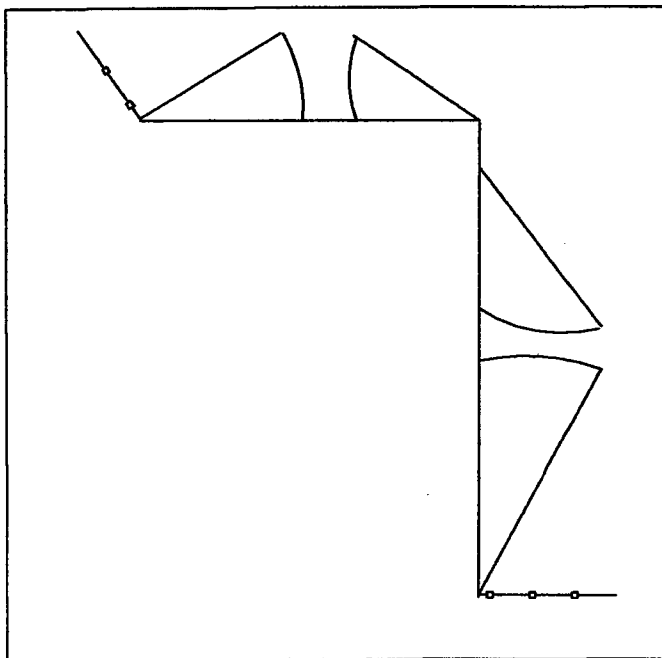
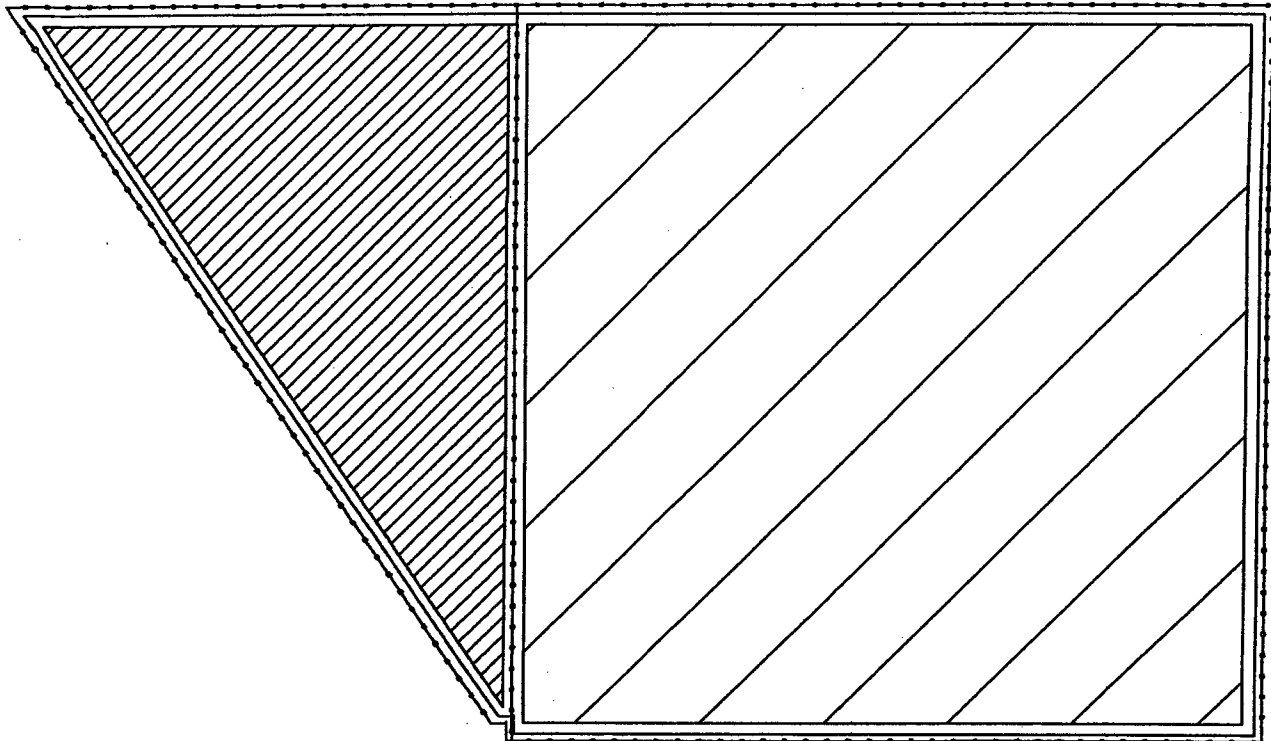
Sincerely,

Kathy M. Brown
Geologist

xc: Denny Foust, OCD Aztec Office
Ms. Ilyse Gold, BLM, Farmington

Existing Landfarm 2





LEGEND	
Fence	—●—●—●—
Berm	=====

Landfarm Expansion Proposal		SITE MAP	
REVISIONS BY <u>XXX</u> DATE <u>XX/XX/XX</u> BY <u>XXX</u> DATE <u>XX/XX/XX</u>	JOB/PRJ #	ENVIRONMENTAL SCIENTISTS & ENGINEERS 5796 U.S. HIGHWAY 64 FARMINGTON, NEW MEXICO 87401 (505) 632-0615	DATE <u>06-07-2002</u> DRAWN <u>TLR</u> SCALE <u>XX = XX</u> APPROVED <u>XXX</u>
			FIGURE 1

Property Description
Landfarm #2 Expansion

The following is a description of a portion of parcel of land that was included in a 1992 Landfarm expansion. The property described is adjacent to the south boundary of Landfarm #2.

The following real estate in San Juan County, New Mexico:

Beginning at a point which is the southeast corner of Section 6, Township 26 North, Range 10 West, NMPM,

Thence N 90°W, 1640' to the true point of beginning;

Thence N 0°17'W, 1999.9';

Thence N 90°W, 1888.3';

Thence S 0° 17'E, 1998.8';

Thence N 90°E, 1888.0 to the true point of beginning.

82.69 acres more or less.

Property Description
Landfarm #2 Expansion
Description with "layman's helps"

The following is a description of a portion of parcel of land that was included in a 1992 Landfarm expansion. The property described is adjacent to the south boundary of Landfarm #2.

The following real estate in San Juan County, New Mexico:

Beginning at a point which is the southeast corner of Section 6, Township 26 North, Range 10 West, NMPM,

Thence N 90°W, 1640' to the true point of beginning; (point on section line 1640' west of SE corner Section 6)

Thence N 0°17'W, 1999.9'; (fence corner at SE corner of LF #2 Unit 5, former El Paso Reserve)

Thence N 90°W, 1888.3'; (+/- south end of the "T-Line" in LF #2 Unit 5)

Thence S 0°17'E, 1998.8'; (point on section line 3528' west of southeast corner of Section 6 and on the edge of the pipeline/highway right-of-way)

Thence N 90°E, 1888.0 to the true point of beginning.

82.69 acres more or less.



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

August 27, 2003

Lori Wrotenberg

Director

Oil Conservation Division

Mr. Morris D. Young
Envirotech, Inc.
5796 U.S. Highway 64-3014
Farmington, NM 87401

**RE: Modification to Envirotech, Inc. Permit NM-01-0011
NW/4 of Section 6, Township 26 North, Range 10 West, NMPM
San Juan County, New Mexico**

Dear Mr. Young:

The New Mexico Oil Conservation Division (OCD) received the Envirotech, Inc. (Envirotech) letter dated August 15, 2003. This letter was received following a phone conversation held with Vickie Young on August 7, 2003 regarding a request to modify Permit NM-01-0011 and to address the July 25, 2003 letter issued by the OCD. Currently the OCD has on file a \$35,000 Surety Bond number RLIB0002253.

The Envirotech landfarm permit NM-01-0011 was modified on September 17, 2002 to expand the landfarm from 51 acres to 133.69-acres. Currently Envirotech has not used the expansion portion of the landfarm for contaminated soil remediation. Envirotech is requesting that the permit's financial assurance section be modified to phase in 27.5 acres in 2003, another 27.5 acres in 2004 and then the remaining 27.69 acres in 2005. As proposed, at each phase of the expansion Envirotech must have an increase in financial assurance by \$18,385. The financial assurance must be approved by the OCD prior to using the additional acreage. Based on this the OCD hereby modifies the financial assurance section of the permit as follows:

FINANCIAL ASSURANCE

1. Financial assurance in the amount of **\$90,155** (the estimated cost of closure) in the form of a surety or cash bond or a letter of credit, which is approved by the Division, is required from Envirotech, Inc. for the commercial surface waste management facility.

By September 29, 2003 Envirotech, Inc. must submit financial assurance in the amount of **\$53,385**. Upon approval of the financial assurance 27.5 acres of the expansion may be opened.

By September 29, 2004 Envirotech, Inc. must submit financial assurance in the amount of **\$71,770**. Upon approval of the financial assurance an additional 27.5 acres of the expansion may be opened.

By September 29, 2005 Envirotech, Inc. must submit financial assurance in the amount of **\$90,155**. Upon approval of the financial assurance an additional 27.69 acres of the expansion may be opened.

2. The facility is subject to periodic inspections by the OCD. The conditions of this permit and the facility will be reviewed no later than five (5) years from the date of this approval. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of review. The financial assurance may be adjusted to incorporate any closure cost changes.

The operation, monitoring and reporting shall be as proposed in the C-137 application and supplemental material and as specified in the September 17, 2002 permit conditions. All modifications and alternatives to the approved landfarming methods must receive prior OCD approval. Envirotech is required to notify the Director of any facility expansion or process modification and to file the appropriate materials with the Division.

Please be advised approval of this facility permit modification does not relieve Envirotech of liability should your operation result in pollution of surface water, ground water, or the environment. In addition, OCD approval does not relieve Envirotech of responsibility for compliance with other federal, state or local laws and/or regulations.

If you have any questions please contact Martyne Kieling at (505) 476-3488.

Sincerely,



Roger C. Anderson
Environmental Bureau Chief

RCA/MJK

xc:

Aztec OCD Office

ENVIROTECH INC.

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

RECEIVED

SEP 30 2002

Environmental Bureau
Oil Conservation Division

September 25, 2002

Phone (505) 476-3440

Fax (505) 476-3462

CERTIFIED MAIL

RETURN RECEIPT NO. 7002-0860-0003-4741-9436

Ms. Lori Wrotenbery
Director
NM Oil Conservation Division
1220 South Francis Dr.
Santa Fe, NM 87505

RE: SIGNED PERMIT APPLICATION

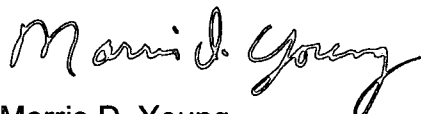
Dear Ms. Wrotenbery

Per your request, enclosed is the signed permit application for Landfarm #2.

If you any questions please do not hesitate to contact our office at (505) 632-0615.

We appreciate your help on this matter.

Sincerely,
ENVIROTECH INC.



Morris D. Young
President

Enclosures
MDY/kmh



RECEIVED SEP 18 2002

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor

BETTY RIVERA

Cabinet Secretary

Lori Wrotenbery

Director

Oil Conservation Division

September 17, 2002

CERTIFIED MAIL

RETURN RECEIPT NO. 7001-1940-0004-3929-8126

Mr. Morris Young
Envirotech, Inc.
5796 U.S. Highway 64-3014
Farmington, NM 87401

**RE: OCD Rule 711 Permit Modification Approval NM-01-0011
 Envirotech, Inc.
 Commercial Landfarm #2
 Section 6, Township 26 North, Range 10 West, NMPM
 San Juan County, New Mexico**

Dear Mr. Young:

The permit modification for the Envirotech, Inc. (Envirotech) Landfarm #2, a commercial surface waste management facility located in Section 6, Township 26 North, Range 10 West, NMPM, San Juan County, New Mexico **is hereby approved** in accordance with New Mexico Oil Conservation Division (OCD) Rule 711 under the conditions contained in the enclosed attachment. **This permit approval is conditional upon the receipt and approval by the Director of financial assurance in the amount of \$90,155.** The OCD currently has on file financial assurance in the amount of \$35,000. The remaining amount of \$55,155 is required within thirty (30) days of the date of this permit approval letter. The application consists of the permit application Form C-137 and supplemental material dated July 10, 2002.

The operation, monitoring and reporting shall be as proposed in the C-137 application and supplemental material and as specified in the enclosed attachment. All modifications and alternatives to the approved landfarming methods must receive prior OCD approval. Envirotech is required to notify the Director of any facility expansion or process modification and to file the appropriate materials with the Division.

Please be advised approval of this facility permit does not relieve Envirotech of liability should your operation result in pollution of surface water, ground water, or the environment. In addition, OCD approval does not relieve Envirotech of responsibility for compliance with other federal, state or local laws and/or regulations.

Please be advised that all tanks exceeding 16 feet in diameter and exposed pits, ponds or lagoons must be screened, netted or otherwise rendered non-hazardous to migratory birds. In addition, OCD Rule 310 prohibits oil from being stored or retained in earthen reservoirs or open receptacles.

The facility is subject to periodic inspections by the OCD. The conditions of this permit will be reviewed by the OCD no later than five (5) years from the date of this approval and the facility will be inspected at least once a year. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of the five (5) year review. The financial assurance may be adjusted to incorporate any closure cost changes.

Enclosed are two copies of the conditions of approval. **Please sign and return one copy to the OCD Santa Fe Office within five working days of receipt of this letter.**

If you have any questions please do not hesitate to contact Martyne J. Kieling at (505) 476-3488.

Sincerely,

A handwritten signature in cursive script, reading "Lori Wrotenbery".

Lori Wrotenbery
Director

LW/mjk

xc with attachments:
Aztec OCD Office

**ATTACHMENT TO OCD 711 PERMIT MODIFICATION APPROVAL
PERMIT NM-01-0011
ENVIROTECH, INC.**

**Section 6, Township 26 North, Range 10 West, NMPM
San Juan County, New Mexico
(September 17, 2002)**

LANDFARM OPERATION

1. The 133.69-acre landfarm facility must be fenced and have a sign at the entrance. The sign must be legible from at least fifty (50) feet and contain the following information: a) name of the facility; b) location by section, township and range; and c) emergency phone number.
2. Disposal may occur only when an attendant is on duty. The facility must be secured when no attendant is present.
3. All contaminated soils received at the facility must be spread and disked within 72 hours of receipt.
4. Soils must be spread on the surface in lifts of six inches or less.
5. Soils must be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
6. Moisture may be added as necessary to enhance bioremediation and to control blowing dust. There may be no ponding, pooling or run-off of water allowed. Any ponding of precipitation must be removed within twenty-four (24) hours of discovery.
7. Contaminated soils may not be placed within twenty-five (25) feet of the boundary of the facility and the landfarm facility may not be constructed within one hundred (100) feet of adjacent landowners' property.
8. Contaminated soils may not be placed within twenty (20) feet of any pipeline crossing the landfarm. In addition, no equipment may be operated within ten (10) feet of a pipeline. All pipelines crossing the facility must have surface markers identifying the location of the pipelines.
9. The portion of the facility containing contaminated soils must be bermed to prevent runoff and runon. A perimeter berm must be maintained such that it is capable of containing precipitation from a one-hundred year flood for the specific region. Individual interior berms must be maintained to control erosion.
10. All above-ground tanks, saddle tanks or drums located at the facility and containing materials other than fresh water must be placed on an impermeable pad with curb containment. The tanks and containers must be labeled as to contents and hazards.
11. Successive lifts of contaminated soils may not be spread until a laboratory measurement

of total petroleum hydrocarbons (TPH) in the previous lift is less than 100 parts per million (ppm), the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Envirotech may apply for alternate TPH levels. A request for alternate TPH levels must be accompanied by the cell designation and the reason for the request. Comprehensive records of the laboratory analyses and the sampling locations must be maintained at the Envirotech office at 5796 US Highway 64, Farmington, NM. Authorization from the OCD must be obtained prior to application of successive lifts and/or removal of the remediated soils.

12. Enhanced bio-remediation through the application of microbes (bugs) and/or fertilizers requires prior approval from the OCD. Requests for application of microbes or fertilizers must include the location of the area designated for the program, the composition of additives, and the method, amount and frequency of application.
13. Any design changes to the landfarm facility must be submitted to the OCD Santa Fe office for approval and a copy must be sent to the Aztec District office.
14. Landfarm inspection and maintenance must be conducted on at least a biweekly basis and immediately following each consequential rainstorm or windstorm. The OCD Santa Fe and Aztec offices must be notified within 24 hours if any defect is noted. Repairs must be made as soon as possible. If the defect will jeopardize the integrity of the landfarm, additional wastes may not be placed into the landfarm until repairs have been completed.

TANK BOTTOMS, SLUDGE & DRILLING MUD ACCEPTANCE

1. All loads of tank bottoms or sludge will be screened for H_2S before they are un-loaded. All loads of tank bottoms or sludge with H_2S must be treated to remove all traces of H_2S prior to receipt and solidification.
2. All tank bottoms and sludge must be received directly into the concrete mixing impoundment prior to solidification and landfarm application.
3. The concrete mixing impoundment may be used for the stabilization of tank bottoms, sludge and drilling mud received by the landfarm facility. Adequate freeboard must be maintained to prevent any overtopping or slop over of material. Clean soil and organic material including manure, saw-dust, and straw may be mixed with the tank bottoms, sludge and drilling mud to stabilize the material. Material received at the impoundment must be mixed and stabilized in a timely manner not to exceed 24 hours.
4. The concrete mixing impoundment must be inspected inside and outside weekly for overall integrity. The leak detection monitor well for the impoundment must be checked weekly. Records of such inspections must be made available to the OCD upon request. If fluids are found in the sump, the operator must notify the OCD Aztec District Office within 24 hours of discovery.
5. Records of all materials received at the facility for solidification must include the 1) the

origin, 2) transporter, 3) test results, 4) amount, type and origin of soil and or organic bulking agents added to each load, and 5) exact cell location where the material is to be remediated.

6. No drilling mud may be accepted at the facility without the generator's written authorization from the Aztec District office to move the mud from the drilling location. Authorization will include the following information: 1) well operator name; 2) well name and location from which the mud was transported; 3) transporter; 4) description of mud program (*i.e.*, mud composition including volume and type of chemicals added); and 5) exact cell location where the material is to be remediated.
7. Used drilling mud must be received directly into the concrete mixing impoundment prior to solidification and application to the landfarm. Any oil removed must be handled in accordance with OCD rules.
8. Within 24 hours of receiving notification from the OCD that an objectionable odor has been detected or reported, the facility must implement the following response procedure:
 - a. log date and approximate time of notice that an odor exists;
 - b. log investigative steps taken, including date and time, and conclusions reached; and
 - c. log actions taken to alleviate the odor, which may include adjusting chemical treatment, air sparging, solidification, landfarming, or other similar responses.

A copy of the log, signed and dated by the facility manager, must be maintained for OCD review.

WASTE ACCEPTANCE CRITERIA

1. The facility is authorized to accept only:
 - a. Oilfield wastes that are exempt from RCRA Subtitle C regulations and that do not contain Naturally Occurring Radioactive Material regulated pursuant to 20 NMAC 3.1 Subpart 1403 (NORM). All loads of these wastes received at the facility shall be accompanied by a "Generator Certificate of Waste Status" signed by the generator.
 - b. "Non-hazardous" non-exempt oilfield wastes that do not contain NORM. These wastes may be accepted on a case-by-case basis after a hazardous waste determination is made. Samples, if required, must be obtained from the wastes prior to removal from the generator's facility and without dilution in accordance with EPA SW-846 sampling procedures. All "non-hazardous" non-exempt wastes received at the facility must be accompanied by:

- i. An approved OCD Form C-138 "Request For Approval To Accept Solid Waste."
 - ii. A "Generator Certificate of Waste Status" signed by the generator.
 - iii. A verification of waste status issued by the appropriate agency for wastes generated outside OCD jurisdiction. The agency verification is based on specific information on the subject waste submitted by the generator and demonstrating the exempt or non-hazardous classification of the waste.
 - c. Non-oilfield wastes that are non-hazardous if ordered by the Department of Public Safety in a public health emergency. OCD approval must be obtained prior to accepting the wastes.
2. At no time may any OCD-permitted surface waste management facility accept wastes that are hazardous by either listing or characteristic testing.
 3. No free liquids or soils with free liquids may be accepted into the landfarm portion of the facility.
 4. Materials that may be accepted into the landfarm facility must pass a paint filter test by EPA Method 9095A prior to application.
 5. The transporter of any wastes to the facility must supply a certification that wastes delivered are those wastes received from the generator and that no additional materials have been added.

TREATMENT ZONE MONITORING

1. A treatment zone not to exceed three (3) feet beneath the landfarm native ground surface must be monitored. A minimum of one random soil sample must be taken from each individual cell, with no cell being larger than five (5) acres, six (6) months after the first contaminated soils are received in the cell and then quarterly thereafter. The sample must be taken at two (2) to three (3) feet below the native ground surface.
2. The soil samples must be analyzed using EPA-approved methods for total petroleum hydrocarbons (TPH) and volatile aromatic organics (BTEX) quarterly and for major cations/anions and Water Quality Control Commission (WQCC) metals annually.
3. After soil samples are obtained, the boreholes must be filled with an impermeable material such as cement or bentonite.

REPORTING

1. Analytical results from the treatment zone monitoring must be kept and maintained for OCD review.
2. Envirotech, Inc. must notify the **OCD Santa Fe and Aztec offices within 24 hours** of any fire, break, leak, spill, blowout or any other circumstance that could constitute a hazard or contamination in accordance with OCD Rule 116.
3. Records of landfarm inspection and maintenance must be kept and maintained for OCD review.
4. Records of inspection, maintenance and H₂S screening at the concrete mixing impoundment must be kept and maintained for OCD review.
5. Comprehensive records of all material disposed of at the facility must be maintained at the facility. The records for each load will include: 1) generator; 2) origin; 3) date received; 4) quantity; 5) certification of waste status as exempt or non-exempt with any necessary supporting documentation to certify non-hazardous status for non-exempt waste; 6) NORM status declaration; 7) transporter; 8) exact cell location; and 9) any addition of microbes, moisture, fertilizers, bulking agents, H₂S treatment chemicals, *etc.*
6. Analytical results regarding remediated soils must be submitted to the OCD Santa Fe office with a copy to the Aztec District office, along with any request to close the cell, apply successive lifts or remove the remediated material.
7. The OCD must be notified prior to any design changes to the landfarm facility. The facility must submit for approval any design changes to the facility to the OCD Santa Fe office and Aztec District office.
8. The OCD must be notified prior to the installation of any pipelines or wells or other construction within the boundaries of the facility.

FINANCIAL ASSURANCE

1. Financial assurance in the amount of **\$90,155** in the form of a surety or cash bond or a letter of credit, which is approved by the Division, is required from Envirotech, Inc. for the commercial surface waste management facility by October 17, 2002.
2. The facility is subject to periodic inspections by the OCD. The conditions of this permit and the facility will be reviewed no later than five (5) years from the date of this approval. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of review. The financial assurance may be adjusted to incorporate any closure cost changes.

CLOSURE

1. The OCD Santa Fe and Aztec offices must be notified when operation of the facility is to be discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Within six (6) months after discontinuing use or within 30 days of deciding to dismantle the facility a closure plan must be submitted to the OCD Santa Fe office for approval. The operator must complete cleanup of constructed facilities and restoration of the facility site within six (6) months of receiving the closure plan approval, unless an extension of time is granted by the Director.
2. The closure plan to be submitted must include the following procedures:
 - a. No new material may be accepted.
 - b. Existing landfarm soils must be remediated until they meet the OCD standards in effect at the time of closure.
 - c. The treatment zone soils within each five (5) acre cell must be sampled at two (2) to three (3) feet below the native ground surface and must be analyzed for total petroleum hydrocarbons (TPH), volatile aromatic organics (BTEX), major cations/anions and Water Quality Control Commission (WQCC) metals.
 - d. Contaminated soils exceeding OCD closure standards for the site must be removed or remediated.
 - e. The facility must 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 must be subject to OCD requirements in effect at the time of closure, and any other applicable local, state and/or federal regulations.

CERTIFICATION

Envirotech, Inc., by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. Envirotech, Inc. further acknowledges that these conditions and requirements of this permit may be changed administratively by the Division for good cause shown as necessary to protect fresh water, human health and the environment.

Accepted: ENVIROTECH, INC.

Signature Maria D. Young Title PRESIDENT Date 09-24-02



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor

Betty Rivera

Cabinet Secretary

September 4, 2002

Lori Wrotenberg

Director

Oil Conservation Division

Mr. Harlin M. Brown
Envirotech, Inc.
5796 U.S. Highway 64-3014
Farmington, NM 87401

RE: Request for Permit Modification NM-01-0011
Envirotech, Inc.
Section 6, Township 26 North, Range 10 West, NMPM
San Juan County, New Mexico

Dear Mr. Brown:

The Oil Conservation Division (OCD) has received and has reviewed the above referenced permit modification dated July 10, 2002. The information contained within is administratively complete. The OCD Environmental Bureau will submit a draft permit modification to the Director for review.

If you have any questions please do not hesitate to contact me at (505) 476-3488.

Sincerely,

A handwritten signature in cursive script, appearing to read "Martyne J. Kieling".

Martyne J. Kieling
Environmental Geologist

xc with attachments:
Aztec OCD Office

ENVIROTECH INC.

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

July 10, 2002

State Of New Mexico
Energy Minerals and Natural Resources Division
Attn: Martyne Keiling
Oil Conservation Division
1220 South Saint Francis Drive
Santa Fe, New Mexico 87504

Re: Expansion of Landfarm #2

Dear Mrs. Keiling:

Envirotech Inc. is requesting approval for an expansion of our active landfarm acreage at our NMOCD permitted Soil Remediation Facility, Landfarm #2. The area we propose to open has been permitted in the past under an expansion approved in 1993. As you will recall the subject area was dropped from active status in 2000 when our permit was renewed. We propose to open the "square" area directly south of the existing berm in Landfarm #2. The proposed expansion will continue south from the existing boundary to the south section line of Section 6. The east boundary will be an extension of the "A-Line" that forms the east boundary of previously closed portions of Landfarm #2. The west boundary of the proposed expansion is a north-south line that intersects the pipeline right-of-way adjacent to the highway right-of-way. We are in the process of making an application to the New Mexico Environment Department Groundwater Pollution Prevention Section to expand Landfarm #3 into the triangular segment bounded by the south line (20 Line) of current Landfarm #2 boundaries, the proposed west line of the Landfarm #2 expansion, and the pipeline/highway right of ways.

We would like to expedite expansion of the facility as we have had an unexpected surge in landfarm activity. We have completed installation of fence on the outer boundaries of the proposed expansion with a five strand barb wire fence to control access and prevent cattle from entering the site. A permanent entrance will be developed at the southwest corner of the expansion area with new gates, road access, and cattle guards. In the interim we propose to use current gates and controls from our existing facility. Access to the expansion area will be along the road parallel to the S-Line. We will open the berm and fence to allow access to the expansion area.

We are in the process of obtaining bonding for the proposed expansion. Based on calculations for our previous bond we are pursuing a bond in the amount of \$55,155.00 for the 82.69 acre expansion.

If you have questions or comments regarding our request to expand Landfarm #2 please feel free to contact us at 800-362-1879.

Respectfully submitted,
Envirotech Inc.



Harlan M. Brown
Geologist / Hydrogeologist
New Mexico Certified Scientist #083

ENVIROTECH INC.

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

July 10, 2002

Ms. Lori Wrotenbery
State of New Mexico
Oil Conservation Division
1220 S. St. Francis Dr.
Santa Fe, New Mexico 87504

Phone (505) 476-3440
Fax (505) 476-3462

**RE: Expansion of Soil Remediation Facility No. 2
Section 6, Township 26 N, Range 10 W
San Juan County, New Mexico**

Dear Ms. Wrotenbery:

Young Environmental Services, dba Envirotech Inc., currently operates Soil Remediation Facility No. 2 in the Northwest ¼ of Section 6, Township 26 North, Range 10 West N.M.P.M., San Juan County, New Mexico. This facility is operated under permit No. NM-01-0011, granted April 18, 2000, by the New Mexico Oil Conservation Division (NMOCD) under OCD Rule 711. The NMOCD is the supervisory agency providing direction and routine inspection of the facility.

Envirotech's current facility consists of approximately 212 acres, 150 of which have been closed by the NMOCD, that are fenced and bermed to provide a secure location. Within the enclosure, we thin spread oilfield hydrocarbon contaminated soils for remediation. The property is located approximately 14 miles south of Bloomfield, New Mexico, off of U.S. Highway 550, in San Juan County.

The proposed expansion area adjoins our current facility on the south. The proposed expansion area encompasses 82.69 acres in Section 6, Township 26 North, Range 10 West, N.M.P.M. This area previously underwent all notification and hearing procedures and was approved for expansion by the NMOCD. However, due to increased bond requirements in 2000, it was not included in our current permit. We are now requesting that this land be repermited.

Morris D. Young personally owns the property. The property is undeveloped ranch land that is uniquely suited for thin spread soil remediation. As per the attached AREA/PROPERTY OWNERSHIP MAP, the site is bounded on all sides by either Bureau of Land Management administered land or land owned by Morris D. Young. As noted, the BLM was notified of the expansion prior to 2000.

The property is relatively plainer with a gentle slope to the west. U.S. Hwy 550 provides year round access to the property. The site is remote from any population except for a mobile home occupied by an employee of the rancher, who is currently leasing a portion of the property for grazing on a monthly basis. Groundwater is at 1,102 feet below ground surface. The only water well within

ten miles of the site is located at the Thriftway Convenience Store approximately two (2) miles to the northwest. This well is completed in the Ojo Alamo formation. Top perforations are reported to be at 1,220 feet below ground surface.

The entire soil remediation site will be bermed and fenced. There is little or no drainage to the property. A 5-foot high earthen berm with a 2:1 slope will ensure positive containment on-site of any storm waters. Normal annual precipitation at the site is approximately 9 ½ inches. A 5-strand barbed wire fence will be placed at the outside toe of the berm to prevent encroachment onto the site of any livestock. All gates will be locked unless an Envirotech employee is present on-site to prevent unauthorized entry to the facility.

Envirotech's remediation site operating personnel are 40 hour OSHA trained for Hazardous Material Handling and Site Investigation as well as 24-hour State of New Mexico Mine Safety and Health Administration (MSHA) trained.

The proposed expansion area exhibits the same positive site characteristics that make our existing facility situated in the best possible location to efficiently and effectively remediate hydrocarbon contaminated soils without impacting the groundwater and/or the health, safety, and welfare of the population of the San Juan Basin.

Your immediate attention to this application is appreciated. If we can provide any additional information or in any way be helpful, please contact us.

Sincerely,

ENVIROTECH INC.



Landrea R. Jackson
Administrative Assistant

Enclosure

LRJ:\060502 LF Expansion

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-137
Revised March 17, 1999

Submit Original Plus 1
Copy to Santa Fe
1 Copy Appropriate
District Office

APPLICATION FOR WASTE MANAGEMENT FACILITY

(Refer to the OCD Guidelines for assistance in completing the application)

☒ Commercial

☐ Centralized

1. Type: ☐ Evaporation ☐ Injection ☐ Other
☒ Solids/Landfarm ☐ Treating Plant

2. Operator: Envirotech Inc.

Address: 5796 U.S. Hwy 64, Farmington, New Mexico 87401

Contact Person: Harlan Brown Phone: (505) 632-0615

3. Location: See Attached Description 74 Section 6 Township 26N Range 10W
Submit large scale topographic map showing exact location

4. Is this a modification of an existing facility? ☒ Yes ☐ No
5. Attach the name and address of the landowner of the facility site and landowners of record within one mile of the site.
6. Attach description of the facility with a diagram indicating location of fences, pits, dikes, and tanks on the facility.
7. Attach designs prepared in accordance with Division guidelines for the construction/installation of the following: pits or ponds, leak-detection systems, aerations systems, enhanced evaporation (spray) systems, waste treating systems, security systems, and landfarm facilities.
8. Attach a contingency plan for reporting and clean-up for spills or releases.
9. Attach a routine inspection and maintenance plan to ensure permit compliance.
10. Attach a closure plan.
11. Attach geological/hydrological evidence demonstrating that disposal of oil field wastes will not adversely impact groundwater. Depth to and quality of ground water must be included.
12. Attach proof that the notice requirements of OCD Rule 711 have been met.
13. Attach a contingency plan in the event of a release of H₂S.
14. Attach such other information as necessary to demonstrate compliance with any other OCD rules, regulations and orders.

15. CERTIFICATION

I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

Name: HARLAN M. BROWN
Signature: Harlan M. Brown

Title: Vice President - OPERATIONS

Date: 7. 10. 02

5. Attach the name and address of the landowner of the facility site and landowners of record within one mile of the site.

This site is owned by: Morris D. Young.
5796 US Hwy 64
Farmington, New Mexico 87401

All adjacent land is owned by Morris D. Young or:
Bureau of Land Management
1235 La Plata Highway, Suite A
Farmington, New Mexico 87401

6. Attach description of the facility with a diagram indicating location of fences, pits, dikes, and tanks on the facility.

See Attached Figures.

7. Attach designs prepared in accordance with Division guidelines for the construction/installation of the following: pits or ponds, leak-detection systems, aerations systems, enhanced evaporation (spray) systems, waste treating systems, security systems, and landfarm facilities.

See Attached Figures.

8. Attach a contingency plan for reporting and cleanup for spills or releases.

The OCD Santa Fe and Aztec offices will be notified within 24 hours of the discovery of any spills or leaks or if any defect in the landfarm is noted. Any necessary repairs will be made as soon as possible after their discovery. If the integrity of the landfarm has been jeopardized, additional wastes will not be placed in the facility until repairs have been completed.

9. Attach a routine inspection and maintenance plan to ensure permit compliance.

The facility will be inspected no less than once every two weeks and following each consequential rainstorm or windstorm.

10. Attach a closure plan.

The OCD Santa Fe and Aztec offices will be notified when operation of the facility is to be discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Within six (6) months after discontinuing use or within 30 days of deciding to dismantle the facility a closure plan will be submitted to the OCD Santa Fe office for approval. Envirotech will complete cleanup of constructed facilities and restoration of the facility site within six (6) months of receiving the closure plan approval.

Our closure plan includes the following procedures:

- a) No new material will be accepted.
- b) Existing landfarm soils will be remediated until they meet OCD standards.
- c) The treatment zone soils within each cell will be sampled at two (2) to three (3) feet below the native ground surface and will be analyzed for TPH, BTEX, major cations/anions, and WQCC metals.
- d) Contaminated soils exceeding OCD closure standards will be remediated.
- e) The facility will be contoured, seeded with native grasses, and allowed to return to its natural state.
- f) Closure will be subject to OCD requirements and applicable laws.

11. Attach geological/hydrological evidence demonstrating that disposal of oilfield wastes will not adversely impact groundwater. Depth to and quality of groundwater must be included.

The property is undeveloped ranch land that is uniquely suited for thin spread soil remediation. The property is relatively plainer with a gentle slope to the west. Groundwater is at 1100 feet below ground surface. The nearest water well is approximately 2 miles to the northwest and is completed in the Ojo Alamo formation. Top perforations are reported to be at 1220 feet below ground surface.

12. Attach proof that the notice requirements of OCD Rule 711 have been met.

The proposed expansion area adjoins our current facility on the south. This area previously underwent all notification and hearing procedures and was approved for expansion by the NMOCD. However, due to increased bond requirements in 2000, it was not included in our current permit. Since there have been no changes in property ownership near the facility we don't feel re-notification is necessary.

13. Attach a contingency plan in the event of a release of H₂S.

Haulers are not to deliver H₂S containing materials to our facility. In the event of a release, personnel will be evacuated to an upwind location until suitable PPE and monitoring equipment can be delivered to the site.

14. Attach such other information as necessary to demonstrate compliance with any other OCD rules, regulations, and orders.

- The active portion of the facility will be fenced and bermed to prevent runoff and runoff.
- Disposal will occur only when an attendant is on duty. The facility will be secured when no attendant is present.
- All contaminated soils received at the facility will be spread and disked within 72 hours of receipt.
- Soils will be spread on the surface in lifts of six (6) inches or less.
- Moisture will be added as necessary to enhance bioremediation and to control blowing dust. No ponding or pooling of runoff water will be allowed.



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR

ANITA LOCKWOOD
CABINET SECRETARY

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

August 17, 1993

CERTIFIED MAIL
RETURN RECEIPT NO. P-667-242-007

Mr. Morris D. Young
Envirotech Inc.
5796 U.S. Highway 64 - 3014
Farmington, New Mexico 87401

**RE: ENVIROTECH INC. LANDFARM NO. 2 EXPANSION
OCD RULE 711 PERMIT MODIFICATION APPROVAL**

Dear Mr. Young:

The New Mexico Oil Conservation Division (OCD) has received your May 14, 1993, request for a permit modification to expand your current soil remediation facility at landfarm No. 2. The commercial landfarm facility remediates oilfield contaminated solids which are either exempt from the Federal RCRA Subtitle C (hazardous waste) regulations or are "nonhazardous" by characteristic testing. The facility was administratively approved pursuant to OCD Rule 711 by the Director on September 29, 1993, for a period of five (5) years and expires on September 29, 1997. The permit modification is to expand the facility to the south and east an additional two-hundred and sixty-six (266) acres.

The permit modification for expansion of the Envirotech Inc. Commercial Landfarm No. 2 located in the SE/4, Section 6, Township 26 North, Range 10 West, NMPM, San Juan County, New Mexico, is hereby approved in accordance with the OCD Rule 711. The modification application consists of the original application dated May 14, 1993, and the materials dated June 28, 1993, and July 26, 1993, submitted as amendments to the application. The construction, operation, monitoring and reporting of the expanded facility shall be as specified in the September 29, 1993 approval, the OCD correspondence dated March 12, 1992, and the following conditions:

Mr. Morris D. Young
August 17, 1993
Page 2

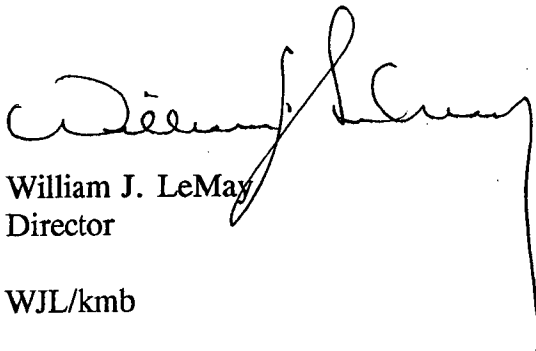
1. A fifty (50) foot buffer zone will be maintained around all pipelines and roadways crossing or running adjacent to the landfarm expansion area.
2. Prior to placing any contaminated soil in the expanded portion of the landfarm, one (1) background soil sample will be taken from the center portion of the expansion area, two (2) feet below the native ground surface. The sample will be analyzed for total petroleum hydrocarbons (TPH), volatile aromatic organics (BTEX), major cations/anions, and heavy metals using approved EPA methods.
3. There will be a physical separation maintained at all times between the OCD permitted site and any adjacent disposal/remediation facilities permitted by another regulatory agency. There will be no transfer or mixing of wastes between the OCD permitted landfarm and any other disposal/remediation facilities.

Please be advised approval of this facility expansion does not relieve you of liability should your operation result in actual pollution of surface or ground waters or the environment actionable under other laws and/or regulations. In addition, the OCD approval does not relieve you of liability for compliance with any other laws and/or regulations.

The Division shall have the authority to administratively change this permit to protect fresh water, human health and the environment.

If you have any questions, please do not hesitate to contact Kathy Brown at (505) 827-5884.

Sincerely,

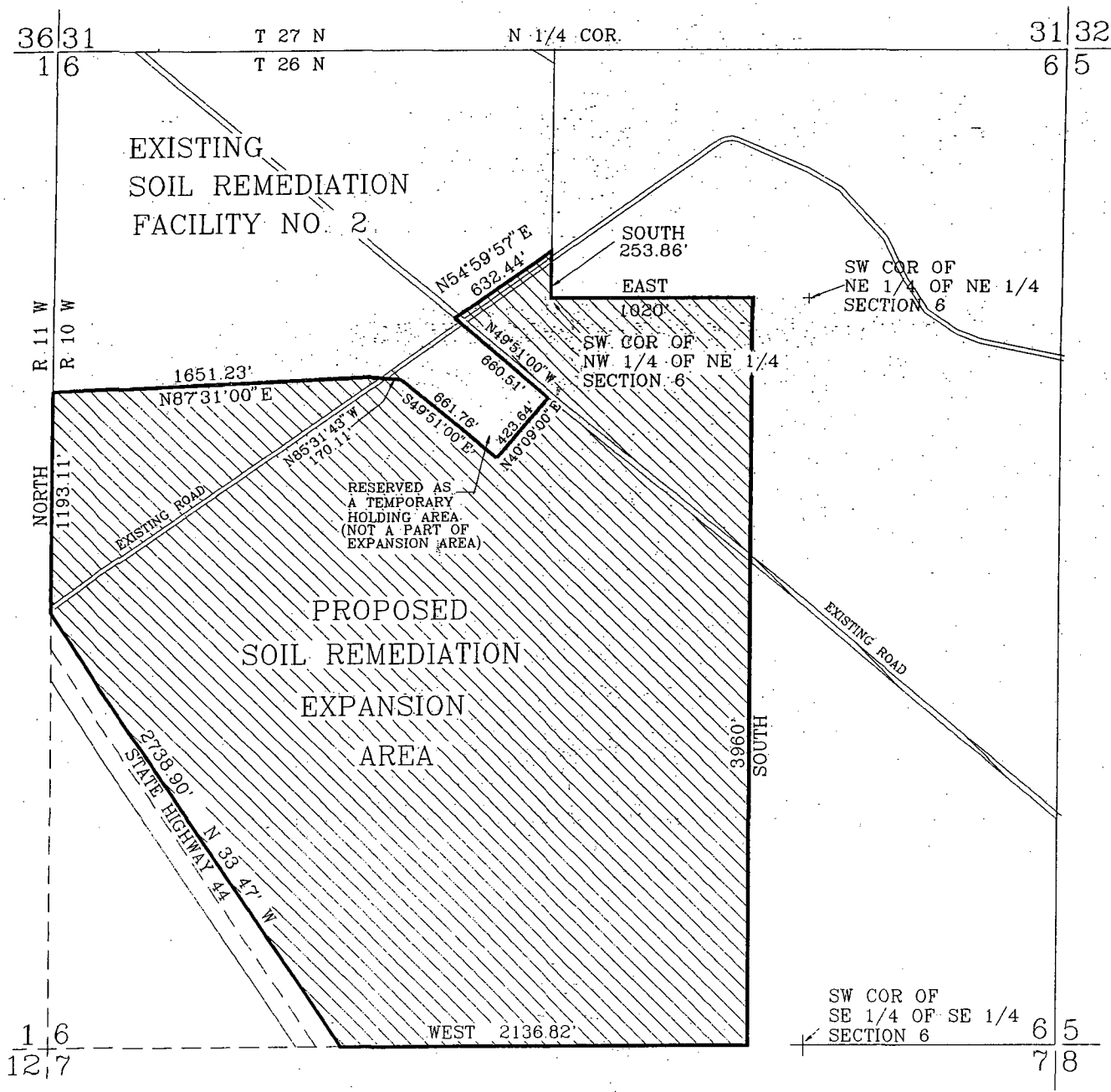


William J. LeMay
Director

WJL/kmb

xc: Denny Foust, OCD Aztec Office
Ms. Ilyse Gold, BLM, Farmington

PLAT
TO ACCOMPANY DESCRIPTION FOR
YOUNG ENGINEERING SERVICES INC.
dba ENVIROTECH INC.
SOIL REMEDIATION FACILITY NO. 2 EXPANSION AREA



YOUNG ENGINEERING INC.
dba ENVIROTECH INC.
SOIL REMEDIATION FACILITY NO. 2 EXPANSION AREA

Tract in Section 6, T-26-N, R-10-W,
N.M.P.M., San Juan County, New Mexico.

A tract of land in Section 6, Township 26 North, Range 10 West, N.M.P.M., San Juan County, New Mexico, and being more particularly described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 6 AND RUNNING THENCE ALONG THE WEST LINE OF SAID SECTION 6 TO THE BEGINNING CORNER OF THE PROPERTY BOUNDARY, NORTH 2276.89 FEET; THENCE 1193.11 FEET NORTH ALONG THE WEST BOUNDARY OF SECTION 6 TO THE SOUTHWEST CORNER OF THE EXISTING SOIL REMEDIATION FACILITY NO. 2; THENCE NORTH 87° 31' EAST 1651.23 FEET TO THE SOUTHEASTERLY CORNER OF THE SAID FACILITY NO. 2; THENCE SOUTH 85° 31' 43" EAST 170.11 FEET TO THE MOST WESTERLY CORNER OF THE TEMPORARY HOLDING AREA; THENCE SOUTH 49° 51' EAST 661.76 FEET TO THE MOST SOUTHERLY CORNER OF THE TEMPORARY HOLDING AREA; THENCE NORTH 40° 09' EAST 423.64 FEET TO THE MOST EASTERLY CORNER OF THE TEMPORARY HOLDING AREA; THENCE NORTH 49° 51' WEST 660.51 FEET TO THE MOST NORTHERLY CORNER OF THE TEMPORARY HOLDING AREA; THENCE ALONG THE BOUNDARY OF SAID FACILITY NO. 2 NORTH 54° 59' 57" EAST 632.44 FEET MORE OR LESS TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 6; THENCE ALONG SAID CENTER-LINE, SOUTH 253.86 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE EAST 1020 FEET MORE OR LESS ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST 1/4 OF SAID SECTION 6, THENCE SOUTH 3960 FEET MORE OR LESS TO THE SOUTHLINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 6; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 6 2136.82 FEET; THENCE NORTH 33° 47' WEST 2738.90 FEET TO THE WEST LINE OF SAID SECTION 6, MORE OR LESS TO THE POINT OF BEGINNING.

THE TRACT CONTAINS APPROXIMATELY 266.3 ACRES AND NO RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS OR RESERVATIONS WERE RESEARCHED OR SHOWN.



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR

ANITA LOCKWOOD
CABINET SECRETARY

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

August 23, 1993

Mr. Morris D. Young
Envirotech Inc.
5796 U.S. Highway 64 - 3014
Farmington, New Mexico 87401

**RE: ENVIROTECH INC. LANDFARM NO. 2 EXPANSION
OCD RULE 711 PERMIT MODIFICATION APPROVAL**

Dear Mr. Young:

On August 17, 1993 the New Mexico Oil Conservation Division (OCD) approved the permit modification for expansion of your current soil remediation facility at landfarm No. 2. The approval letter stated that the facility was administratively approved pursuant to OCD Rule 711 by the Director on September 29, 1993, for a period of five (5) years and expires on September 29, 1997. The permit approval date of September 29, 1993 is incorrect. The correct date of approval is September 29, 1992. The expiration date of September 29, 1997 is correct.

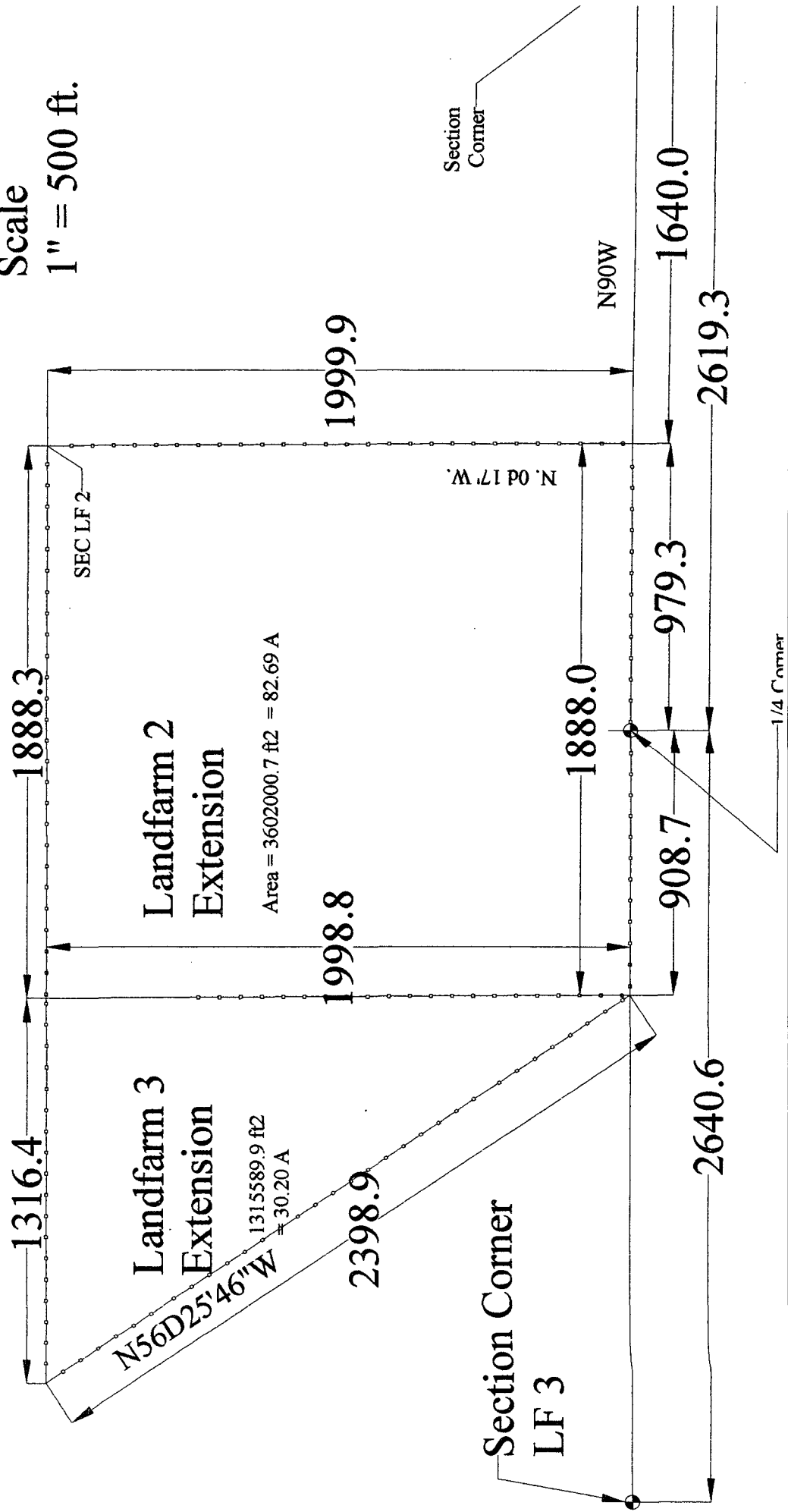
I am sorry for any inconvenience that this may have caused you. If you have any questions, please do not hesitate to contact me at (505) 827-5884.

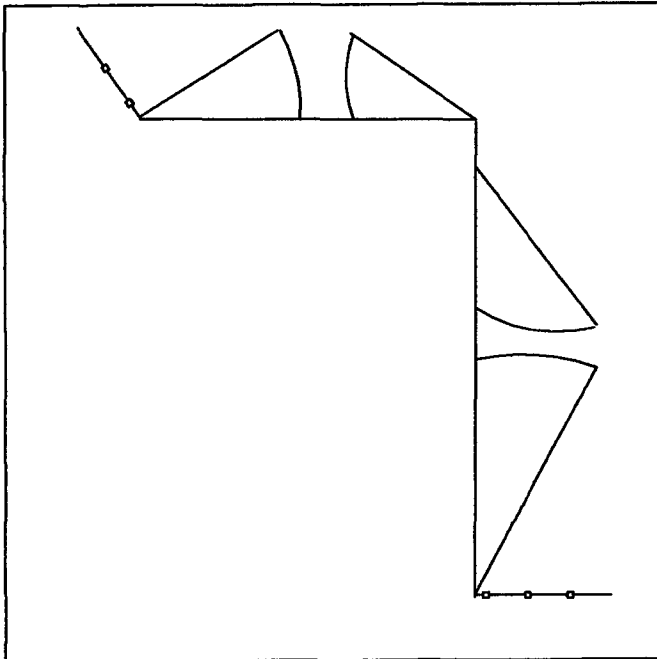
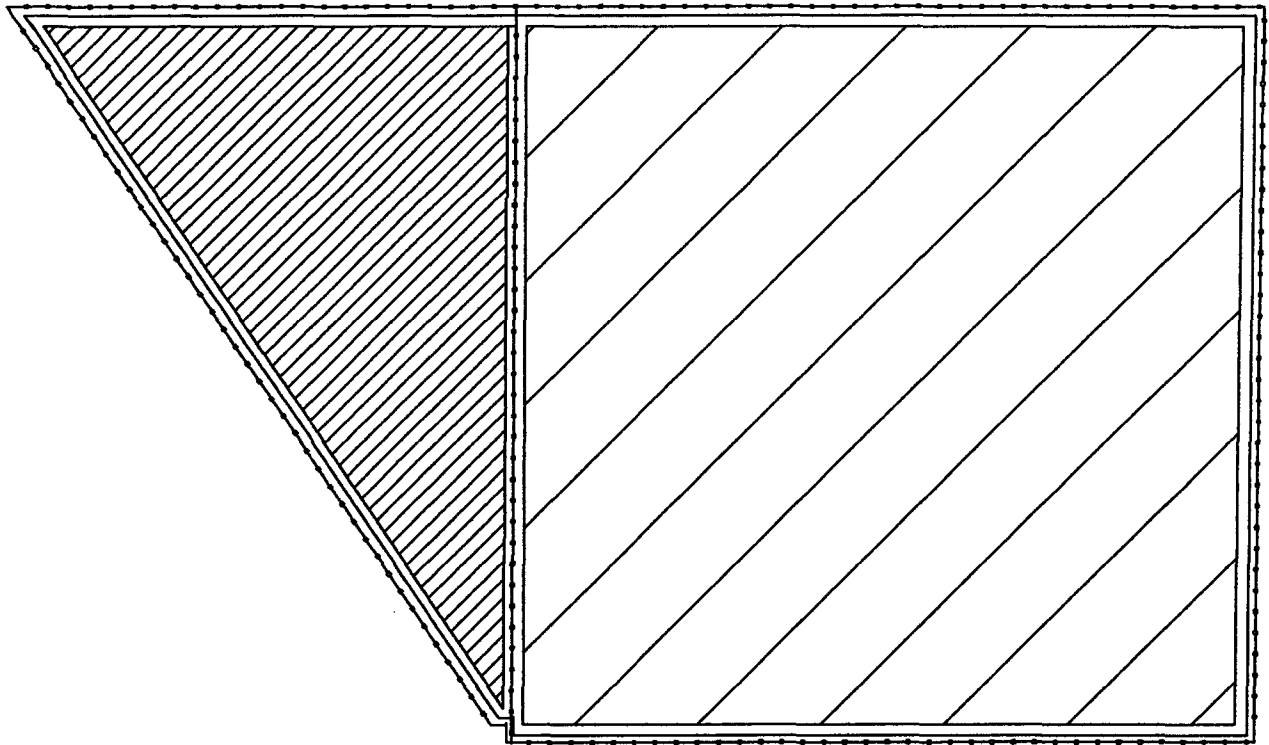
Sincerely,

Kathy M. Brown
Geologist

xc: Denny Foust, OCD Aztec Office
Ms. Ilyse Gold, BLM, Farmington

Scale
1" = 500 ft.





LEGEND	
Fence	—•—•—•—
Berm	====

Landfarm Expansion Proposal		SITE MAP	
REVISIONS BY <u>XXX</u> DATE <u>XX/XX/XX</u> BY <u>XXX</u> DATE <u>XX/XX/XX</u>	JOB/PRJ #	ENVIRONMENTAL SCIENTISTS & ENGINEERS 5796 U.S. HIGHWAY 64 FARMINGTON, NEW MEXICO 87401 (505) 632-0615	DATE <u>06-07-2002</u> DRAWN <u>TLR</u> SCALE <u>XX = XX</u> APPROVED <u>XXX</u>
		FIGURE 1	

Property Description
Landfarm #2 Expansion

The following is a description of a portion of parcel of land that was included in a 1992 Landfarm expansion. The property described is adjacent to the south boundary of Landfarm #2.

The following real estate in San Juan County, New Mexico:

Beginning at a point which is the southeast corner of Section 6, Township 26 North, Range 10 West, NMPM,

Thence N 90°W, 1640' to the true point of beginning;
Thence N 0°17'W, 1999.9';
Thence N 90°W, 1888.3';
Thence S 0° 17'E, 1998.8';
Thence N 90°E, 1888.0 to the true point of beginning.
82.69 acres more or less.

Property Description
Landfarm #2 Expansion
Description with "layman's helps"

The following is a description of a portion of parcel of land that was included in a 1992 Landfarm expansion. The property described is adjacent to the south boundary of Landfarm #2.

The following real estate in San Juan County, New Mexico:

Beginning at a point which is the southeast corner of Section 6, Township 26 North, Range 10 West, NMPM,

Thence N 90°W, 1640' to the true point of beginning; (point on section line 1640' west of SE corner Section 6)

Thence N 0°17'W, 1999.9'; (fence corner at SE corner of LF #2 Unit 5, former El Paso Reserve)

Thence N 90°W, 1888.3'; (+/- south end of the "T-Line" in LF #2 Unit 5)

Thence S 0°17'E, 1998.8'; (point on section line 3528' west of southeast corner of Section 6 and on the edge of the pipeline/highway right-of-way)

Thence N 90°E, 1888.0 to the true point of beginning.

82.69 acres more or less.



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 S. PACHECO
SANTA FE, NEW MEXICO 87505
(505) 827-7131

April 18, 2000

CERTIFIED MAIL
RETURN RECEIPT NO. Z-559-573-258

Mr. Morris D. Young
Envirotech, Inc.
5796 U.S. Highway 64-3014
Farmington, NM 87401

RE: OCD Rule 711 Permit Approval NM-01-0011
Envirotech, Inc.
Commercial Landfarm
NW/4 of Section 6, Township 26 North, Range 10 West, NMPM
San Juan County, New Mexico

Dear Mr. Young:

The permit application for the Envirotech, Inc. (Envirotech) commercial surface waste management facility located in the NW/4 of Section 6, Township 26 North, Range 10 West, NMPM, San Juan County, New Mexico, is hereby approved in accordance with New Mexico Oil Conservation Division (OCD) Rule 711 under the conditions contained in the enclosed attachment. **This permit approval is conditional upon the receipt and approval by the Director of financial assurance in the amount of \$34,000.** Financial assurance is required within thirty (30) days of the date of this permit approval letter. The application consists of the permit application Form C-137 dated December 19, 1997, the inspection report response letter dated October 14, 1997, the original permit application dated July 7, 1992, the original permit approval dated September 29, 1992, the request to expand the facility dated April 2, 1993, supplemental information dated July 26, 1993, expansion permit approval dated August 17, 1993, the request to add a stabilization pad dated January 5, 1994, supplemental information dated February 4, 1994, and the stabilization pad approval dated February 17, 1994.

The operation, monitoring and reporting shall be as specified in the enclosed attachment. All modifications and alternatives to the approved landfarming methods must receive prior OCD approval. Envirotech is required to notify the Director of any facility expansion or process modification and to file the appropriate materials with the Division.

Please be advised approval of this facility permit does not relieve Envirotech of liability should your operation result in pollution of surface water, ground water, or the environment. In addition, OCD

Mr. Morris D. Young
April 18, 2000
Page 2

approval does not relieve Envirotech of responsibility for compliance with other federal, state or local laws and/or regulations.

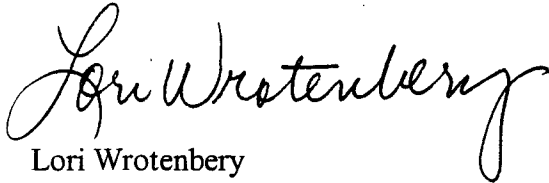
Please be advised that all tanks exceeding 16 feet in diameter and exposed pits, ponds or lagoons must be screened, netted or otherwise rendered nonhazardous to migratory birds. In addition, OCD Rule 310 prohibits oil from being stored or retained in earthen reservoirs or open receptacles.

The facility is subject to periodic inspections by the OCD. The conditions of this permit will be reviewed by the OCD no later than five (5) years from the date of this approval and the facility will be inspected at least once a year. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of the five (5) year review. The financial assurance may be adjusted to incorporate any closure cost changes.

Enclosed are two copies of the conditions of approval. **Please sign and return one copy to the OCD Santa Fe Office within five working days of receipt of this letter.**

If you have any questions please do not hesitate to contact Martyne J. Kieling at (505) 827-7153.

Sincerely,



Lori Wrotenbery
Director

LW/mjk

xc with attachments:
Aztec OCD Office

ATTACHMENT TO OCD 711 PERMIT APPROVAL
PERMIT NM-01-0011
ENVIROTECH, INC.
NW/4 of Section 6, Township 26 North, Range 10 West, NMPM
San Juan County, New Mexico
(April 18, 2000)

LANDFARM OPERATION

1. The 51-acre active portion of the facility must be fenced and have a sign at the entrance. The sign must be legible from at least fifty (50) feet and contain the following information: a) name of the facility; b) location by section, township and range; and c) emergency phone number.
2. Disposal may occur only when an attendant is on duty. The facility must be secured when no attendant is present.
3. All contaminated soils received at the facility must be spread and disked within 72 hours of receipt.
4. Soils must be spread on the surface in lifts of six inches or less.
5. Soils must be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
6. Moisture may be added as necessary to enhance bioremediation and to control blowing dust. There may be no ponding, pooling or run-off of water allowed. Any ponding of precipitation must be removed within twenty-four (24) hours of discovery.
7. Contaminated soils may not be placed within twenty-five (25) feet of the boundary of the facility and the landfarm facility may not be constructed within one hundred (100) feet of adjacent landowners' property.
8. Contaminated soils may not be placed within twenty (20) feet of any pipeline crossing the landfarm. In addition, no equipment may be operated within ten (10) feet of a pipeline. All pipelines crossing the facility must have surface markers identifying the location of the pipelines.
9. The portion of the facility containing contaminated soils must be bermed to prevent runoff and runoff. A perimeter berm must be maintained such that it is capable of containing precipitation from a one-hundred year flood for the specific region. Individual interior berms must be maintained to control erosion.

10. All above-ground tanks, saddle tanks or drums located at the facility and containing materials other than fresh water must be placed on an impermeable pad with curb containment. The tanks and containers must be labeled as to contents and hazards.
11. Successive lifts of contaminated soils may not be spread until a laboratory measurement of total petroleum hydrocarbons (TPH) in the previous lift is less than 100 parts per million (ppm), the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Envirotech may apply for alternate TPH levels. A request for alternate TPH levels must be accompanied by the cell designation and the reason for the request. Comprehensive records of the laboratory analyses and the sampling locations must be maintained at the Envirotech office at 5796 US Highway 64 Farmington, NM. Authorization from the OCD must be obtained prior to application of successive lifts and/or removal of the remediated soils.
12. Enhanced bio-remediation through the application of microbes (bugs) and/or fertilizers requires prior approval from the OCD. Requests for application of microbes or fertilizers must include the location of the area designated for the program, the composition of additives, and the method, amount and frequency of application.
13. Any design changes to the landfarm facility must be submitted to the OCD Santa Fe office for approval and a copy must be sent to the Aztec District office.
14. As designated on maps submitted to the OCD, Envirotech must close the original (SE) portion of landfarm 2, unit 4, and unit 5 east of the N line and south of the 20 line **by December 31, 2000**. Closure of these portions of Landfarm 2 shall include:
 - a. Requesting and receiving closure status for all cells that have received discontinued maintenance status.
 - b. Requesting and receiving closure status for any currently active cells.
 - c. Removing berms, contouring, and seeding with native grasses.
 - d. Submittal of a closure report to the OCD Santa Fe office for review and approval.
15. Landfarm inspection and maintenance must be conducted on at least a biweekly basis and immediately following each consequential rainstorm or windstorm. The OCD Santa Fe and Aztec offices must be notified within 24 hours if any defect is noted. Repairs must be made as soon as possible. If the defect will jeopardize the integrity of the landfarm, additional wastes may not be placed into the landfarm until repairs have been completed.

TANK BOTTOMS, SLUDGE & DRILLING MUD ACCEPTANCE

1. All loads of tank bottoms or sludge will be screened for H₂S before they are un-loaded. All loads of tank bottoms or sludge with H₂S must be treated to remove all traces of H₂S prior to receipt and solidification.
2. All tank bottoms and sludge must be received directly into the concrete mixing impoundment prior to solidification and landfarm application.
3. The concrete mixing impoundment may be used for the stabilization of tank bottoms, sludge and drilling mud received by the landfarm facility. Adequate freeboard must be maintained to prevent any overtopping or slop over of material. Clean soil and organic material including manure, saw-dust, and straw may be mixed with the tank bottoms and sludge to stabilize the material. Material received at the impoundment must be mixed and stabilized in a timely manner not to exceed 24 hours.
4. The concrete mixing impoundment must be inspected inside and outside weekly for overall integrity. The leak detection monitor well for the impoundment must be checked weekly. Records of such inspections must be made available to the OCD upon request. If fluids are found in the sump, the operator must notify the OCD Aztec District Office within 24 hours of discovery.
5. Records of all materials received at the facility for solidification must include the 1) the origin, 2) transporter, 3) test results, 4) amount, type and origin of soil and or organic bulking agents added to each load, and 5) exact cell location where the material is to be remediated.
6. No drilling mud may be accepted at the facility without the generator's written authorization from the Aztec District office to move the mud from the drilling location. Authorization will include the following information: 1) well operator name; 2) well name and location from which the mud was transported; 3) transporter; 4) description of mud program (*i.e.*, mud composition including volume and type of chemicals added); and 5) exact cell location where the material is to be remediated.
8. Used drilling mud must be received directly into the concrete mixing impoundment prior to solidification and application to the landfarm. Any oil removed must be handled in accordance with OCD rules.
9. Within 24 hours of receiving notification from the OCD that an objectionable odor has been detected or reported, the facility must implement the following response procedure:
 - a. log date and approximate time of notice that an odor exists;

- b. log investigative steps taken, including date and time, and conclusions reached; and
- c. log actions taken to alleviate the odor, which may include adjusting chemical treatment, air sparging, solidification, landfarming, or other similar responses.

A copy of the log, signed and dated by the facility manager, must be maintained for OCD review.

WASTE ACCEPTANCE CRITERIA

1. The facility is authorized to accept only:
 - a. Oilfield wastes that are exempt from RCRA Subtitle C regulations and that do not contain Naturally Occurring Radioactive Material regulated pursuant to 20 NMAC 3.1 Subpart 1403 (NORM). All loads of these wastes received at the facility shall be accompanied by a "Generator Certificate of Waste Status" signed by the generator.
 - b. "Non-hazardous" non-exempt oilfield wastes that do not contain NORM. These wastes may be accepted on a case-by-case basis after a hazardous waste determination is made. Samples, if required, must be obtained from the wastes prior to removal from the generator's facility and without dilution in accordance with EPA SW-846 sampling procedures. All "non-hazardous" non-exempt wastes received at the facility must be accompanied by:
 - i. An approved OCD Form C-138 "Request For Approval To Accept Solid Waste."
 - ii. A "Generator Certificate of Waste Status" signed by the generator.
 - iii. A verification of waste status issued by the appropriate agency for wastes generated outside OCD jurisdiction. The agency verification is based on specific information on the subject waste submitted by the generator and demonstrating the exempt or non-hazardous classification of the waste.
 - d. Non-oilfield wastes that are non-hazardous if ordered by the Department of Public Safety in a public health emergency. OCD approval must be obtained prior to accepting the wastes.
2. At no time may any OCD-permitted surface waste management facility accept wastes that are hazardous by either listing or characteristic testing.

3. No free liquids or soils with free liquids may be accepted into the landfarm portion of the facility.
4. Materials that may be accepted into the landfarm facility must pass a paint filter test by EPA Method 9095A prior to application.
5. The transporter of any wastes to the facility must supply a certification that wastes delivered are those wastes received from the generator and that no additional materials have been added.

TREATMENT ZONE MONITORING

1. A treatment zone not to exceed three (3) feet beneath the landfarm native ground surface must be monitored. A minimum of one random soil sample must be taken from each individual cell, with no cell being larger than five (5) acres, six (6) months after the first contaminated soils are received in the cell and then quarterly thereafter. The sample must be taken at two (2) to three (3) feet below the native ground surface.
2. The soil samples must be analyzed using EPA-approved methods for total petroleum hydrocarbons (TPH) and volatile aromatic organics (BTEX) quarterly and for major cations/anions and Water Quality Control Commission (WQCC) metals annually.
3. After soil samples are obtained, the boreholes must be filled with an impermeable material such as cement or bentonite.

REPORTING

1. Analytical results from the treatment zone monitoring must be submitted to the OCD Santa Fe office **within thirty (30) days** of receipt from the laboratory.
2. Envirotech, Inc. must notify the **OCD Santa Fe and Aztec offices within 24 hours** of any fire, break, leak, spill, blowout or any other circumstance that could constitute a hazard or contamination in accordance with OCD Rule 116.
3. Records of landfarm inspection and maintenance must be kept and maintained for OCD review.
4. Records of inspection, maintenance and H₂S screening at the concrete mixing impoundment must be kept and maintained for OCD review.

5. Comprehensive records of all material disposed of at the facility must be maintained at the facility. The records for each load will include: 1) generator; 2) origin; 3) date received; 4) quantity; 5) certification of waste status as exempt or non-exempt with any necessary supporting documentation to certify non-hazardous status for non-exempt waste; 6) NORM status declaration; 7) transporter; 8) exact cell location; and 9) any addition of microbes, moisture, fertilizers, bulking agents, H₂S treatment chemicals, *etc.*
6. Analytical results regarding remediated soils must be submitted to the OCD Santa Fe office with a copy to the Aztec District office, along with any request to close the cell, apply successive lifts or remove the remediated material.
7. The OCD must be notified prior to any design changes to the landfarm facility. The facility must submit for approval any design changes to the facility to the OCD Santa Fe office and Hobbs District office.
8. The OCD must be notified prior to the installation of any pipelines or wells or other construction within the boundaries of the facility.

FINANCIAL ASSURANCE

1. Financial assurance in the amount of **\$34,000** (the estimated cost of closure) in the form of a surety or cash bond or a letter of credit, which is approved by the Division, is required from Envirotech, Inc. for the commercial surface waste management facility.

By May 18, 2000 Envirotech, Inc. must submit 100% of the financial assurance in the amount of **\$34,000**.

2. The facility is subject to periodic inspections by the OCD. The conditions of this permit and the facility will be reviewed no later than five (5) years from the date of this approval. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of review. The financial assurance may be adjusted to incorporate any closure cost changes.

CLOSURE

1. The OCD Santa Fe and Aztec offices must be notified when operation of the facility is to be discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Within six (6) months after discontinuing use or within 30 days of deciding to dismantle the facility a closure plan must be submitted to the OCD Santa Fe office for approval. The operator must complete cleanup of constructed facilities and restoration of the

facility site within six (6) months of receiving the closure plan approval, unless an extension of time is granted by the Director.

2. The closure plan to be submitted must include the following procedures:

- a. No new material may be accepted.
- b. Existing landfarm soils must be remediated until they meet the OCD standards in effect at the time of closure.
- c. The treatment zone soils within each five (5) acre cell must be sampled at two (2) to three (3) feet below the native ground surface and must be analyzed for total petroleum hydrocarbons (TPH), volatile aromatic organics (BTEX), major cations/anions and Water Quality Control Commission (WQCC) metals.
- d. Contaminated soils exceeding OCD closure standards for the site must be removed or remediated.
- e. The facility must 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 must be subject to OCD requirements in effect at the time of closure, and any other applicable local, state and/or federal regulations.

CERTIFICATION

Envirotech, Inc., by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. Envirotech, Inc. further acknowledges that these conditions and requirements of this permit may be changed administratively by the Division for good cause shown as necessary to protect fresh water, human health and the environment.

Accepted:

ENVIROTECH, INC.

Signature _____ Title _____ Date _____



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop
Cabinet Secretary

October 1, 2003

Lori Wrotenbery

Director

Oil Conservation Division

Mr. Morris D. Young
Envirotech, Inc.
5796 U.S. Highway 64-3014
Farmington, NM 87401

RE: \$18,385 Cash Bond and Assignment of Cash Collateral
Permit NM-01-0011
Envirotech Inc., Principal
Bank of the Southwest, Financial Institution
Section 6, Township 26 North, Range 10 West, NMPM
San Juan County, New Mexico
CD No. 30130627

Dear Mr. Young:

The New Mexico Oil Conservation Division hereby approves the above-referenced Commercial Surface Waste Management Facility Cash Bond and Assignment of Cash Collateral. The total amount of financial assurance for the above-referenced facility is now at \$53,385.

Sincerely,

Gail Maquesten
Assistant General Counsel

GM:mjk

Enclosure: Copy of Cash Bond and Assignment of CD No. 30130627

xc with attachment:

Aztec OCD Office
Margie Marten, Bank of the Southwest, P.O. Box 630, Farmington, NM 87499-0630

(File with Oil Conservation Division, 1220 South Saint Francis, Santa Fe, New Mexico 87505)

NOW THEREFORE, if the above PRINCIPAL or its successors, assigns, heirs, administrators or any of them shall properly reclaim and restore the above-described facility site upon cessation of operations and otherwise abide by the rules and orders of the Division, then therefore, this obligation shall be null and void and the principal sum hereof shall be paid to the PRINCIPAL, or its successors, heirs, or administrator; otherwise it shall remain in full force and effect.

Assignment of Cash Collateral Deposit For Bond for Waste Management Facility

Pursuant to Rule 711 of the Rules of the Oil Conservation Division, or successor provisions, Envirotech, Inc., (hereinafter "Principal"), of 5796 US Hwy 64, Farmington, NM 87401 (address) has deposited with the Bank of the Southwest (name of the financial institution, which must be a federally insured bank or savings institution within the state of New Mexico) of (address) (hereinafter "Financial Institution"), the sum of eighteen thousand three hundred and (\$eighty-five
.00) dollars in Certificate of Deposit or ~~savings account~~ No. 30130627. The Principal hereby assigns five
and conveys all right, title and interest in the deposited funds to the Financial Institution in trust for the Oil Conservation Division of the Energy, Minerals and Natural Resources Department (hereinafter "Division") or successor agency of the State of New Mexico. The Principal and the Financial Institution agree that as to the deposited funds:

- a. The funds deposited pursuant to the terms of this Assignment are to serve as a cash bond covering a waste management facility operated by the Principal.
- b. The Division acquires by this Assignment the entire beneficial interest in the funds with the right to order the Financial Institution, in writing, to distribute the fund to persons determined by the Division to be entitled thereto, including the Division itself, without further consent by the Principal, in amounts determined by the Division, or to the Principal upon sale of the facility covered by this Assignment provided all applicable Division orders and rules have been complied with regarding the waste management facility.
- c. The Principal retains no legal or beneficial interest in the fund and has only the right to interest, if any, thereon, and to return of the fund upon written order of the Division in the event the Principal properly reclaims the facility site and otherwise abides by the rules and order of the Division and the Oil Conservation Commission.
- d. The Financial Institution agrees that the funds may not be assigned, transferred pledged or distributed except upon written order of the Division or a court of competent jurisdiction made in a proceeding in which the Division is a party. The Financial Institution waives all statutory or common law liens or rights of set-off against the funds.

The Principal agrees that the Financial Institution may deduct from interest due the Principal any attorney fees incurred by the Financial Institution if claim or demand via writ, summons or other process arising from Principal's business is made upon the Financial Institution.

Signed this 29 day of September, 2003.

By Principal Mavis D. Young

PRESIDENT

Title

(Note: If PRINCIPAL is corporation, affix corporate seal here.)

By Financial Institution Margie Martin

Asst. Cashier

Title

Envirotech, Inc.

5796 US Hwy 64, FMN, NM 87401

Mailing Address

Bank of the Southwest

PO Box 630, FMN, NM 87499-0630

Mailing Address

ACKNOWLEDGMENT FORM FOR NATURAL PERSONS

STATE OF _____)
)SS.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2____, by

My commission expires:

Date

Notary Public

ACKNOWLEDGMENT FORM FOR CORPORATION OR PARTNERSHIP

STATE OF New Mexico)
)SS.
COUNTY OF San Juan)

The foregoing instrument was acknowledged before me this 29th day of September, 2003, by
Morris D. Young

officer or partner(s) of Envirotech, Inc., a
corporation, a partnership on behalf of said corporation or partnership.

My commission expires:

October 1st, 2005
Date

Landrea R. Jackson
Notary Public

NOTE: When Principal is a partnership, corporation or association, list all partners, officers and directors as may be applicable. This information may be provided below.

ACKNOWLEDGMENT FORM FOR FINANCIAL INSTITUTION

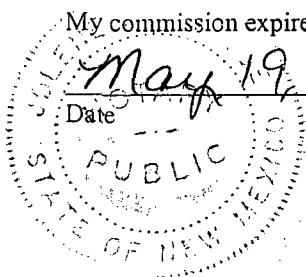
STATE OF New Mexico)
)SS.
COUNTY OF San Juan)

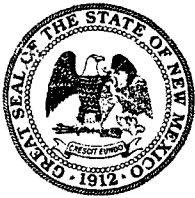
The foregoing instrument was acknowledged before me this 29th day of September, 2003, by
Margie Maitis title Asst. Cashier on behalf of
Bank of the Southwest, financial institution.

My commission expires:

May 19, 2005
Date

Jolene M. Roscoe
Notary Public





NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor

Jennifer A. Salisbury

Cabinet Secretary

Lori Wrotenbery

Director

Oil Conservation Division

July 25, 2000

CERTIFIED MAIL

RETURN RECEIPT NO. Z-559-573-328

Mr. Morris D. Young
Envirotech, Inc.
5796 U.S. Highway 64-3014
Farmington, NM 87401

**RE: \$25,000 Surety Bond for Commercial Surface Waste Management Facility
Permit NM-01-0011
Envirotech Inc., Principal
International Fidelity Insurance Company, Surety
NW/4 of Section 6, Township 26 North, Range 10 West, NMPM
San Juan County, New Mexico
Bond No. 886628**

Dear Mr. Young:

The New Mexico Oil Conservation Division approves the cancellation of the above-referenced financial assurance and releases International Fidelity Insurance Company of any liability.

Sincerely,

Marilyn S. Hebert,
Legal Counsel

MSH:mjk

Enclosure: Copy of Bond No. 886628

xc with attachment:

Aztec OCD Office

Roy Owen, International Fidelity Insurance Company

\$25,000.00 BOND FOR COMMERCIAL SURFACE WASTE DISPOSAL FACILITY

BOND NO. 886628
(For Use of Surety Company)

File with Oil Conservation Division, P. O. Box 2088, Santa Fe, New Mexico 87504

KNOW ALL MEN BY THESE PRESENTS:

That Young Engineering Inc. dba Envirotech, (an individual)
(partnership) (a corporation organized in the State of New Mexico
with its principal office in the City of Farmington, State of New
Mexico, and authorized to do business in the State of New Mexico), as
PRINCIPAL, and International Fidelity Insurance Company, a corporation
organized and existing under the laws of the State of New Jersey
and authorized to do business in the State of New Mexico with duly appointed resident
agent licensed in the State of New Mexico to execute this bond on behalf of the
surety company, as SURETY, are held firmly bound unto the State of New Mexico, for
the use and benefit of the Oil Conservation Division of the Energy, Minerals and
Natural Resources Department pursuant to Chapter 72, Laws of New Mexico, 1935, as
amended, and to the State of New Mexico in the sum of Twenty Five Thousand
(\$25,000.00) Dollars lawful money of the United States for the payment of which, well
and truly to be made, said PRINCIPAL and SURETY hereby bind themselves, their
successors and assigns, jointly and severally, firmly by these presents.

The conditions of this obligation are such that:

WHEREAS, The above principal has heretofore or may hereafter enter into the
collection, disposal or storage of produced water and/or other oil field related
waste in Section 6, Township 26 (North) (South), Range 10 (East)
(West), N.M.P.M., San Juan County, New Mexico.

NOW, THEREFORE, This \$25,000 performance bond is conditioned upon substantial
compliance with all applicable statutes of the State of New Mexico and all rules,
regulations, and orders of the Oil Conservation Division of the Energy and Minerals
Department, and upon clean-up of the facility site to standards of the Oil
Conservation Division; otherwise the principal amount of the bond to be forfeited to
the State of New Mexico.

PROVIDED, HOWEVER, That sixty (60) days after receipt by the Oil Conservation
Division of written notice of cancellation from the Surety, the obligation of the
Surety shall terminate as to activities or operations conducted by PRINCIPAL after
said sixty (60) day period but shall continue in effect, notwithstanding said notice,
as to such activities or operations conducted or commenced before the expiration of
the sixty day period.

Signed and sealed this 13th day of October, 1992.

Young Engineering Inc. dba Envirotech, International Fidelity Insurance Co.
PRINCIPAL SURETY

5796 US Highway 64-3014

Mailing Address

Farmington, NM 87401

By Morris Young
Signature Title
Morris Young, President

4155 E. Jewell Avenue, Suite 103, Denver, Co

Mailing Address

80222

By Roy Owen
Signature
Attorney-in-Fact
Roy Owen, Attorney in Fact

(Note: Principal, if corporation
Affix corporate seal here.)

(Note: Corporate surety affix corporate
seal here.)

Note: If corporate surety executes this bond by an attorney-in-fact not in New
Mexico, the resident New Mexico agent shall countersign here below.)

Countersigned by:

Roy Owen
New Mexico Resident Agent

P.O. Box 3830, Farmington, NM 87499
Address

STATE OF New Mexico)
COUNTY OF San Juan) ss.

On this 13th day of October, 19 92, before me personally appeared Roy Owen, to me known to be the person (persons) described in and who executed the foregoing instrument and acknowledged that he (they) executed the same as he (their) free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year in this certificate first above written.

1/12/94

My Commission Expires:

Mildred J. Howe
Notary Public

ACKNOWLEDGMENT FORM FOR CORPORATION

STATE OF New Mexico)
COUNTY OF San Juan) ss.

On this 13th day of October, 19 92, before me personally appeared Morris Young, to me personally known who, being by me duly sworn, did say that he is President of Young Engineering Inc. dba Enviro and that the foregoing instrument was signed and sealed on behalf of said corporation tech by authority of its board of directors, and acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year in this certificate first above written.

1/12/94

My Commission Expires

Mildred J. Howe
Notary Public

STATE OF _____)
COUNTY OF _____) ss.

On this _____ day of _____, 19____, before me appeared _____, to me personally known, who, being by me duly sworn, did say that he is _____ of _____ and that the foregoing instrument was signed and sealed on behalf of said corporation by authority of its board of directors, and acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year in this certificate first above written.

Notary Public

My Commission Expires:
(Note: Corporate surety attach power of attorney)

APPROVED BY:
OIL CONSERVATION DIVISION

By [Signature]

INTERNATIONAL FIDELITY INSURANCE COMPANY
ONE NEWARK CENTER, 20th FLOOR, NEWARK, NEW JERSEY 07102-5207

STATEMENT OF ASSETS, LIABILITIES, SURPLUS AND OTHER FUNDS

AT JUNE 30, 1992

ASSETS

Bonds (Amortized Value)	\$62,084,109
Preferred Stock	545,000
Common Stocks (Market Value)	1,496,969
Mortgage Loans on Real Estate	79,339
Real Estate	51,080
Cash & Bank Deposits	2,788,745
Short Term Investments	4,020,699
Unpaid Premiums & Assumed Balances	1,999,616
Reinsurance Recoverable on Loss Payments	2,016,619
Federal Income Tax Recoverable	438,000
Electronic Data Processing Equipment	272,745
Interest & Dividends Due and Accrued	1,392,289
Funds Held in Escrow Accounts	15,996,224
Collateral Funds Held Under Contract	(15,996,224)
Contract Balances Due and Unpaid	1,118,768

TOTAL ASSETS \$78,303,978

LIABILITIES, SURPLUS & OTHER FUNDS

Losses (Reported losses net as to reinsurance ceded and incurred but not reported losses)	\$29,856,644
Loss Adjustments Expenses	10,605,871
Contingent Commissions & Other Similar Charges	4,220
Other Expenses (Excluding taxes, licenses and fees)	114,053
Taxes, Licenses & Fees (Excluding Federal Income Tax)	108,332
Unearned Premiums	15,652,424
Funds Held by Company Under Reinsurance Treaties	50,000
Accounts Withheld by Company for Account of Others	12,481
Liability for Unauthorized Reinsurance	221,343
Liability for Uncashed Checks	5

TOTAL LIABILITIES \$56,625,373

Common Capital Stock	1,330,000
Gross Paid-in & Contributed Surplus	544,600
Unassigned Funds (Surplus)	19,804,005

Surplus as Regards Policyholders 21,678,605


TOTAL LIABILITIES, SURPLUS & OTHER FUNDS \$78,303,978

I, Francis L. Mitterhoff, President of INTERNATIONAL FIDELITY INSURANCE COMPANY, certify that the foregoing is a fair statement of Assets, Liabilities, Surplus and Other Funds of this Company, at the close of business, June 30, 1992, as reflected by its books and records and as reported in its statement on file with the Insurance Department of the State of New Jersey.

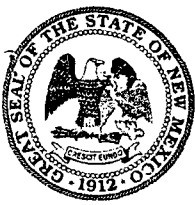


IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of the Company, this August 8, 1992.

INTERNATIONAL FIDELITY INSURANCE COMPANY



President



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

July 24, 2000

CERTIFIED MAIL
RETURN RECEIPT NO. Z-559-573-327

Mr. Morris D. Young
Envirotech, Inc.
5796 U.S. Highway 64-3014
Farmington, NM 87401

RE: \$35,000 Surety Bond for Commercial Surface Waste Management Facility
Permit NM-01-0011
Envirotech Inc., Principal
RLI Insurance Company, Surety
NW/4 of Section 6, Township 26 North, Range 10 West, NMPM
San Juan County, New Mexico
Bond No. RLIB0002253

Dear Mr. Young:

The New Mexico Oil Conservation Division hereby approves the above-referenced Commercial Surface Waste Management Facility Surety Bond.

Sincerely,

Marilyn S. Hebert,
Legal Counsel

MSH:mjk

Enclosure: Copy Bond No. RLIB0002253

xc with attachment:

Aztec OCD Office
Roy C. Die, RLI Insurance Company

Energy, Minerals and Natural Resources Department
Oil Conservation Division
Surety Bond For Waste Management Facilities
(File with Oil Conservation Division, 2040 South Pacheco Street, Santa Fe, New Mexico 87505)

BOND NO. RLB0002253
(For Surety Company Use)

KNOW ALL MEN BY THESE PRESENTS:

That Envirotech, Inc., ~~(an individual)~~
~~person~~ or a corporation organized in the State of New Mexico, with its principal office in the City of Farmington, State of New Mexico, and authorized to do business in the State of New Mexico), as PRINCIPAL, and RLI Insurance Company corporation organized and existing under the laws of the State of Illinois, and authorized to do business in the State of New Mexico with duly appointed resident agent in the State of New Mexico to execute this bond on behalf of the surety company, as SURETY, are held firmly bound unto the State of New Mexico, for the use and benefit of the Oil Conservation Division of the Energy, Minerals and Natural Resources Department (the "Division") pursuant to Section 70-2-12 NMSA, 1978, (1995 Relp.) as amended in the sum of Thirty Five Thousand no/100--- (\$ 35,000.00) Dollars for the payment of which PRINCIPAL and SURETY hereby bind themselves, their successors and assigns, jointly and severally.

The conditions of this obligation are such that:

WHEREAS, the above principal has heretofore or may hereafter enter into the collection, disposal, evaporation, remediation, reclamation, treatment or storage of produced water, drilling fluids, drill cuttings, completion fluids, contaminated soils, BS&W, tank bottoms, waste oil and/or other oil field related waste in Section 6, Township 26N, Range 10W, NMPM, San Juan County, New Mexico.

NOW, THEREFORE, this \$35,000.00 performance bond is conditioned upon substantial compliance with all applicable statutes of the State of New Mexico and all rules and orders of the Oil Conservation Commission, the Division, and upon clean-up of the facility site to standards of the Division; otherwise the principal amount of the bond to be forfeited to the State of New Mexico.

Signed and sealed this 19th day of July, XX2000.

Envirotech, Inc.

Principal
5796 US Hwy. 64
Farmington, NM 87401

Mailing Address

By [Signature] [Signature]
Signature Title

Note: If Principal is a corporation, affix corporate seal here.

RLI Insurance Company

Surety

8 Greenway Plaza, #400, Houston, TX 77046

Mailing Address

By [Signature]
Attorney-in-Fact Roy C. Die

Note: If corporate surety, affix corporate seal here.

Note: If corporate surety executes this bond by an attorney-in-fact not in New Mexico, the resident New Mexico agent shall countersign here below.

Countersigned by: [Signature]
New Mexico Resident Agent

[Signature]
Address Farmington NM 87401

1. (For a natural person acting in his own right:)

STATE OF _____)
)SS.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 19____,
by _____.

My commission expires:

Date

Notary Public

2. (For a partnership acting by one or more partners)

STATE OF _____)
)SS.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 19____,
by _____,
_____, partner(s) on behalf of
_____, a partnership.

My commission expires:

Date

Notary Public

3. (For a corporation or incorporated association)

The foregoing instrument was acknowledged before me this 19 day of July, ~~XX~~2000,
by Roy C. Die with RLI Insurance Company,
a corporation, on behalf of said corporation.

My commission expires:

July 22, 2001

Date

Nancy Cruz
Notary Public

Nancy Cruz

NOTE: When Lessor is a partnership, corporation or association, list all partners, officers and directors as may be applicable. This information may be provided below.

APPROVED BY:
OIL CONSERVATION DIVISION

By: Roy C. Die 7/25/00



9025 North Lindbergh Dr. • Peoria, IL 61615
(309) 692-1000 or (800) 645-2402

RLB0002253
POWER OF ATTORNEY
RLI Insurance Company

Know All Men by These Presents:

That the RLI INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Illinois, and authorized and licensed to do business in all states and the District of Columbia does hereby make, constitute and appoint: ROY C. DIE

in the City of HOUSTON, State of TEXAS, as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of documents to-wit:

\$35,000.00

Indemnity, Surety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity; policies indemnifying employers against loss or damage caused by the misconduct of their employees; official, bail and surety and fidelity bonds. Indemnity in all cases where indemnity may be lawfully given; and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company, and to compromise and settle any and all claims or demands made or existing against said Company.

The RLI INSURANCE COMPANY further certifies that the following is a true and exact copy of a Resolution adopted by the Board of Directors of RLI Insurance Company, and now in force to-wit:

"All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

(Blue shaded areas above indicate authenticity)

IN WITNESS WHEREOF, the RLI Insurance Company has caused these presents to be executed by its CHAIRMAN, CEO with its corporate seal affixed this

ATTEST:

Camille J. Hensey

Corporate Secretary

RLI INSURANCE COMPANY

By: Gerald D. Stephens

Chairman, CEO

State of Illinois)
County of Peoria) SS

On this 19 day of July 2000 before me, a Notary Public, personally appeared Gerald D. Stephens and Camille J. Hensey, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as Chairman, CEO and Corporate Secretary, respectively, of the said RLI INSURANCE COMPANY, and acknowledged said instrument to be the voluntary act and deed of said corporation.

Cynthia S. Dohm
Notary Public

"OFFICIAL SEAL"
CYNTHIA S. DOHM
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 02/24/02

ENVIROTECH INC.

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

JUL 21 2000

NM CONSERVATION DIVISION

July 19, 2000

Ms. Martyne J. Kieling
NM EMNRD, OCD
2040 S. Pacheco
Santa Fe, New Mexico 87505

Office (505) 827-7153
Fax (505) 827-8177

RE: OCD RULE 711 PERMIT APPROVAL NM-01-0011; ENVIROTECH INC., COMMERCIAL
LANDFARM, SAN JUAN COUNTY, NEW MEXICO.

Dear Ms. Kieling:

Please find enclosed the signed permit application for Envirotech's Commercial Landfarm. A copy of the Bond will be faxed to you today, directly from the Bonding Company, RLI, and will be mailed as well.

Thank you for your patience. If you have any questions, please contact me at (505) 632-1865.

Sincerely,
ENVIROTECH INC.



Morris D. Young
President

Enclosure

MDY/rrb/corres/ocd/landfarm bond/0719.doc



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION

2040 S. PACHECO
SANTA FE, NEW MEXICO 87505
(505) 827-7131

April 18, 2000

CERTIFIED MAIL

RETURN RECEIPT NO. Z-559-573-258

Mr. Morris D. Young
Envirotech, Inc.
5796 U.S. Highway 64-3014
Farmington, NM 87401

**RE: OCD Rule 711 Permit Approval NM-01-0011
 Envirotech, Inc.
 Commercial Landfarm
 NW/4 of Section 6, Township 26 North, Range 10 West, NMPM
 San Juan County, New Mexico**

Dear Mr. Young:

The permit application for the Envirotech, Inc. (Envirotech) commercial surface waste management facility located in the NW/4 of Section 6, Township 26 North, Range 10 West, NMPM, San Juan County, New Mexico, is hereby approved in accordance with New Mexico Oil Conservation Division (OCD) Rule 711 under the conditions contained in the enclosed attachment. **This permit approval is conditional upon the receipt and approval by the Director of financial assurance in the amount of \$34,000.** Financial assurance is required within thirty (30) days of the date of this permit approval letter. The application consists of the permit application Form C-137 dated December 19, 1997, the inspection report response letter dated October 14, 1997, the original permit application dated July 7, 1992, the original permit approval dated September 29, 1992, the request to expand the facility dated April 2, 1993, supplemental information dated July 26, 1993, expansion permit approval dated August 17, 1993, the request to add a stabilization pad dated January 5, 1994, supplemental information dated February 4, 1994, and the stabilization pad approval dated February 17, 1994.

The operation, monitoring and reporting shall be as specified in the enclosed attachment. All modifications and alternatives to the approved landfarming methods must receive prior OCD approval. Envirotech is required to notify the Director of any facility expansion or process modification and to file the appropriate materials with the Division.

Please be advised approval of this facility permit does not relieve Envirotech of liability should your operation result in pollution of surface water, ground water, or the environment. In addition, OCD

Mr. Morris D. Young
April 18, 2000
Page 2

approval does not relieve Envirotech of responsibility for compliance with other federal, state or local laws and/or regulations.

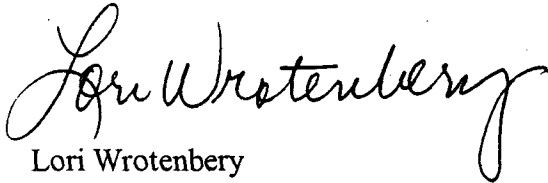
Please be advised that all tanks exceeding 16 feet in diameter and exposed pits, ponds or lagoons must be screened, netted or otherwise rendered nonhazardous to migratory birds. In addition, OCD Rule 310 prohibits oil from being stored or retained in earthen reservoirs or open receptacles.

The facility is subject to periodic inspections by the OCD. The conditions of this permit will be reviewed by the OCD no later than five (5) years from the date of this approval and the facility will be inspected at least once a year. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of the five (5) year review. The financial assurance may be adjusted to incorporate any closure cost changes.

Enclosed are two copies of the conditions of approval. **Please sign and return one copy to the OCD Santa Fe Office within five working days of receipt of this letter.**

If you have any questions please do not hesitate to contact Martyne J. Kieling at (505) 827-7153.

Sincerely,

A handwritten signature in cursive script, reading "Lori Wrotenbery".

Lori Wrotenbery
Director

LW/mjk

xc with attachments:
Aztec OCD Office

ATTACHMENT TO OCD 711 PERMIT APPROVAL
PERMIT NM-01-0011
ENVIROTECH, INC.
NW/4 of Section 6, Township 26 North, Range 10 West, NMPM
San Juan County, New Mexico
(April 18, 2000)

LANDFARM OPERATION

1. The 51-acre active portion of the facility must be fenced and have a sign at the entrance. The sign must be legible from at least fifty (50) feet and contain the following information: a) name of the facility; b) location by section, township and range; and c) emergency phone number.
2. Disposal may occur only when an attendant is on duty. The facility must be secured when no attendant is present.
3. All contaminated soils received at the facility must be spread and disked within 72 hours of receipt.
4. Soils must be spread on the surface in lifts of six inches or less.
5. Soils must be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
6. Moisture may be added as necessary to enhance bioremediation and to control blowing dust. There may be no ponding, pooling or run-off of water allowed. Any ponding of precipitation must be removed within twenty-four (24) hours of discovery.
7. Contaminated soils may not be placed within twenty-five (25) feet of the boundary of the facility and the landfarm facility may not be constructed within one hundred (100) feet of adjacent landowners' property.
8. Contaminated soils may not be placed within twenty (20) feet of any pipeline crossing the landfarm. In addition, no equipment may be operated within ten (10) feet of a pipeline. All pipelines crossing the facility must have surface markers identifying the location of the pipelines.
9. The portion of the facility containing contaminated soils must be bermed to prevent runoff and runoff. A perimeter berm must be maintained such that it is capable of containing precipitation from a one-hundred year flood for the specific region. Individual interior berms must be maintained to control erosion.

10. All above-ground tanks, saddle tanks or drums located at the facility and containing materials other than fresh water must be placed on an impermeable pad with curb containment. The tanks and containers must be labeled as to contents and hazards.
11. Successive lifts of contaminated soils may not be spread until a laboratory measurement of total petroleum hydrocarbons (TPH) in the previous lift is less than 100 parts per million (ppm), the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Envirotech may apply for alternate TPH levels. A request for alternate TPH levels must be accompanied by the cell designation and the reason for the request. Comprehensive records of the laboratory analyses and the sampling locations must be maintained at the Envirotech office at 5796 US Highway 64 Farmington, NM. Authorization from the OCD must be obtained prior to application of successive lifts and/or removal of the remediated soils.
12. Enhanced bio-remediation through the application of microbes (bugs) and/or fertilizers requires prior approval from the OCD. Requests for application of microbes or fertilizers must include the location of the area designated for the program, the composition of additives, and the method, amount and frequency of application.
13. Any design changes to the landfarm facility must be submitted to the OCD Santa Fe office for approval and a copy must be sent to the Aztec District office.
14. As designated on maps submitted to the OCD, Envirotech must close the original (SE) portion of landfarm 2, unit 4, and unit 5 east of the N line and south of the 20 line by **December 31, 2000**. Closure of these portions of Landfarm 2 shall include:
 - a. Requesting and receiving closure status for all cells that have received discontinued maintenance status.
 - b. Requesting and receiving closure status for any currently active cells.
 - c. Removing berms, contouring, and seeding with native grasses.
 - d. Submittal of a closure report to the OCD Santa Fe office for review and approval.
15. Landfarm inspection and maintenance must be conducted on at least a biweekly basis and immediately following each consequential rainstorm or windstorm. The OCD Santa Fe and Aztec offices must be notified within 24 hours if any defect is noted. Repairs must be made as soon as possible. If the defect will jeopardize the integrity of the landfarm, additional wastes may not be placed into the landfarm until repairs have been completed.

TANK BOTTOMS, SLUDGE & DRILLING MUD ACCEPTANCE

1. All loads of tank bottoms or sludge will be screened for H₂S before they are un-loaded. All loads of tank bottoms or sludge with H₂S must be treated to remove all traces of H₂S prior to receipt and solidification.
2. All tank bottoms and sludge must be received directly into the concrete mixing impoundment prior to solidification and landfarm application.
3. The concrete mixing impoundment may be used for the stabilization of tank bottoms, sludge and drilling mud received by the landfarm facility. Adequate freeboard must be maintained to prevent any overtopping or slop over of material. Clean soil and organic material including manure, saw-dust, and straw may be mixed with the tank bottoms and sludge to stabilize the material. Material received at the impoundment must be mixed and stabilized in a timely manner not to exceed 24 hours.
4. The concrete mixing impoundment must be inspected inside and outside weekly for overall integrity. The leak detection monitor well for the impoundment must be checked weekly. Records of such inspections must be made available to the OCD upon request. If fluids are found in the sump, the operator must notify the OCD Aztec District Office within 24 hours of discovery.
5. Records of all materials received at the facility for solidification must include the 1) the origin, 2) transporter, 3) test results, 4) amount, type and origin of soil and or organic bulking agents added to each load, and 5) exact cell location where the material is to be remediated.
6. No drilling mud may be accepted at the facility without the generator's written authorization from the Aztec District office to move the mud from the drilling location. Authorization will include the following information: 1) well operator name; 2) well name and location from which the mud was transported; 3) transporter; 4) description of mud program (*i.e.*, mud composition including volume and type of chemicals added); and 5) exact cell location where the material is to be remediated.
8. Used drilling mud must be received directly into the concrete mixing impoundment prior to solidification and application to the landfarm. Any oil removed must be handled in accordance with OCD rules.
9. Within 24 hours of receiving notification from the OCD that an objectionable odor has been detected or reported, the facility must implement the following response procedure:
 - a. log date and approximate time of notice that an odor exists;

- b. log investigative steps taken, including date and time, and conclusions reached; and
- c. log actions taken to alleviate the odor, which may include adjusting chemical treatment, air sparging, solidification, landfarming, or other similar responses.

A copy of the log, signed and dated by the facility manager, must be maintained for OCD review.

WASTE ACCEPTANCE CRITERIA

1. The facility is authorized to accept only:
 - a. Oilfield wastes that are exempt from RCRA Subtitle C regulations and that do not contain Naturally Occurring Radioactive Material regulated pursuant to 20 NMAC 3.1 Subpart 1403 (NORM). All loads of these wastes received at the facility shall be accompanied by a "Generator Certificate of Waste Status" signed by the generator.
 - b. "Non-hazardous" non-exempt oilfield wastes that do not contain NORM. These wastes may be accepted on a case-by-case basis after a hazardous waste determination is made. Samples, if required, must be obtained from the wastes prior to removal from the generator's facility and without dilution in accordance with EPA SW-846 sampling procedures. All "non-hazardous" non-exempt wastes received at the facility must be accompanied by:
 - i. An approved OCD Form C-138 "Request For Approval To Accept Solid Waste."
 - ii. A "Generator Certificate of Waste Status" signed by the generator.
 - iii. A verification of waste status issued by the appropriate agency for wastes generated outside OCD jurisdiction. The agency verification is based on specific information on the subject waste submitted by the generator and demonstrating the exempt or non-hazardous classification of the waste.
 - d. Non-oilfield wastes that are non-hazardous if ordered by the Department of Public Safety in a public health emergency. OCD approval must be obtained prior to accepting the wastes.
2. At no time may any OCD-permitted surface waste management facility accept wastes that are hazardous by either listing or characteristic testing.

3. No free liquids or soils with free liquids may be accepted into the landfarm portion of the facility.
4. Materials that may be accepted into the landfarm facility must pass a paint filter test by EPA Method 9095A prior to application.
5. The transporter of any wastes to the facility must supply a certification that wastes delivered are those wastes received from the generator and that no additional materials have been added.

TREATMENT ZONE MONITORING

1. A treatment zone not to exceed three (3) feet beneath the landfarm native ground surface must be monitored. A minimum of one random soil sample must be taken from each individual cell, with no cell being larger than five (5) acres, six (6) months after the first contaminated soils are received in the cell and then quarterly thereafter. The sample must be taken at two (2) to three (3) feet below the native ground surface.
2. The soil samples must be analyzed using EPA-approved methods for total petroleum hydrocarbons (TPH) and volatile aromatic organics (BTEX) quarterly and for major cations/anions and Water Quality Control Commission (WQCC) metals annually.
3. After soil samples are obtained, the boreholes must be filled with an impermeable material such as cement or bentonite.

REPORTING

1. Analytical results from the treatment zone monitoring must be submitted to the OCD Santa Fe office **within thirty (30) days** of receipt from the laboratory.
2. Envirotech, Inc. must notify the **OCD Santa Fe and Aztec offices within 24 hours** of any fire, break, leak, spill, blowout or any other circumstance that could constitute a hazard or contamination in accordance with OCD Rule 116.
3. Records of landfarm inspection and maintenance must be kept and maintained for OCD review.
4. Records of inspection, maintenance and H₂S screening at the concrete mixing impoundment must be kept and maintained for OCD review.

5. Comprehensive records of all material disposed of at the facility must be maintained at the facility. The records for each load will include: 1) generator; 2) origin; 3) date received; 4) quantity; 5) certification of waste status as exempt or non-exempt with any necessary supporting documentation to certify non-hazardous status for non-exempt waste; 6) NORM status declaration; 7) transporter; 8) exact cell location; and 9) any addition of microbes, moisture, fertilizers, bulking agents, H₂S treatment chemicals, *etc.*
6. Analytical results regarding remediated soils must be submitted to the OCD Santa Fe office with a copy to the Aztec District office, along with any request to close the cell, apply successive lifts or remove the remediated material.
7. The OCD must be notified prior to any design changes to the landfarm facility. The facility must submit for approval any design changes to the facility to the OCD Santa Fe office and Hobbs District office.
8. The OCD must be notified prior to the installation of any pipelines or wells or other construction within the boundaries of the facility.

FINANCIAL ASSURANCE

1. Financial assurance in the amount of **\$34,000** (the estimated cost of closure) in the form of a surety or cash bond or a letter of credit, which is approved by the Division, is required from Envirotech, Inc. for the commercial surface waste management facility.

By May 18, 2000 Envirotech, Inc. must submit 100% of the financial assurance in the amount of **\$34,000**.

2. The facility is subject to periodic inspections by the OCD. The conditions of this permit and the facility will be reviewed no later than five (5) years from the date of this approval. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of review. The financial assurance may be adjusted to incorporate any closure cost changes.

CLOSURE

1. The OCD Santa Fe and Aztec offices must be notified when operation of the facility is to be discontinued for a period in excess of six (6) months or when the facility is to be dismantled. Within six (6) months after discontinuing use or within 30 days of deciding to dismantle the facility a closure plan must be submitted to the OCD Santa Fe office for approval. The operator must complete cleanup of constructed facilities and restoration of the

facility site within six (6) months of receiving the closure plan approval, unless an extension of time is granted by the Director.

2. The closure plan to be submitted must include the following procedures:
 - a. No new material may be accepted.
 - b. Existing landfarm soils must be remediated until they meet the OCD standards in effect at the time of closure.
 - c. The treatment zone soils within each five (5) acre cell must be sampled at two (2) to three (3) feet below the native ground surface and must be analyzed for total petroleum hydrocarbons (TPH), volatile aromatic organics (BTEX), major cations/anions and Water Quality Control Commission (WQCC) metals.
 - d. Contaminated soils exceeding OCD closure standards for the site must be removed or remediated.
 - e. The facility must 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 must be subject to OCD requirements in effect at the time of closure, and any other applicable local, state and/or federal regulations.

CERTIFICATION

Envirotech, Inc., by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. Envirotech, Inc. further acknowledges that these conditions and requirements of this permit may be changed administratively by the Division for good cause shown as necessary to protect fresh water, human health and the environment.

Accepted:

ENVIROTECH, INC.

Signature Morris D. Young Title PRESIDENT Date 7/19/00



STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR

ANITA LOCKWOOD
CABINET SECRETARY

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

August 17, 1993

CERTIFIED MAIL

RETURN RECEIPT NO. P-667-242-007

Mr. Morris D. Young
Envirotech Inc.
5796 U.S. Highway 64 - 3014
Farmington, New Mexico 87401

RE: **ENVIROTECH INC. LANDFARM NO. 2 EXPANSION
OCD RULE 711 PERMIT MODIFICATION APPROVAL**

Dear Mr. Young:

The New Mexico Oil Conservation Division (OCD) has received your May 14, 1993, request for a permit modification to expand your current soil remediation facility at landfarm No. 2. The commercial landfarm facility remediates oilfield contaminated solids which are either exempt from the Federal RCRA Subtitle C (hazardous waste) regulations or are "nonhazardous" by characteristic testing. The facility was administratively approved pursuant to OCD Rule 711 by the Director on September 29, 1993, for a period of five (5) years and expires on September 29, 1997. The permit modification is to expand the facility to the south and east an additional two-hundred and sixty-six (266) acres.

The permit modification for expansion of the Envirotech Inc. Commercial Landfarm No. 2 located in the SE/4, Section 6, Township 26 North, Range 10 West, NMPM, San Juan County, New Mexico, is hereby approved in accordance with the OCD Rule 711. The modification application consists of the original application dated May 14, 1993, and the materials dated June 28, 1993, and July 26, 1993, submitted as amendments to the application. The construction, operation, monitoring and reporting of the expanded facility shall be as specified in the September 29, 1993 approval, the OCD correspondence dated March 12, 1992, and the following conditions:

Mr. Morris D. Young
August 17, 1993
Page 2

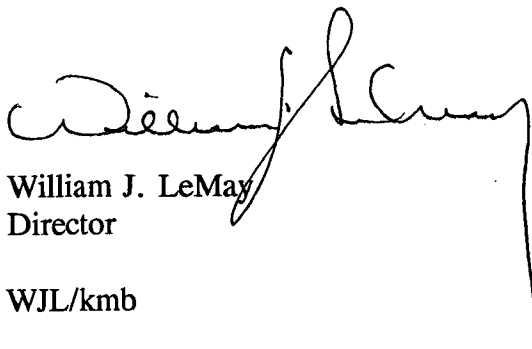
1. A fifty (50) foot buffer zone will be maintained around all pipelines and roadways crossing or running adjacent to the landfarm expansion area.
2. Prior to placing any contaminated soil in the expanded portion of the landfarm, one (1) background soil sample will be taken from the center portion of the expansion area, two (2) feet below the native ground surface. The sample will be analyzed for total petroleum hydrocarbons (TPH), volatile aromatic organics (BTEX), major cations/anions, and heavy metals using approved EPA methods.
3. There will be a physical separation maintained at all times between the OCD permitted site and any adjacent disposal/remediation facilities permitted by another regulatory agency. There will be no transfer or mixing of wastes between the OCD permitted landfarm and any other disposal/remediation facilities.

Please be advised approval of this facility expansion does not relieve you of liability should your operation result in actual pollution of surface or ground waters or the environment actionable under other laws and/or regulations. In addition, the OCD approval does not relieve you of liability for compliance with any other laws and/or regulations.

The Division shall have the authority to administratively change this permit to protect fresh water, human health and the environment.

If you have any questions, please do not hesitate to contact Kathy Brown at (505) 827-5884.

Sincerely,

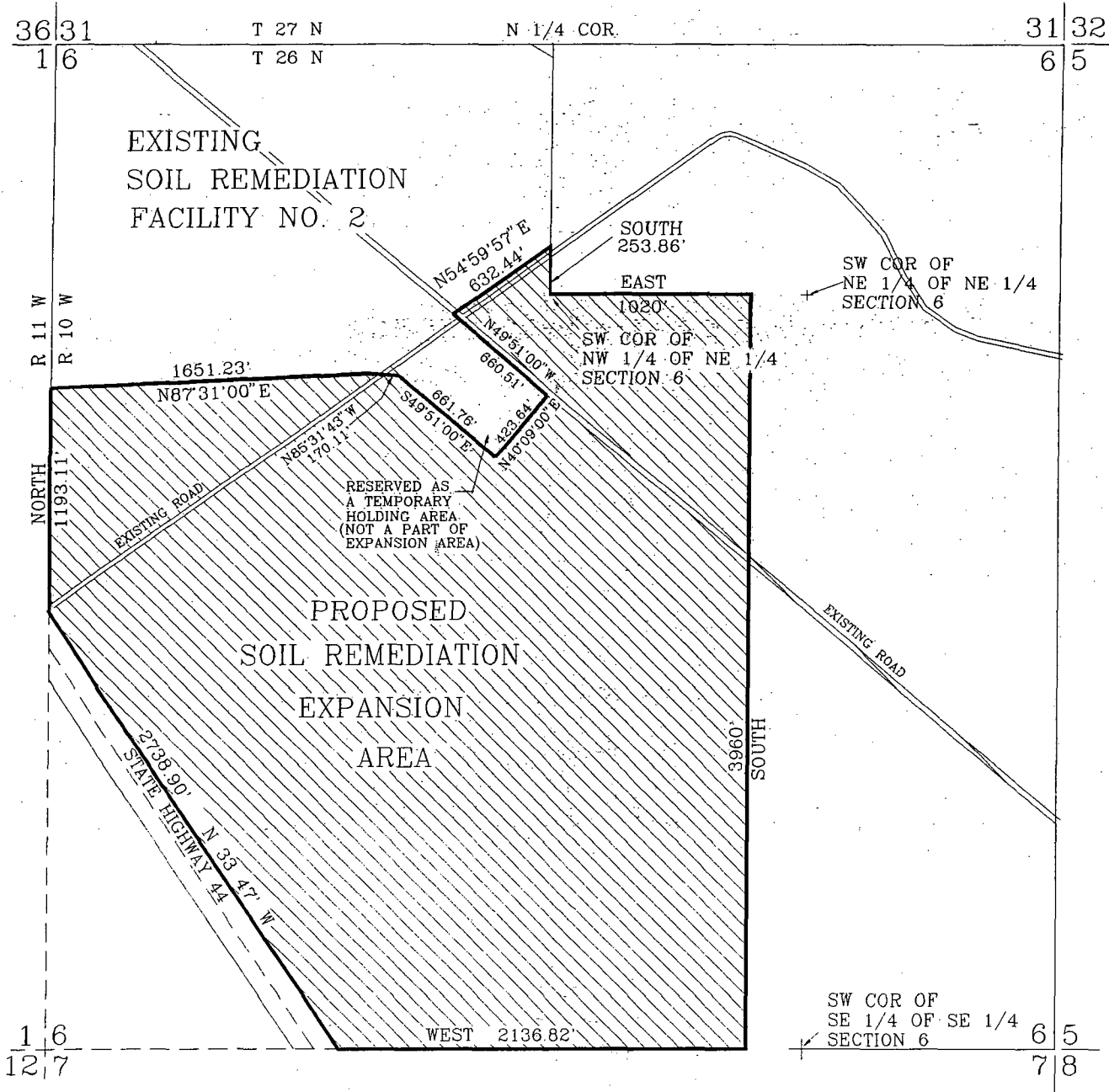


William J. LeMay
Director

WJL/kmb

xc: Denny Foust, OCD Aztec Office
Ms. Ilyse Gold, BLM, Farmington

PLAT
TO ACCOMPANY DESCRIPTION FOR
YOUNG ENGINEERING SERVICES INC.
dba ENVIROTECH INC.
SOIL REMEDIATION FACILITY NO. 2 EXPANSION AREA



YOUNG ENGINEERING INC.
dba ENVIROTECH INC.
SOIL REMEDIATION FACILITY NO. 2 EXPANSION AREA

Tract in Section 6, T-26-N, R-10-W,
N.M.P.M., San Juan County, New Mexico.

A tract of land in Section 6, Township 26 North, Range 10 West, N.M.P.M., San Juan County, New Mexico, and being more particularly described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 6 AND RUNNING THENCE ALONG THE WEST LINE OF SAID SECTION 6 TO THE BEGINNING CORNER OF THE PROPERTY BOUNDARY, NORTH 2276.89 FEET; THENCE 1193.11 FEET NORTH ALONG THE WEST BOUNDARY OF SECTION 6 TO THE SOUTHWEST CORNER OF THE EXISTING SOIL REMEDIATION FACILITY NO. 2; THENCE NORTH $87^{\circ} 31'$ EAST 1651.23 FEET TO THE SOUTHEASTERLY CORNER OF THE SAID FACILITY NO. 2; THENCE SOUTH $85^{\circ} 31' 43''$ EAST 170.11 FEET TO THE MOST WESTERLY CORNER OF THE TEMPORARY HOLDING AREA; THENCE SOUTH $49^{\circ} 51'$ EAST 661.76 FEET TO THE MOST SOUTHERLY CORNER OF THE TEMPORARY HOLDING AREA; THENCE NORTH $40^{\circ} 09'$ EAST 423.64 FEET TO THE MOST EASTERLY CORNER OF THE TEMPORARY HOLDING AREA; THENCE NORTH $49^{\circ} 51'$ WEST 660.51 FEET TO THE MOST NORTHERLY CORNER OF THE TEMPORARY HOLDING AREA; THENCE ALONG THE BOUNDARY OF SAID FACILITY NO. 2 NORTH $54^{\circ} 59' 57''$ EAST 632.44 FEET MORE OR LESS TO A POINT ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 6; THENCE ALONG SAID CENTER-LINE, SOUTH 253.86 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST $1/4$ OF THE NORTHEAST $1/4$ OF SAID SECTION 6; THENCE EAST 1020 FEET MORE OR LESS ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST $1/4$ OF SAID SECTION 6, THENCE SOUTH 3960 FEET MORE OR LESS TO THE SOUTHLINE OF THE SOUTHWEST $1/4$ OF THE SOUTHEAST $1/4$ OF SAID SECTION 6; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 6 2136.82 FEET; THENCE NORTH $33^{\circ} 47'$ WEST 2738.90 FEET TO THE WEST LINE OF SAID SECTION 6, MORE OR LESS TO THE POINT OF BEGINNING.

THE TRACT CONTAINS APPROXIMATELY 266.3 ACRES AND NO RIGHT-OF-WAY, EASEMENTS, RESTRICTIONS OR RESERVATIONS WERE RESEARCHED OR SHOWN.



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR

ANITA LOCKWOOD
CABINET SECRETARY

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

August 23, 1993

Mr. Morris D. Young
Envirotech Inc.
5796 U.S. Highway 64 - 3014
Farmington, New Mexico 87401

**RE: ENVIROTECH INC. LANDFARM NO. 2 EXPANSION
OCD RULE 711 PERMIT MODIFICATION APPROVAL**

Dear Mr. Young:

On August 17, 1993 the New Mexico Oil Conservation Division (OCD) approved the permit modification for expansion of your current soil remediation facility at landfarm No. 2. The approval letter stated that the facility was administratively approved pursuant to OCD Rule 711 by the Director on September 29, 1993, for a period of five (5) years and expires on September 29, 1997. The permit approval date of September 29, 1993 is incorrect. The correct date of approval is September 29, 1992. The expiration date of September 29, 1997 is correct.

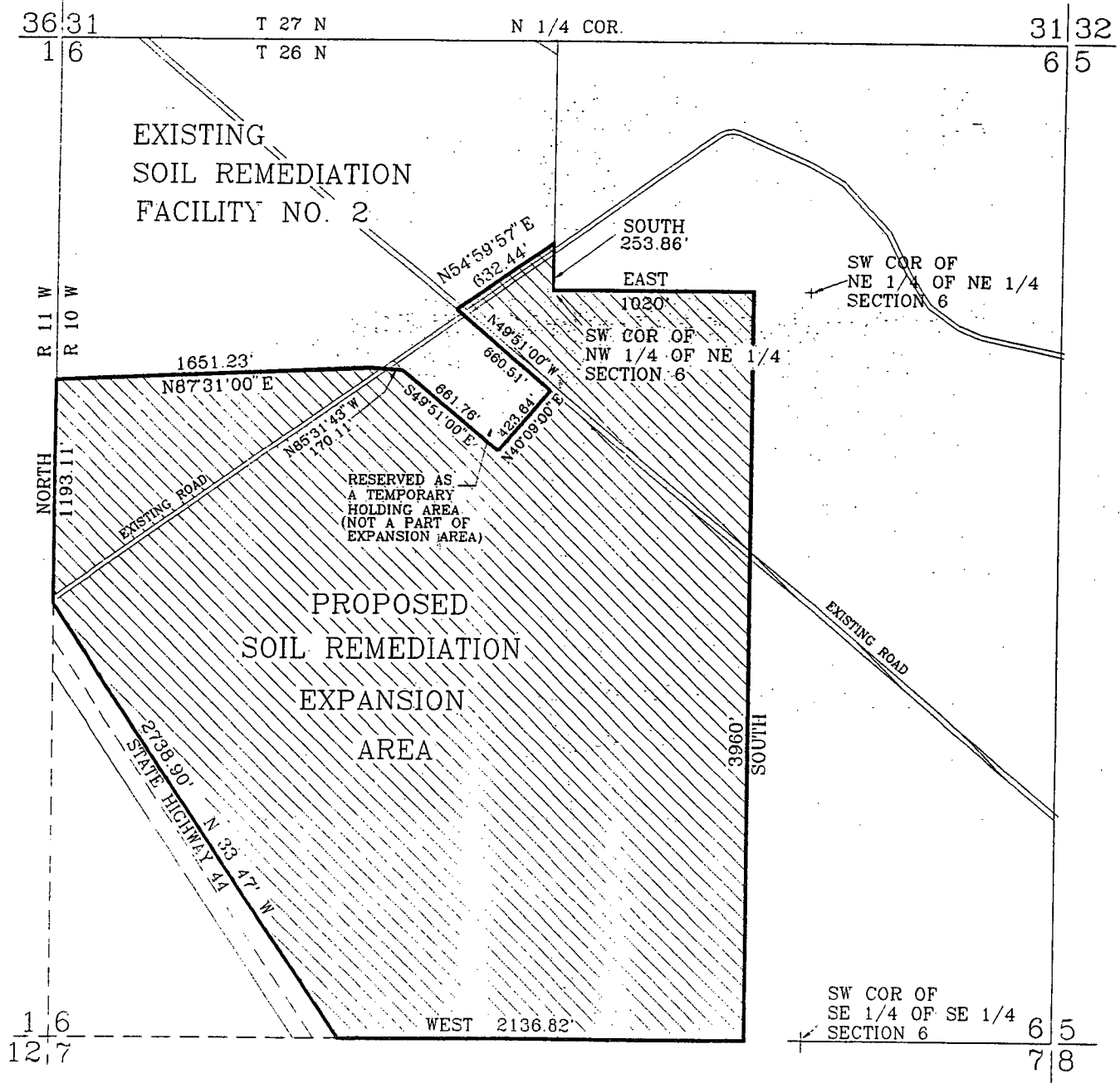
I am sorry for any inconvenience that this may have caused you. If you have any questions, please do not hesitate to contact me at (505) 827-5884.

Sincerely,

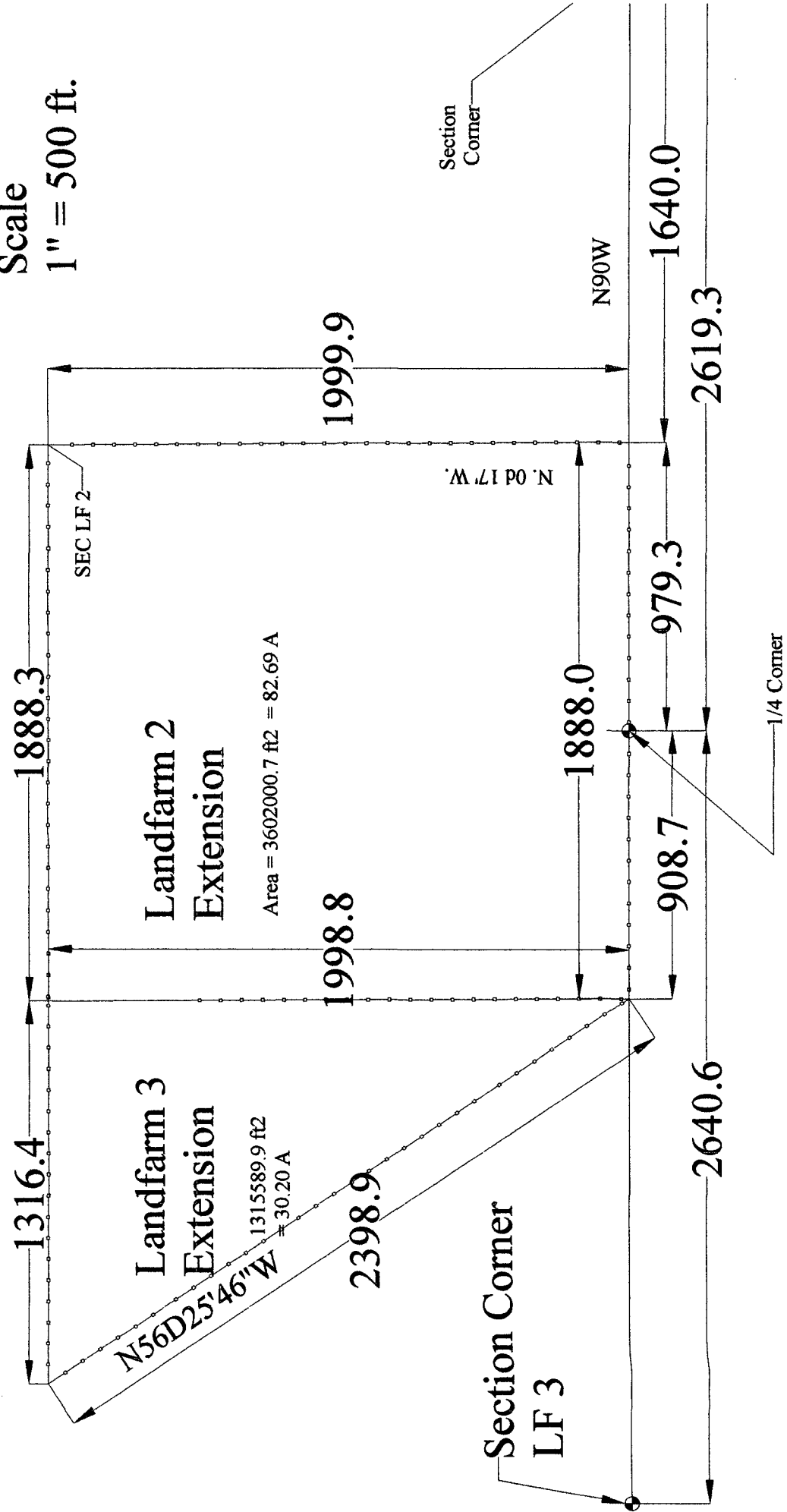
Kathy M. Brown
Geologist

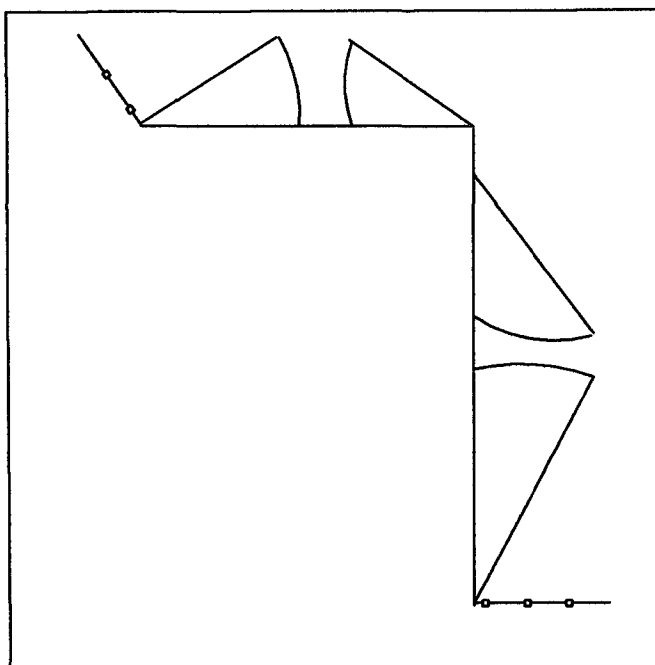
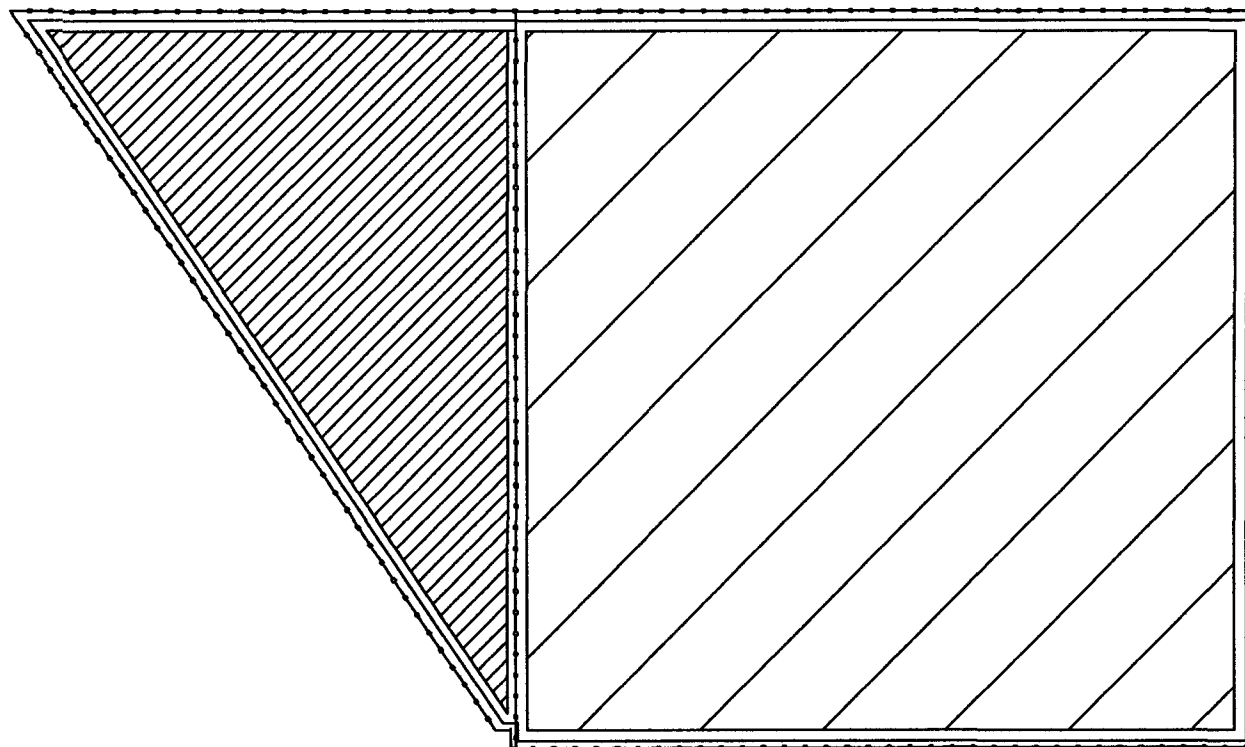
xc: Denny Foust, OCD Aztec Office
Ms. Ilyse Gold, BLM, Farmington

PLAT
TO ACCOMPANY DESCRIPTION FOR
YOUNG ENGINEERING SERVICES INC.
dba ENVIROTECH INC.
SOIL REMEDIATION FACILITY NO. 2 EXPANSION AREA



Scale
1" = 500 ft.





LEGEND	
Fence	—•—•—•—
Berm	====

Landfarm Expansion Proposal		SITE MAP	
REVISIONS BY <u>XXX</u> DATE <u>XX/XX/XX</u> BY <u>XXX</u> DATE <u>XX/XX/XX</u>	JOB/PRJ #	ENVIRONMENTAL SCIENTISTS & ENGINEERS 5796 U.S. HIGHWAY 64 FARMINGTON, NEW MEXICO 87401 (505) 632-0815	DATE <u>06-07-2002</u> DRAWN <u>TLR</u> SCALE <u>XX = XX</u> APPROVED <u>XXX</u>
		FIGURE 1	

Property Description
Landfarm #2 Expansion

The following is a description of a portion of parcel of land that was included in a 1992 Landfarm expansion. The property described is adjacent to the south boundary of Landfarm #2.

The following real estate in San Juan County, New Mexico:

Beginning at a point which is the southeast corner of Section 6, Township 26 North, Range 10 West, NMPM,

Thence N 90°W, 1640' to the true point of beginning;
Thence N 0°17'W, 1999.9';
Thence N 90°W, 1888.3';
Thence S 0° 17'E, 1998.8';
Thence N 90°E, 1888.0 to the true point of beginning.
82.69 acres more or less.

Property Description
Landfarm #2 Expansion
Description with "layman's helps"

The following is a description of a portion of parcel of land that was included in a 1992 Landfarm expansion. The property described is adjacent to the south boundary of Landfarm #2.

The following real estate in San Juan County, New Mexico:

Beginning at a point which is the southeast corner of Section 6, Township 26 North, Range 10 West, NMPM,

Thence N 90°W, 1640' to the true point of beginning; (point on section line 1640' west of SE corner Section 6)

Thence N 0°17'W, 1999.9'; (fence corner at SE corner of LF #2 Unit 5, former El Paso Reserve)

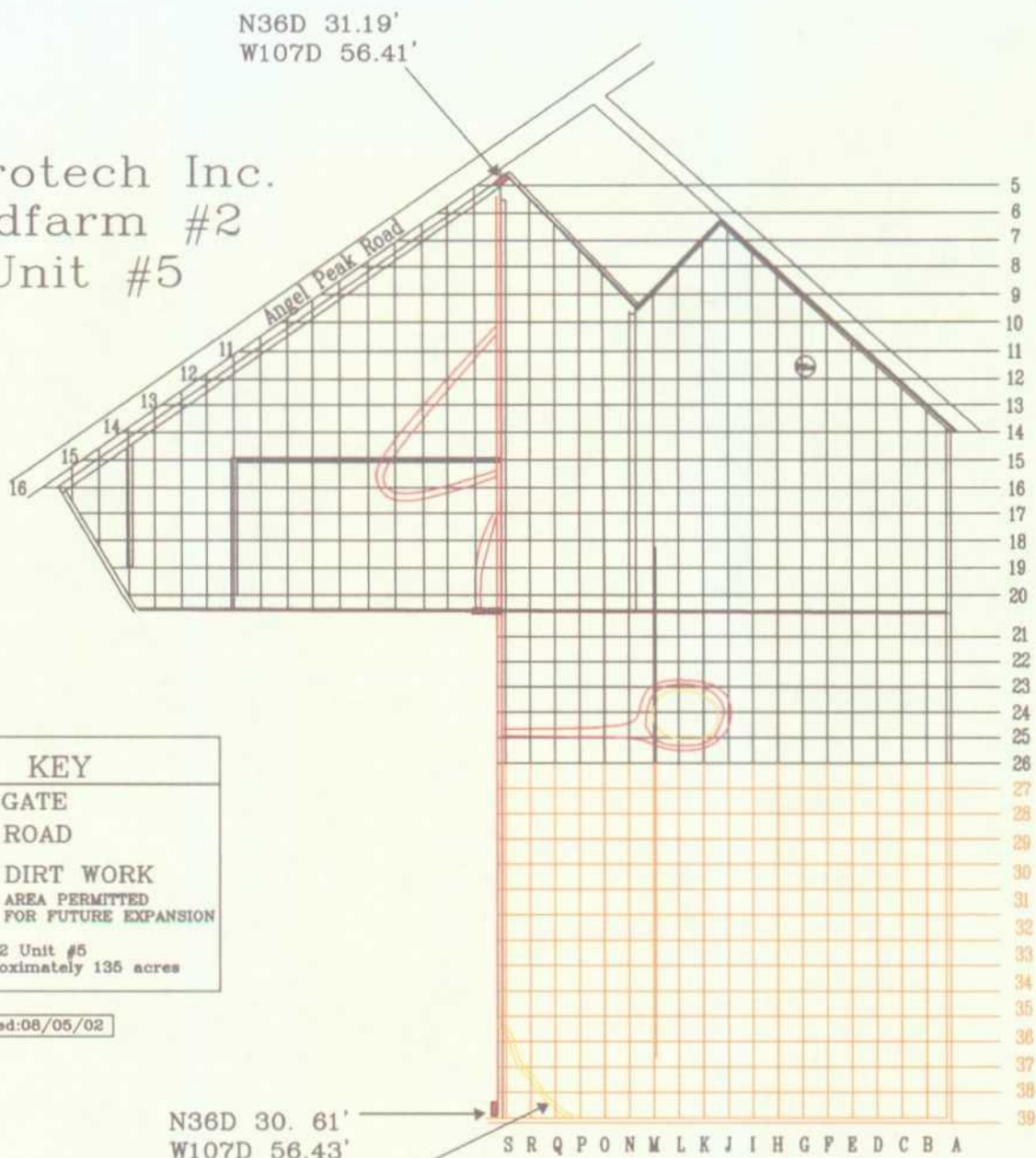
Thence N 90°W, 1888.3'; (+/- south end of the "T-Line" in LF #2 Unit 5)

Thence S 0°17'E, 1998.8'; (point on section line 3528' west of southeast corner of Section 6 and on the edge of the pipeline/highway right-of-way)

Thence N 90°E, 1888.0 to the true point of beginning.

82.69 acres more or less.

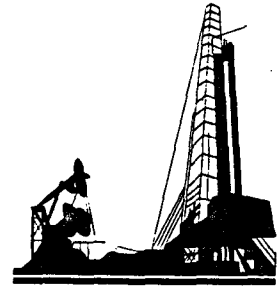
Envirotech Inc.
Landfarm #2
Unit #5



DIRT WORK REQUIRED FOR
RUNOFF CONTROL

OIL CONSERVATION DIVISION

2040 South Pacheco
Santa Fe, NM 87505
(505) 827-7133
Fax: (505) 827-8177



(PLEASE DELIVER THIS FAX)

To: Morris Young (505) 823-1865

From: Martyne Kieling 827-7153 ph.

Date: 1-14-00

Number of Pages (Includes Cover Sheet) Page 1 of 10

Message: Please Review and let me know if there

is anything in your Current Land Farm operations that are

Not Consistent with this New Permit (Draft version.)

This permit will go to Lori For Approval Next

week. Thank You Martyne

If you have any trouble receiving this, please call:
(505) 827-7133

Draft

ATTACHMENT TO OCD 711 PERMIT APPROVAL
PERMIT NM-01-0011
ENVIROTECH, INC.
NW/4, of Section 6, Township 26 North, Range 10 West, NMPM
San Juan County, New Mexico
(December 10, 1999)

LANDFARM OPERATION

1. The active 51 acre portion of the facility must be fenced and have a sign at the entrance. The sign must be legible from at least fifty (50) feet and contain the following information: a) name of the facility; b) location by section, township and range; and c) emergency phone number.
2. Disposal may occur only when an attendant is on duty. The facility must be secured when no attendant is present.
3. All contaminated soils received at the facility must be spread and disked within 72 hours of receipt.
4. Soils must be spread on the surface in lifts of six inches or less.
5. Soils must be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
6. Moisture may be added as necessary to enhance bioremediation and to control blowing dust. There may be no ponding, pooling or run-off of water allowed. Any ponding of precipitation must be removed within twenty-four (24) hours of discovery.
7. Contaminated soils may not be placed within one hundred (100) feet of the boundary of the facility.
8. Contaminated soils may not be placed within twenty (20) feet of any pipeline crossing the landfarm. In addition, no equipment may be operated within ten (10) feet of a pipeline. All pipelines crossing the facility must have surface markers identifying the location of the pipelines.
9. The portion of the facility containing contaminated soils must be bermed to prevent runoff and runoff. A perimeter berm must be maintained such that it is capable of containing precipitation from a one-hundred year flood for the specific region. Individual interior berms

Draft

- must be maintained.
10. All above-ground tanks, saddle tanks or drums located at the facility and containing materials other than fresh water must be placed on an impermeable pad with curb containment. The pad and curb containment must be able to hold one and one-third the volume of the largest tank or all interconnected tanks. The tanks and containers must be labeled as to contents and hazards.
 11. Successive lifts of contaminated soils may not be spread until a laboratory measurement of total petroleum hydrocarbons (TPH) in the previous lift is less than 100 parts per million (ppm), the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations must be maintained at the facility. Authorization from the OCD must be obtained prior to application of successive lifts and/or removal of the remediated soils.
 12. Enhanced bio-remediation through the application of microbes (bugs) and/or fertilizers requires prior approval from the OCD. Requests for application of microbes or fertilizers must include the location of the area designated for the program, the composition of additives, and the method, amount and frequency of application.
 13. Any design changes to the landfarm facility must be submitted to the OCD Santa Fe office for approval and a copy must be sent to the Aztec District office.
 14. Envirotech must close the original (SE) portion, unit 4, and unit 5 west of the N line and south of the 20 line all in Landfarm 2 **by December 31, 2000**. Closure of these portions of Landfarm 2 shall include:
 - a. Requesting and receiving closure status for all cells that have received discontinued maintenance status.
 - b. Requesting and receiving closure status for any currently active cells.
 - c. Removing berms, contouring and seeding with native grasses.
 - d. Submittal of a closure report to the OCD Santa Fe office for review and approval.
 15. Landfarm inspection and maintenance must be conducted on at least a biweekly basis and immediately following each consequential rainstorm or windstorm. The OCD Santa Fe and Aztec offices must be notified within 48 hours if any defect is noted. Repairs must be made as soon as possible. If the defect will jeopardize the integrity of the landfarm, additional wastes may not be placed into the landfarm until repairs have been completed.

Draft

TANK BOTTOM, SLUDGE & DRILLING MUD ACCEPTANCE

1. All loads of tank bottoms or sludge will be pre-screened for H₂S before they are un-loaded from the truck.
2. All tank bottoms and sludge must be accepted into either the concrete mixing impoundment or flow-through above-ground storage tank prior to solidification and landfarm application.
3. The concrete mixing impoundment may be used for the stabilization of tank bottoms, sludge and drilling mud received by the landfarm facility. Adequate freeboard must be maintained to prevent any overtopping or slop over of material. Clean soil and organic material including manure, saw-dust, and straw may be mixed with the tank bottoms and sludge to stabilize the material. Material received at the impoundment must be mixed and stabilized in a timely manner not to exceed 24 hours.
4. The concrete mixing impoundment must be inspected inside and outside weekly for overall integrity. The leak detection monitor well for the staging area must be checked weekly. Records of such inspections must be made available to the OCD upon request. If fluids are found in the sump the operator must notify the OCD Aztec District Office within 24 hours of discovery.
5. Records of all materials received at the facility for solidification must include 1) the origin, 2) transporter, 3) test results, 4) amount, type and origin of soil and or organic bulking agents added to each load, and 5) exact cell location where the material is to be remediated.
6. The flow-through tank and the impermeable pad containment must be inspected weekly for overall integrity. Records of such inspections must be made available to the OCD upon request.
7. No drilling mud may be accepted at the facility without the generator's written authorization from the District to move the mud from the drilling location. Authorization will include the following information: 1) well operator name; 2) the well name and location from which the mud was transported; 3) transporter; 4) description of mud program (*i.e., mud composition including volume and type of chemicals added*); and 5) exact cell location where the material is to be remediated.
8. Used drilling mud must be received directly into the concrete mixing impoundment or flow-through above-ground storage tank prior to solidification and application to the landfarm. Any oil removed must be handled in accordance with OCD rules.

Draft

WASTE ACCEPTANCE CRITERIA

1. The facility is authorized to accept only:
 - a. Oilfield wastes that are exempt from RCRA Subtitle C regulations and that do not contain Naturally Occurring Radioactive Material regulated pursuant to 20 NMAC 3.1 Subpart 1403 (NORM). All loads of these wastes received at the facility shall be accompanied by a "Generator Certificate of Waste Status" signed by the generator
 - b. "Non-hazardous" non-exempt oilfield wastes that do not contain NORM. These wastes may be accepted on a case-by-case basis after a hazardous waste determination is made. Samples, if required, must be obtained from the wastes prior to removal from the generator's facility and without dilution in accordance with EPA SW-846 sampling procedures. All "non-hazardous" non-exempt wastes received at the facility must be accompanied by:
 - i. An approved OCD Form C-138 "Request For Approval To Accept Solid Waste."
 - ii. A "Generator Certificate of Waste Status" signed by the generator.
 - iii. A verification of waste status issued by the appropriate agency, for wastes generated outside OCD jurisdiction. The agency verification is based on specific information on the subject waste submitted by the generator and demonstrating the exempt or non-hazardous classification of the waste.
 - c. Non-oilfield wastes that are non-hazardous if ordered by the Department of Public Safety in a public health emergency. OCD approval must be obtained prior to accepting the wastes.
2. At no time may any OCD-permitted surface waste management facility accept wastes that are hazardous by either listing or characteristic testing.
3. No free liquids or soils with free liquids may be accepted into the landfarm portion of the facility.
4. Materials that may be accepted into the landfarm facility must pass a paint filter test by EPA Method 9095A prior to application.
5. The transporter of any wastes to the facility must supply a certification that wastes delivered are those wastes received from the generator and that no additional materials have been added.

Draft

TREATMENT ZONE MONITORING

1. A treatment zone not to exceed three (3) feet beneath the landfarm native ground surface must be monitored. A minimum of one random soil sample must be taken from each individual cell, with no cell being larger than five (5) acres, six (6) months after the first contaminated soils are received in the cell and then quarterly thereafter. The sample must be taken at two (2) to three (3) feet below the native ground surface.
2. The soil samples must be analyzed using EPA-approved methods for total petroleum hydrocarbons (TPH) and volatile aromatic organics (BTEX) quarterly and for major cations/anions and Water Quality Control Commission (WQCC) metals annually.
3. After soil samples are obtained, the boreholes must be filled with an impermeable material such as cement or bentonite.

REPORTING

1. Analytical results from the treatment zone monitoring must be submitted to the OCD Santa Fe office **within thirty (30) days** of receipt from the laboratory.
2. Envirotech, Inc. must notify the **OCD Santa Fe and Aztec offices within 24 hours** of any fire, break, leak, spill, blowout or any other circumstance that could constitute a hazard or contamination in accordance with OCD Rule 116.
3. Records of landfarm and inspection and maintenance must be kept and maintained for OCD review.
4. Records of the flow-through tank and the impermeable pad containment inspection and maintenance must be kept and maintained for OCD review.
5. Comprehensive records of all material disposed of at the facility must be maintained at the facility. The records for each load will include: 1) generator; 2) origin; 3) date received; 4) quantity; 5) certification of waste status as exempt or non-exempt with any necessary supporting documentation to certify non-hazardous status for non-exempt waste; 6) NORM status declaration; 7) transporter; 8) exact cell location; and 9) any addition of microbes, moisture, fertilizers, bulking agents, *etc.*
6. Analytical results regarding remediated soil must be submitted to the OCD Santa Fe office with a copy to the Aztec District office, along with any request to close the cell, apply successive lifts or remove the remediated material.

Draft

7. The OCD must be notified prior to the installation of any pipelines or wells or other construction within the boundaries of the facility.

FINANCIAL ASSURANCE

1. Financial assurance in the amount of **\$34,000** (the estimated cost of closure) in the form of a surety or cash bond or a letter of credit, which is approved by the Division, is required from Envirotech, Inc. for the commercial surface waste management facility.

By February 10, 2000 Envirotech, Inc. must submit 100% of the financial assurance in the amount of **\$34,000**.

2. The facility is subject to periodic inspections by the OCD. The conditions of this permit and the facility will be reviewed no later than five (5) years from the date of this approval. In addition, the closure cost estimate will be reviewed according to prices and remedial work estimates at the time of review. The financial assurance may be adjusted to incorporate any closure cost changes.

CLOSURE

1. The OCD Santa Fe and Aztec 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.
2. 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.

Draft

- 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.

CERTIFICATION

Envirotech, Inc., by the officer whose signature appears below, accepts this permit and agrees to comply with all terms and conditions contained herein. Envirotech, Inc. further acknowledges that these conditions and requirements of this permit may be changed administratively by the Division for good cause shown as necessary to protect fresh water, human health and the environment.

Accepted:

ENVIROTECH, INC.

Signature _____ Title _____ Date _____

ATTACHMENT 1
OCD Environmental Bureau Closure Cost Estimate
For
Envirotech, Inc., 51 acres
January 10, 2000

Quarterly Analytical Analysis for one year on fifteen (10) five (5) acre cells

State Contract Laboratory Prices per analysis:

BTEX	\$ 40.00	x	4 quarters	x	10 cells	=	\$1,600.00
TPH	\$ 50.00	x	4 quarters	x	10 cells	=	\$2,000.00
Metals	\$200.00	x	1 year	x	10 cells	=	<u>\$2,000.00</u>
							\$5,600.00 Analytical

Quarterly Sampling Time and Labor for 10 Cells

Labor \$55.00/hour
Sample 30 min per cell
Travel 1 hour
Delivery & Paperwork 1 hour

Total Time = (30min/cell x 10 cells) + 1 hours + 1 hours = 7 hours

7 hours x \$55.00/hour = \$385.00/sampling event

\$385.00/sampling event x 4 quarters = **\$1,540.00 Labor**

Disking/Tilling for one Year Every Two Weeks for 51 acres
Price and Time Quotes from Equipment Operators and Landfarm Operators:

Small Tractor and Operator \$30.00 /hour
5 acres per hour = 12 min per acre
51 acres at 10.2 hours x 26 weeks = 265 hours
265 hours x \$30.00/hour = **\$ 7,950.00 Disking/Tilling**

Envirotech, Inc.
Closure Cost Estimate
51 acres
January 10, 2000

Water for Bioremediation

Price Quotes from Equipment Operators

Water Truck \$120.00/load

\$120.00/load x 10 loads x 10 Events in two Years = **\$12,000.00 Water**

Level and Contour Landfarm 51 Acres

Price and Time Quotes from and Equipment Operators

D-6 Dozer and Operator \$85.00/hour

\$85.00/hour x 30 min/acre x 51 acres = **\$2,165.00 Level Landfarm**

Revegetation for 120 Acres

Equipment an labor cost

Tractor and seed drill \$30.00/hour @ 15 min/acre for 51 acres = \$382.00

Materials Cost

Seed \$10.00/lb @ 5 lb/acre for 51 acres = \$2,550.00

\$382.00 + \$2,550.00 = **\$2,932 Revegetation**

Total Closure and Revegetation Cost of an 51 acre Landfarm

\$ 32,189.00	SubTotal
\$ 1,811.00	NMGRT .05625
\$ 34,000.00	Total Financial Assurance

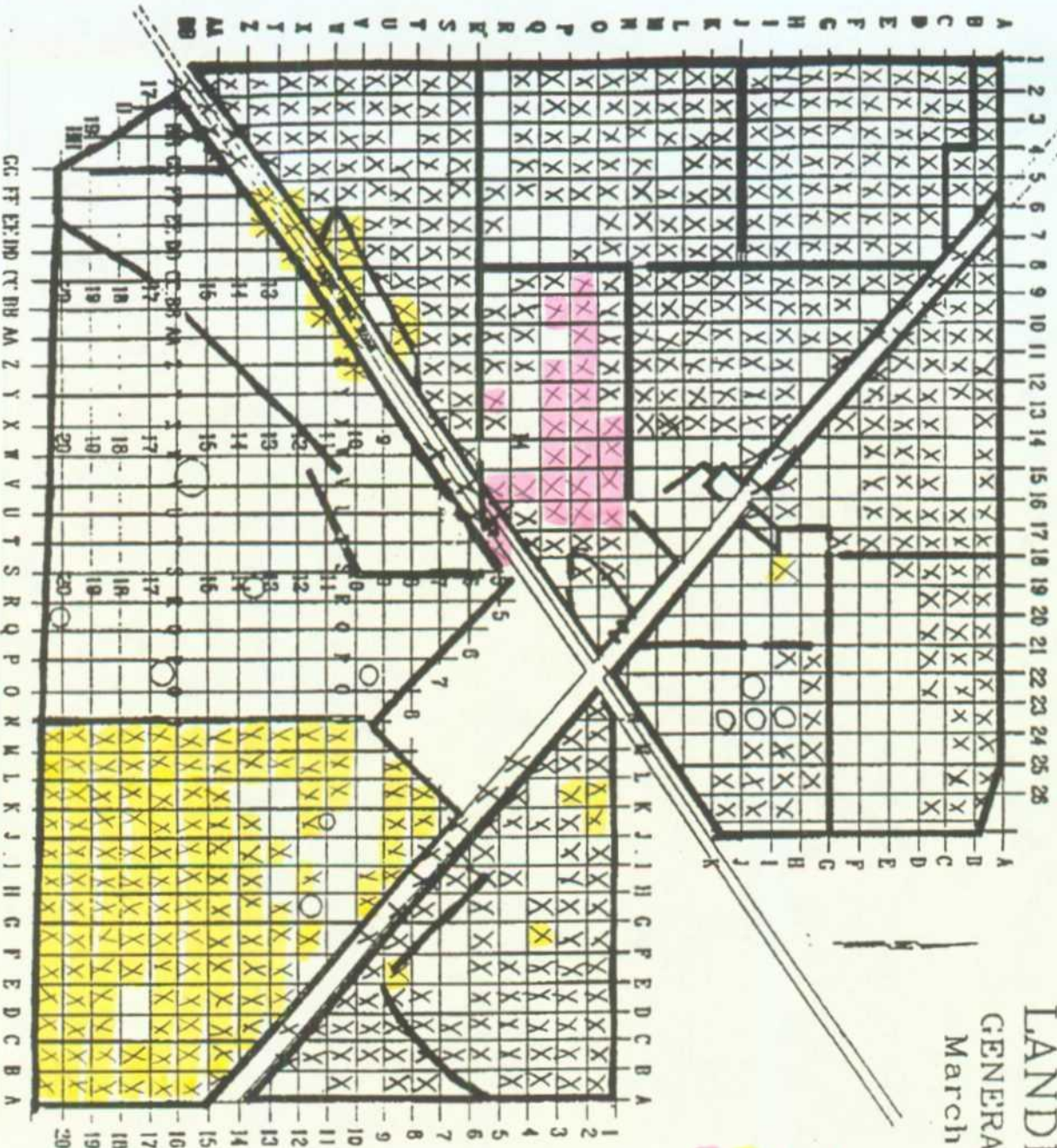
ENVIROTECH INC.

LANDFARM #2

GENERAL SITE MAP

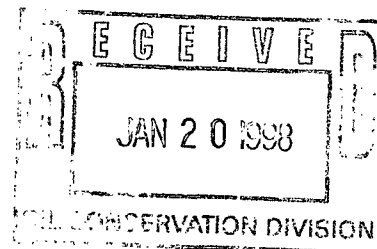
March 16, 1998

- X Approved 1996 February 7, June 3
- X Approved 1997 April 1
- X Approved 1998 April 17
- X Approved 1999 November 18
- X Approved 2000 January 13



ENVIROTECH INC.

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW



January 13, 1998

Ms. Martyne J. Kieling
Oil Conservation Division
2040 South Pacheco Street
Santa Fe, NM 87505

Re: Closure Cost Details

Dear Ms. Kieling,

Mr. Denny Foust of the NMOCD Aztec office has requested that we submit details for how we calculated the estimated closure costs for our proposed 51-acre landfarm. Attached you will find a breakdown for the estimated closure costs.

If you have any questions or need any additional information, please contact us at (505) 632-0615.

Sincerely yours,
Envirotech, Inc

Morris D. Young
Morris D. Young
President

Cc: Denny Foust, NMOCD Aztec Office

Call Morris

51 acres

Active cells 3 cells = acre
100x100

(8) Discontinued cells Ask for Closure
Turn Fence off From Still Actively
Cleaning/Remediating cells

on Permit include 316 Acres Closure cost.

1-100 acres.
216 acres

Cost Detail Breakdown for estimate to reclaim a 51 acre landfarm. 1/9/98
Envirotech, Inc.

Assume that we do our own labor.

Task	units	cost per unit	units used per year	cost per year
Disking @ *6.8 acres per hour, \$20 per hour	disking	\$150.00	26	\$3,900.00
8015 Analysis	sample	\$85.00	30	\$2,550.00
418.1 Analysis	sample	\$49.50	30	\$1,485.00
Sampler @ 1-8015/418.1 sample collected per hour	hour	\$55.50	30	\$1,665.00
Fence removal labor crew	hour	\$20.00	300	\$6,000.00
Berm removal with dozer	hour	\$150.00	26	\$3,900.00
Seed, BLM #2 seed mix @ 11 lbs per acre	pound	\$2.15	561	\$1,206.15
Seed planting after final disking (seed drill @ 5.1 acres per hr)	hour	\$80.00	10	\$800.00
TOTAL				\$21,506.15

Assume that we contract labor.

Task	units	cost per unit	units used per year	cost per year
Disking @ *6.8 acres per hour, \$40 per hour	disking	\$300.00	26	\$7,800.00
8015 Analysis	sample	\$85.00	30	\$2,550.00
418.1 Analysis	sample	\$49.50	30	\$1,485.00
Sampler @ 1-8015/418.1 sample collected per hour	hour	\$55.50	30	\$1,665.00
Fence removal labor crew	hour	\$20.00	300	\$6,000.00
Berm removal with dozer	hour	\$150.00	26	\$3,900.00
Seed, BLM #2 seed mix @ 11 lbs per acre	pound	\$2.15	561	\$1,206.15
Seed planting after final disking (seed drill @ 5.1 acres per hr)	hour	\$80.00	10	\$800.00
TOTAL				\$25,406.15

* 14' wide disk being pulled by John Deere 8640 running at 4.0 miles per hour will disk 6.8 acres per hour.

ENVIROTECH INC.

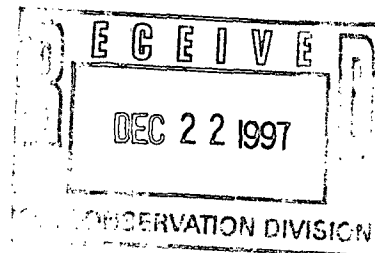
PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

December 18, 1997

Ms. Martyne J. Kieling
Oil Conservation Division
2040 South Pacheco Street
Santa Fe, NM 87505

Re: Envirotech Landfarm #2 Permit Deficiencies

Dear Ms. Kieling,



This correspondence is in reference to the August 22, 1997 letter from yourself to Envirotech. The intent of the letter was to outline "permit deficiencies" found during your June 1997 inspection of our landfarm #2.

This correspondence answers the required items in the referenced letter:

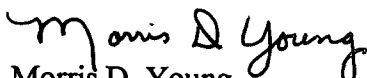
- Item 6: Plastic is routinely removed from the landfarm. Plastic that is recovered is shipped to Waste Management - San Juan Regional Landfill as a commercial waste.
- Item 13: We acknowledge the NORM requirements that will be addressed under our new 711 Waste Management Facility Permit.

Item 14a,e-i,l This information is submitted with the attached C-137 application.

At this time, we estimate that it would take \$21,506.15 for us to finalize reclamation activities for the 51 active acres. If we had to go to a third party, we estimate the costs to be \$25,406.15. At this time, we believe that our current bond is sufficient to cover these costs.

If you have any questions or concerns, please contact us at (505) 632-0615.

Sincerely yours,
Envirotech, Inc


Morris D. Young
President

cc: Denny Foust, Aztec NMOCD Office

District I - (505) 393-6161
P. O. Box 1980
Hobbs, NM 88241-1980
District II - (505) 748-1283
811 S. First
Artesia, NM 88210
District III - (505) 334-6178
1000 Rio Brazos Road
Aztec, NM 87410
District IV - (505) 827-7131

New Mexico
Energy Minerals and Natural Resources Department
Oil Conservation Division
2040 South Pacheco Street
Santa Fe, New Mexico 87505
(505) 827-7131

Form C-137
Originated 8/8/95
Revised 6/25/97

Submit Original
Plus 1 Copy
to Santa Fe
1 Copy to appropriate
District Office

APPLICATION FOR WASTE MANAGEMENT FACILITY
(Refer to the OCD Guidelines for assistance in completing the application)

☒ Commercial

☐ Centralized

1. Type: ☐ Evaporation ☐ Injection ☐ Other _____

☒ Solids/Landfarm ☐ Treating Plant

2. Operator: Young Environmental Services Inc., dba Envirotech Inc.

Address: 5796 U.S. Highway 64, Farmington, NM 87401

Contact Person: Morris D. Young Phone: (505) 632-0615

3. Location: A /4 Section _____ Township _____ Range _____
Submit large scale topographic map showing exact location *already on file

4. Is this a modification of an existing facility? ☒ Yes ☐ No

5. Attach the name and address of the landowner of the facility site and landowners of record within one mile of the site.
On File

6. Attach description of the facility with a diagram indicating location of fences, pits, dikes, and tanks on the facility.
Attached

7. Attach designs prepared in accordance with Division guidelines for the construction/installation of the following: pits or ponds, leak-detection systems, aerations systems, enhanced evaporation (spray) systems, waste treating systems, security systems, and landfarm facilities.
On File

8. Attach a contingency plan for reporting and clean-up for spills or releases.
Attached

9. Attach a routine inspection and maintenance plan to ensure permit compliance.
Attached

10. Attach a closure plan.
Attached

11. Attach geological/hydrological evidence demonstrating that disposal of oil field wastes will not adversely impact groundwater. Depth to and quality of ground water must be included.
On File

NA ☒ Attach proof that the notice requirements of OCD Rule 711 have been met.
Attached

13. Attach a contingency plan in the event of a release of H₂S.
-A plan for management of approved wastes

14. Attach such other information as necessary to demonstrate compliance with any other OCD rules, regulations and orders.

15. CERTIFICATION

I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

Name: MORRIS D. YOUNG Title: PRESIDENT

Signature: Morris D. Young Date: DECEMBER 19, 1997

DESCRIPTION OF THE FACILITY

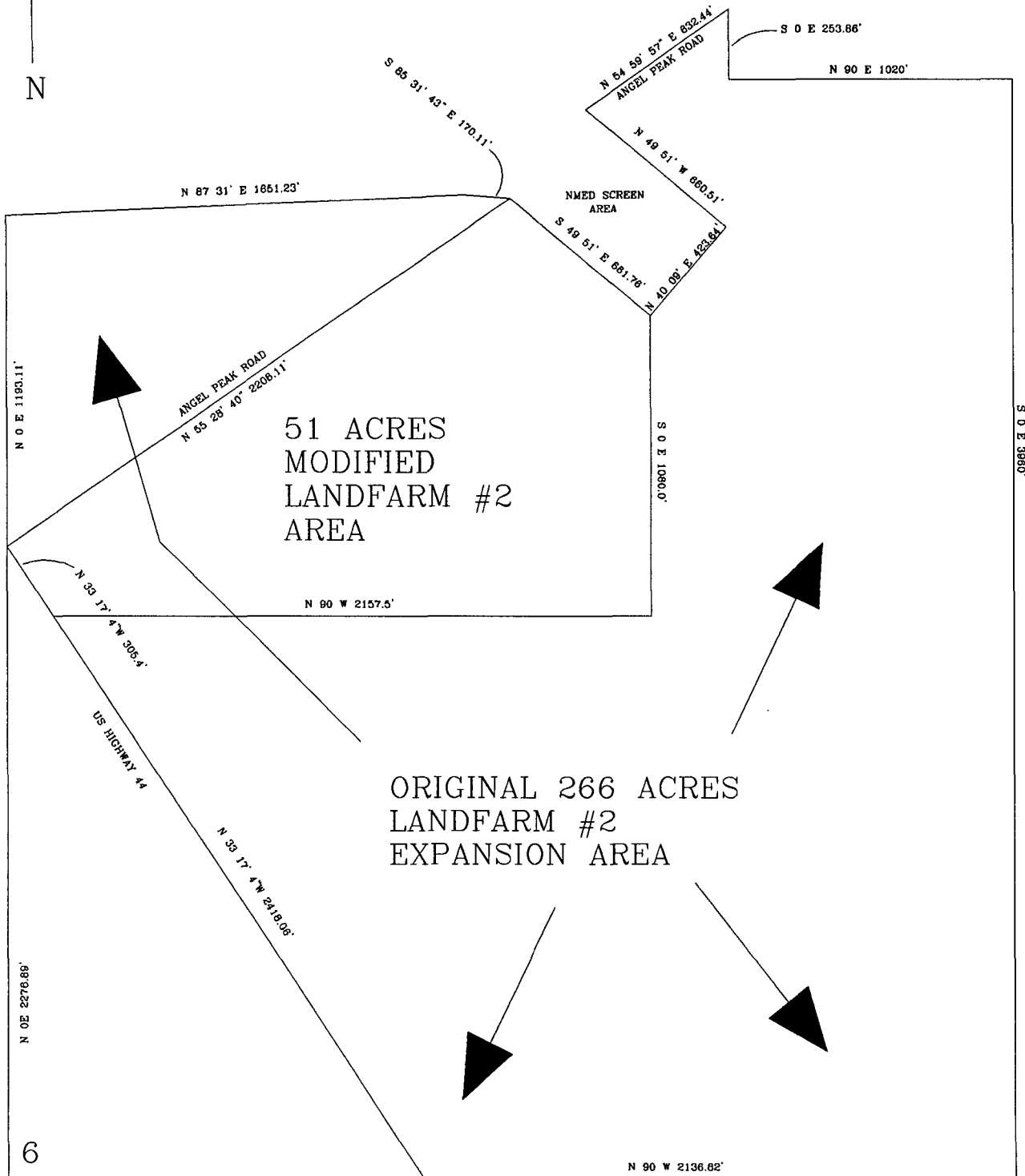
At this time Envirotech is reducing the size of the active portion of the landfarm to approximately 51 acres to reduce the amount of the bond required for reclamation of an active landfarm. The remaining 316 acres that were within the original landfarm and expansion permits will be considered inactive by Envirotech and will fall under the guidelines of the attached Post Closure Care Plan. An increased bond will not be applicable to these areas and they will still be disked on a twice-monthly basis until closed. The blending area is within the inactive area, however, it will still be used occasionally to stabilize sludge prior to acceptance into Landfarm #2.

An approximate description of the active area within Landfarm #2 is as follows:

A tract of land containing approximately 51 acres located in Section 6, Township 26 North, Range 10 West, N.M.P.M., San Juan County, New Mexico, and being more particularly described as follows:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 6 AND RUNNING THENCE NORTH 2276.89 FEET ALONG THE WEST LINE OF SAID SECTION 6 TO THE BEGINNING CORNER OF THE PROPERTY BOUNDARY THENCE NORTH $55^{\circ} 28'40''$ EAST 2208.11 FEET TO THE WESTERN CORNER OF THE NMED SCREEN AREA, THENCE SOUTH $49^{\circ} 51'$ EAST 661.76 FEET TO THE SOUTHERN CORNER OF THE NMED SCREEN AREA, THENCE SOUTH 1080.0 FEET, THENCE WEST 2157.5', THENCE NORTH $33^{\circ} 17' 4''$ WEST 305.4 FEET MORE OR LESS TO THE BEGINNING CORNER OF THE PROPERTY.

PLAT TO ACCOMPANY
APPROXIMATE LEGAL
DESCRIPTION FOR MODIFIED
LANDFARM #2 AREA FROM
266 ACRES TO 51 ACRES
EFFECTIVE DECEMBER 15, 1997



1 6
12 7

ENVIROTECH SOIL REMEDIATION FACILITY, HILLTOP, NM

CONTINGENCY PLAN FOR REPORTING AND CLEAN-UP FOR SPILLS OR RELEASES.

REPORTING:

Spills or releases will be reported to NMOCD Aztec Office via phone, fax, or letter within 24 hours of confirmation of the spill or release.

CLEAN-UP:

Spills or releases will be cleaned up using any remedial action methodologies available at the time of the spill or release. Clean-up will continue until regulatory levels of contamination are no longer exceeded.

ROUTINE INSPECTION AND MAINTENANCE PLAN TO ENSURE PERMIT COMPLIANCE

INSPECTION:

A member of management will visit the landfarm on a monthly basis for the purpose of inspection. Inspection will be for the purpose of auditing the landfarm for compliance with permit requirements.

MAINTENANCE:

Maintenance of the landfarm will consist of twice monthly disking supplemented with occasional removal of plastic, rocks, trash, and other debris.

CLOSURE PLAN

CLOSURE PLAN:

Landfarm soils that are being remediated will be occasionally sampled to assess the residual level of contamination. When the concentration of residual contamination in the active cells falls below 100 ppm TPH, 10 ppm benzene, and 50 ppm BTEX, Envirotech proposes the following closure activities:

- 1) Submit all clean closure sampling results to OCD that have not been submitted.
- 2) Remove all fencing, cell boundary markers, piles, debris, etc. to landowner specifications.
- 3) Knock down and spread out all berms, to landowner specifications.
- 4) Re-seed with BLM Seed Mix #2, to landowner specifications.

Sampling will be based on :

40 acres of similar wastes sampled at the rate of one sample per five acres.

11 acres of dissimilar wastes sampled at the rate of one sample per every half-acre.

CONTINGENCY PLAN IN THE EVENT OF A RELEASE OF H₂S

H₂S should not be generated at the site. As a result, a contingency plan is not appropriate to this landfarm.

OTHER INFORMATION

PLAN FOR MANAGEMENT OF APPROVED WASTES:

Approved wastes are subject to the following handling practices:

- 1) The load of waste is hauled to the landfarm via a semi-tractor or body-load style dump truck
- 2) The load of waste is then dumped into a cell that is designated by the Landfarm Manager.
- 3) A record of the load is created.
- 4) The load of waste is spread to approximately 6"- 9" thick within 24 hours.
- 5) The waste is disked at least twice monthly until closure is attained.

ENVIROTECH INC.

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

December 18, 1997

Ms. Martyne J. Kieling
Oil Conservation Division
2040 South Pacheco Street
Santa Fe, NM 87505

Re: Post Closure Care Plan, Envirotech Landfarm #2

Dear Ms. Kieling,

Envirotech Inc. is submitting this Post Closure Care Plan for our Landfarm #2 facility located approximately 15 miles south of Bloomfield, at Hilltop, New Mexico. This plan applies to areas within the original Landfarm #2 boundaries that are now considered "inactive".

At this time much of our Landfarm #2 facility has been sampled and is near closure. We have approximately 239 inactive cells left to remediate before the land will be returned to its native condition. Each cell is approximately 100' X 100' in size, with the exceptions of boundary cells which are smaller.

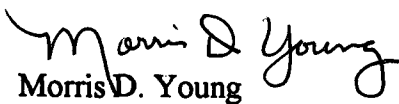
Landfarm soils that are being remediated in the inactive areas will be occasionally sampled to assess the residual level of contamination. When the concentration of residual contamination in the inactive cells falls below 100 ppm TPH, 10 ppm benzene, and 50 ppm BTEX, Envirotech proposes the following closure activities:

- 1) Submit all clean closure sampling results to OCD that have not been submitted.
- 2) Remove all fencing, cell boundary markers, piles, debris, etc. to landowner specifications.
- 3) Knock down and spread out all berms, to landowner specifications.
- 4) Re-seed with BLM Seed Mix #2, to landowner specifications.

Our current closure bond will remain in place to cover reclamation costs within the inactive areas until OCD releases it at the satisfactory conclusion of these activities.

If you have any questions or concerns, please contact us at (505) 632-0615.

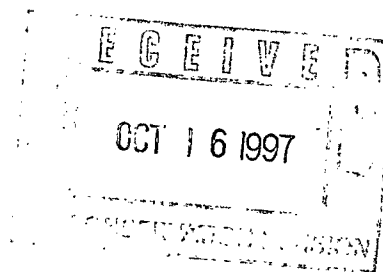
Sincerely yours,
Envirotech, Inc


Morris D. Young
President

ENVIROTECH INC.

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

copy to 82061



October 14, 1997

Ms. Martyne J. Kieling
Oil Conservation Division
2040 South Pacheco Street
Santa Fe, NM 87505

Dear Ms. Kieling,

This correspondence is in reference to the pair of August 22, 1997 letters from yourself to Envirotech. The contents of the letters outlined "permit deficiencies" found during your recent inspection of our landfarms. The noted "permit deficiencies" dealt with new and upcoming requirement for renewal of our permits, and not current landfarm management practices. You requested a response for correction of these "permit deficiencies" by October 24, 1997.

Since the "permit deficiencies" are new requirements for permit renewal and we need additional time to develop our business strategies for the upcoming years, we are requesting a 60 day extension to respond to the "permit deficiencies". We request that we are allowed until December 23, 1997 to make the proper response to your office.

At this time we are not anticipating a renewal of the landfarm #1 permit and are planning on continuing with current permit requirements until closure is obtained.

If you have any questions or concerns, please contact me at (505) 632-0615.

Sincerely yours,
Envirotech, Inc.

A handwritten signature in cursive script, appearing to read "Robert M. Young".

Robert M. Young
Vice President

cc: Aztec OCD office



NEW MEXICO ENERGY, MINERALS
& NATURAL RESOURCES DEPARTMENT

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

June 3, 1996

CERTIFIED MAIL
RETURN RECEIPT NO. P-269-269-395

Mr. Rob Young
Envirotech Inc.
5796 U.S. Highway 64-3014
Farmington, New Mexico 87401

Dear Mr. Young:

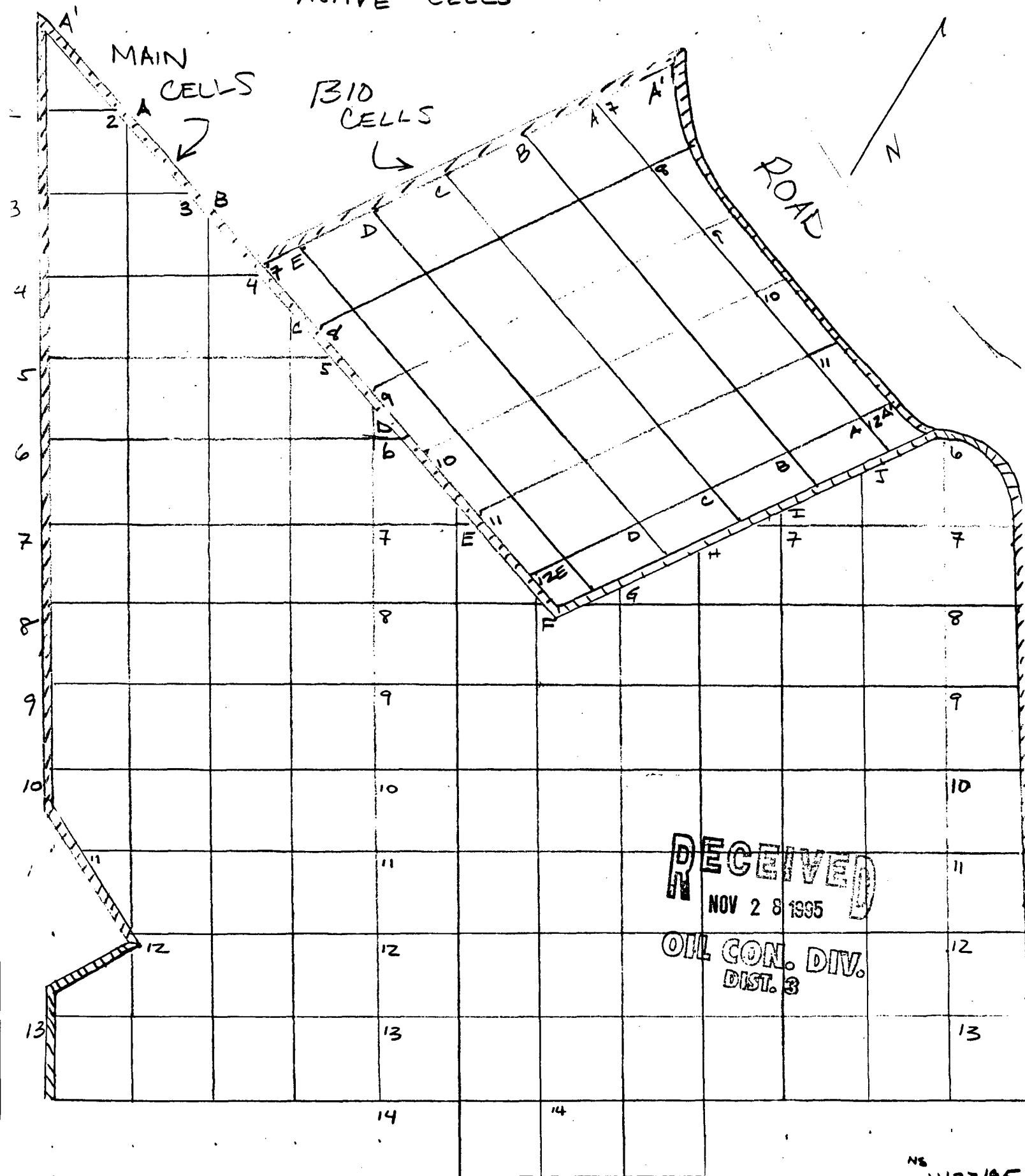
The New Mexico Oil Conservation Division (OCD) has received Envirotech Inc.'s (Envirotech) request and analytical results dated October 27, 1995 (received December 22, 1995) for authorization to deem specific landfarm cells remediated. Based upon the information provided the following cells are hereby approved for the addition of successive lifts:

Cell A-1 ✓	Cell C-6 ✓	Cell E-10 ✓	Cell H-14 ✓	Cell L-10 ✓
Cell A-2 ✓	Cell C-9 ✓	Cell E-13 ✓	Cell H-15 ✓	Cell L-11 ✓
Cell A-3 ✓	Cell C-10 ✓	Cell F-4 ✓ ✓	Cell H-16 ✓	Cell L-12 ✓
Cell A-4 ✓	Cell D-1 ✓	Cell F-5 ✓ ✓	Cell I-4 ✓	Cell M-1 ✓
Cell B-1 ✓	Cell D-2 ✓	Cell F-6 ✓ ✓	Cell I-5 ✓	Cell M-7 ✓
Cell B-2 ✓	Cell D-3 ✓	Cell F-7 ✓	Cell I-6 ✓	Cell M-8 ✓
Cell B-3 ✓	Cell D-4 ✓	Cell F-8 ✓	Cell I-7 ✓	Cell M-10 ✓
Cell B-4 ✓	Cell D-5 ✓	Cell F-9 ✓	Cell I-14 ✓	Cell M-11 ✓
Cell B-5 ✓	Cell D-6 ✓	Cell G-1 ✓	Cell I-16 ✓	Cell M-12 ✓
Cell B-19 ✓	Cell D-7 ✓	Cell G-2 ✓	Cell J-10 ✓	
Cell B-20 ✓	Cell D-8 ✓	Cell G-3 ✓	Cell J-11 ✓	
Cell C-1 ✓	Cell D-9 ✓	Cell G-4 ✓	Cell K-9 ✓	
Cell C-2 ✓	Cell D-10 ✓	Cell G-5 ✓	Cell K-10 ✓	
Cell C-3 ✓	Cell E-4 ✓	Cell G-6 ✓	Cell K-11 ✓	
Cell C-4 ✓	Cell E-5 ✓	Cell G-7 ✓	Cell K-12 ✓	
Cell C-5 ✓	Cell E-6 ✓	Cell G-8 ✓	Cell L-5 ✓	
Cell I-2	Cell E-7 ✓	Cell H-3 ✓	Cell L-6 ✓	
Cell I-3	Cell E-8 ✓	Cell H-13 ✓	Cell L-7 ✓	

Note that authorization is being granted to add successive lifts. If Envirotech wants to move the soils from the facility separate OCD authorization must be granted.

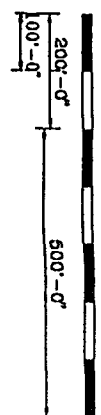
ENVIROTECH, INC. LANDFARM No. 1

ACTIVE CELLS

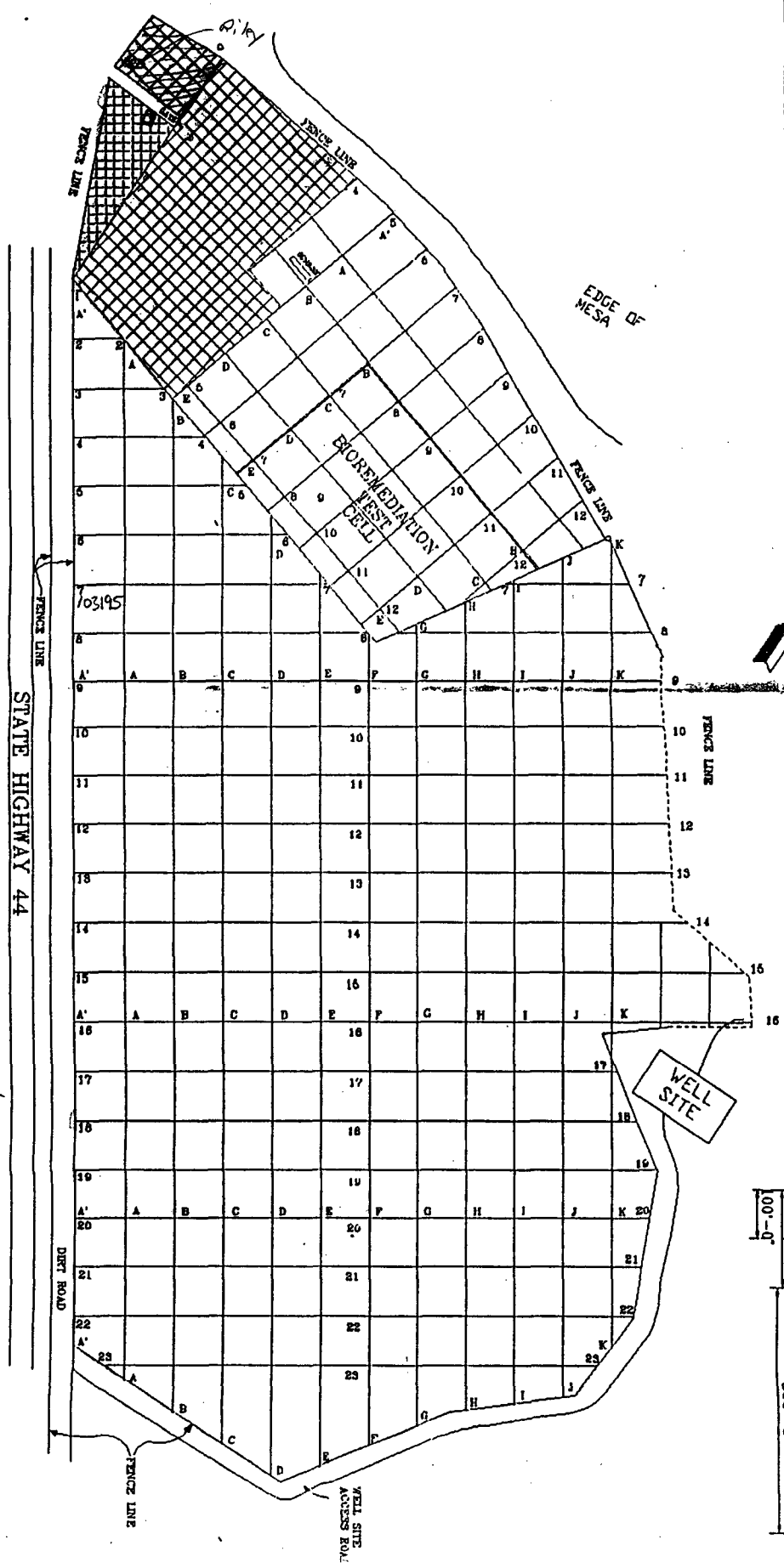


NS 11/27/95

- ☒ HOLDING AREA FOR SOIL TO BE SCREENED.
- ☐ SEPARATE SECURED HOLDING AREA.



SCALE IN FEET



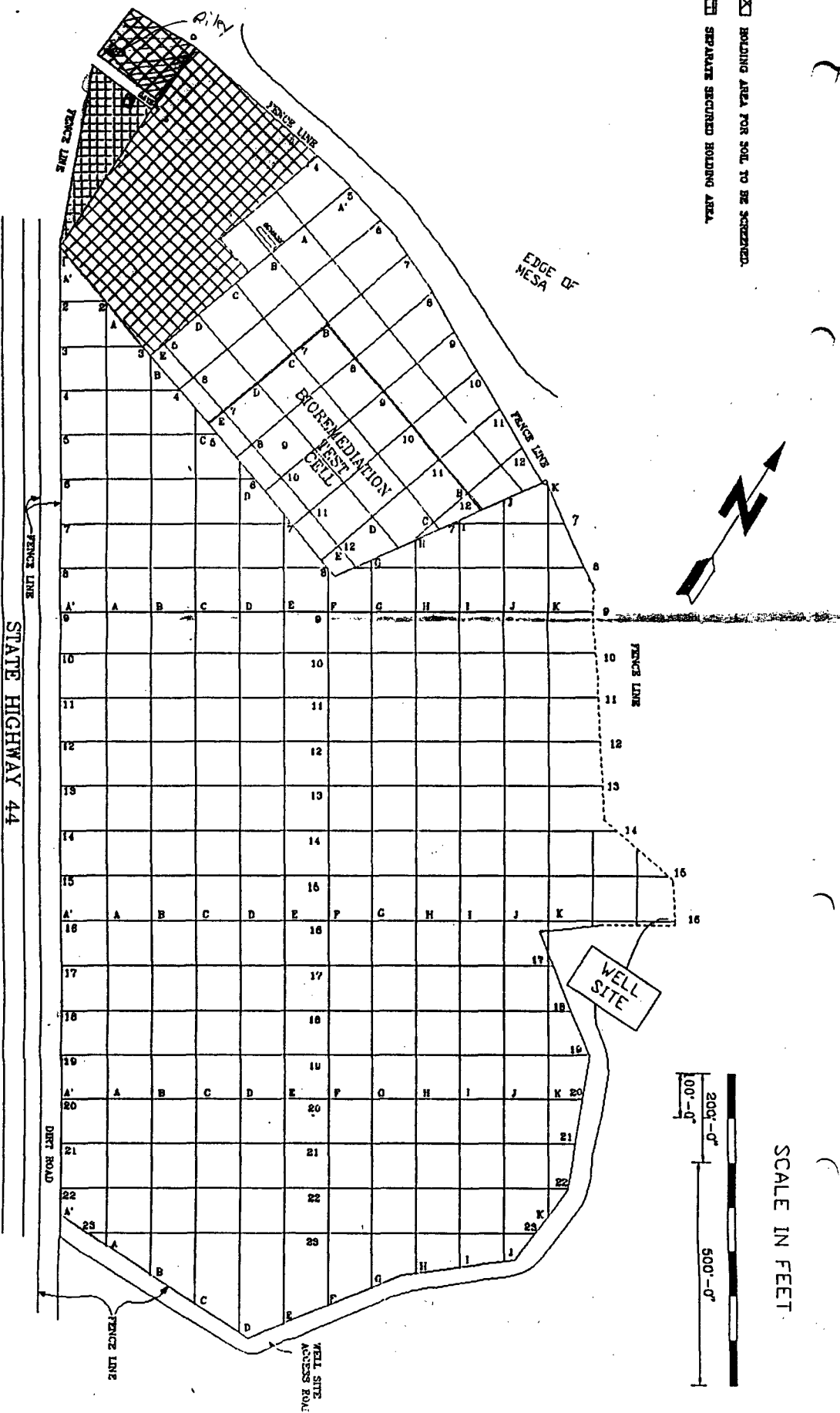
Landfarm I

Yellow areas are empty

ENVIROTECH SOIL REMEDIATION SITE HILL TOP, NEW MEXICO

DATE: OCTOBER 28, 1991
DRAWN BY: J. DEWEY

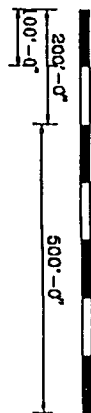
SCALE IN FEET



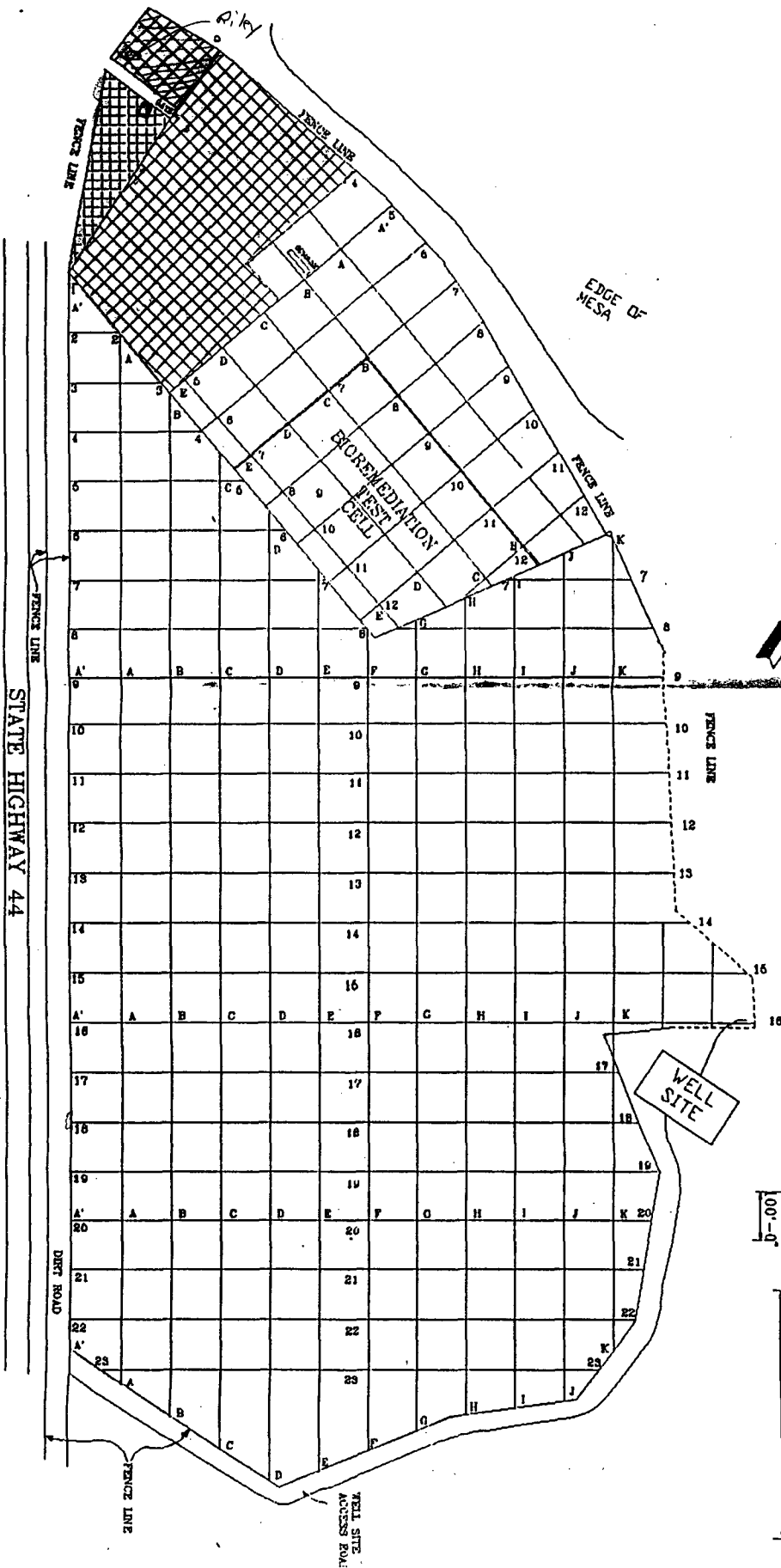
ENVIROTECH SOIL REMEDIATION SITE
HILL TOP, NEW MEXICO

DATE: OCTOBER 28, 1991
DRAWN BY: J. DEWEY

- ☒ BREWING AREA FOR SOIL TO BE SCREENED.
- ☐ SEPARATE SECURED HOLDING AREA.



SCALE IN FEET



ENVIROTECH SOIL REMEDIATION SITE HILL TOP, NEW MEXICO

Landfarm I

DATE: OCTOBER 28, 1991
DRAWN BY: J. DEWEY



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION

2040 S. PACHECO
SANTA FE, NEW MEXICO 87505
(505) 827-7131

February 7, 1996

CERTIFIED MAIL
RETURN RECEIPT NO. Z-765-962-614

Mr. Rob Young
Envirotech Inc.
5796 U.S. Highway 64-3014
Farmington, New Mexico 87401

Dear Mr. Young:

The New Mexico Oil Conservation Division (OCD) has received Envirotech Inc.'s (Envirotech) request and analytical results dated October 27, 1995 (received December 22, 1995) for authorization to deem specific landfarm cells remediated. Based upon the information provided the following cells are hereby approved for the addition of successive lifts:

Cell K-1	Cell H-4	Cell J-9
Cell K-2	Cell H-5	Cell I-10
Cell K-3	Cell H-6	Cell F-10
Cell H-2	Cell H-7	Cell G-10
Cell L-1	Cell H-8	Cell H-10
Cell L-2	Cell I-8	Cell G-11
Cell L-3	Cell J-8	Cell H-11
Cell H-12	Cell K-8	Cell I-11
Cell I-12	Cell E-1	Cell F-1
Cell I-13	Cell E-2	Cell F-2
Cell J-12	Cell E-3	Cell F-3
Cell J-13	Cell M-4	Cell A-9
Cell K-13	Cell M-3	Cell A-13
Cell L-13	Cell M-2	Cell A-14
Cell H-1	Cell L-4	Cell G-21
Cell I-1	Cell G-9	Cell G-22
Cell I-2	Cell H-9	Cell G-23
Cell I-3	Cell I-9	Cell H-21

Note that authorization is being granted to add successive lifts. If Envirotech wants to move the soils from the facility separate OCD authorization must be granted.

Mr. Young
February 7, 1996
Page 2

Please be advised that OCD approval does not relieve Envirotech of liability should their operation result in pollution of the ground water, surface water or the environment. In addition, OCD approval does not relieve Envirotech of responsibility for compliance with other federal, state and/or local regulations.

If there are any questions on this matter, please contact me at (505) 827-7153.

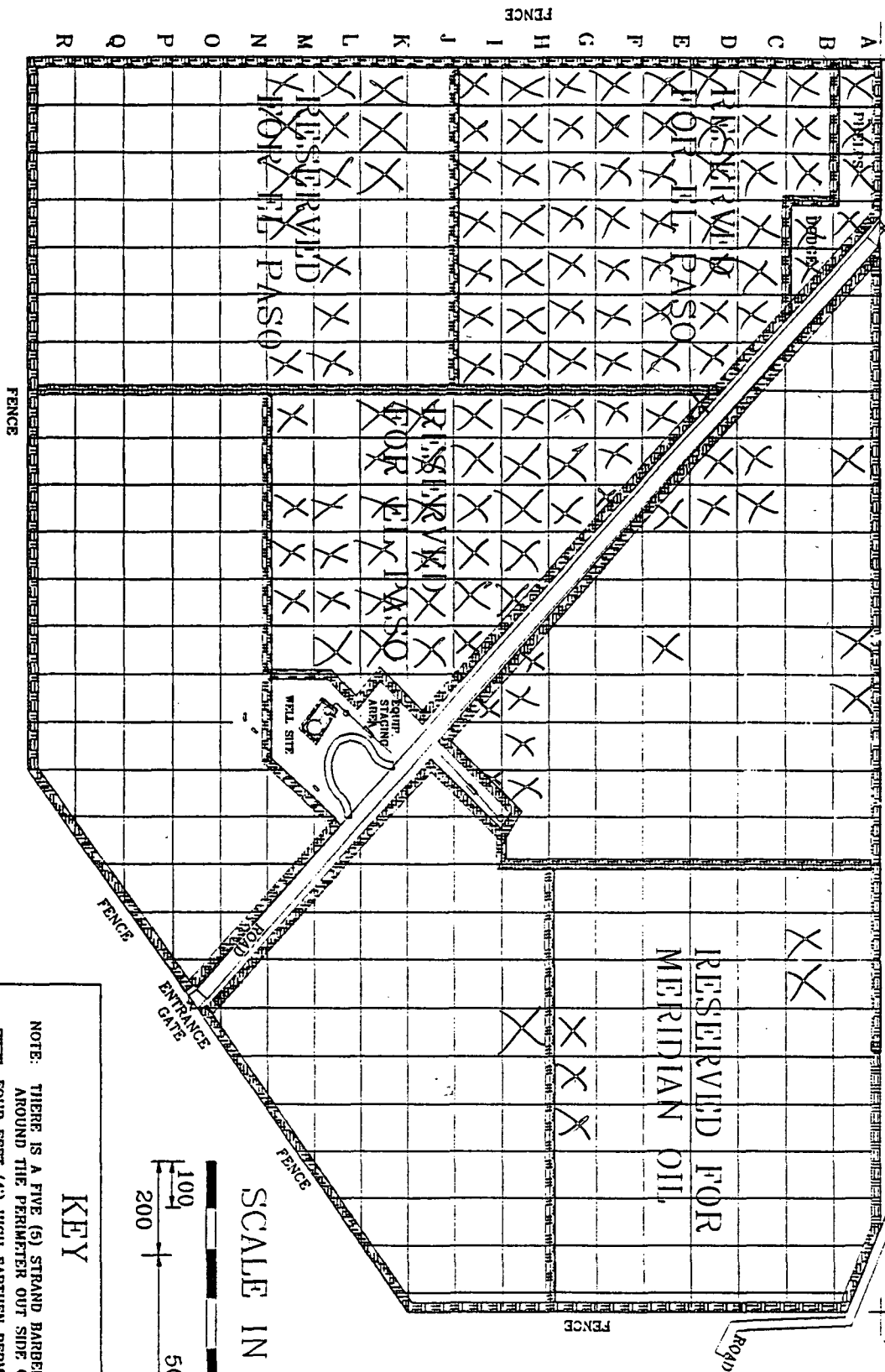
Sincerely,

A handwritten signature in cursive script, appearing to read "Chris Eustice".

Chris Eustice
Geologist

cc: OCD Aztec Office

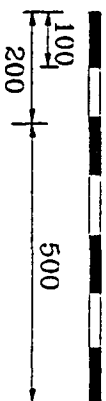
SECTION 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 1/4 CORNER



NOTE: THERE IS A FIVE (5) STRAND BARBED WIRE FENCE AROUND THE PERIMETER OUT SIDE OF THE BERM. BERM FOUR FEET (4') HIGH EARTHEN BERM LOCATIONS.

KEY

SCALE IN FEET



ENVIROTECH INC.
LAND FARM
NO. 2

NORTHERN 100 ACRES OF THE
NORTHWEST 1/4 OF SECTION
6, TOWNSHIP 26 NORTH,
RANGE 10 WEST, NMPM. $43,560 \text{ ft}^2 = 1 \text{ ac}$

ENVIROTECH INC.

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

November 27, 1995

Mr. Chris Eustice
State of New Mexico Oil Conservation Division
P.O. Box 2088
State Land Office Building
Santa Fe, NM 87504

RECEIVED
NOV 28 1995

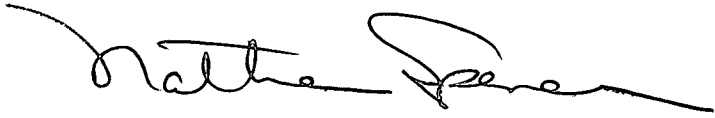
OIL CON. DIV.
DIST. 3

Re: **A' NOTATION AND LANDFARM LAYOUT**
ENVIROTECH SOIL REMEDIATION FACILITY LANDFARM NO. 1
SAN JUAN COUNTY, NEW MEXICO

Dear Mr. Eustice:

You will find enclosed a map of Landfarm No. 1. As you can see the Landfarm No. 1 layout is different from other Envirotech landfarms. That is, the landfarm is separated into two groups of cells: the Bio-cells and the Main cells. The Main cells are numbered parallel to Highway 64 and are lettered from left to right perpendicular to the number line. The Bio-cells coordinate system is rotated to distinguish the two parts off the landfarm. Furthermore, the Bio-cells are lettered from right to left. This can lead to some confusion when identifying cell locations. Another anomaly of Landfarm No. 1 is that it includes an A' coordinate. For the Main cell section of the landfarm the A' cells are located to the left of the A cells and for the Bio-cell section the A' cells are located to the right of the A cells. For identification purposes the Main cells have been denoted as "cells" and The Bio-cells as "biocells". Please let us know if there are other questions you may have by calling us at (505) 632-0615 or faxing at (505) 632-1865.

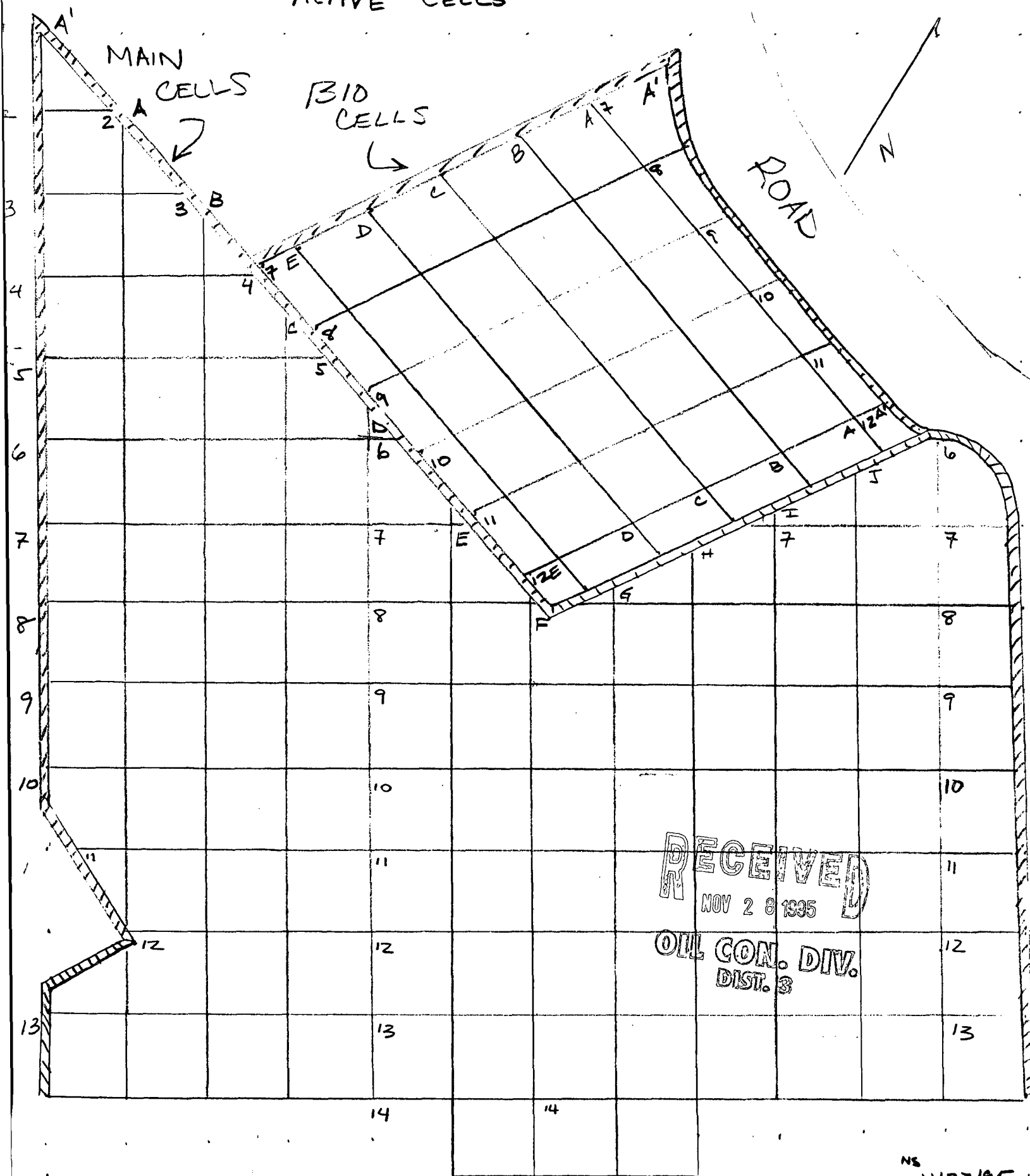
Respectfully,
Envirotech, Inc.



Nathan Spencer
Chemical Engineer

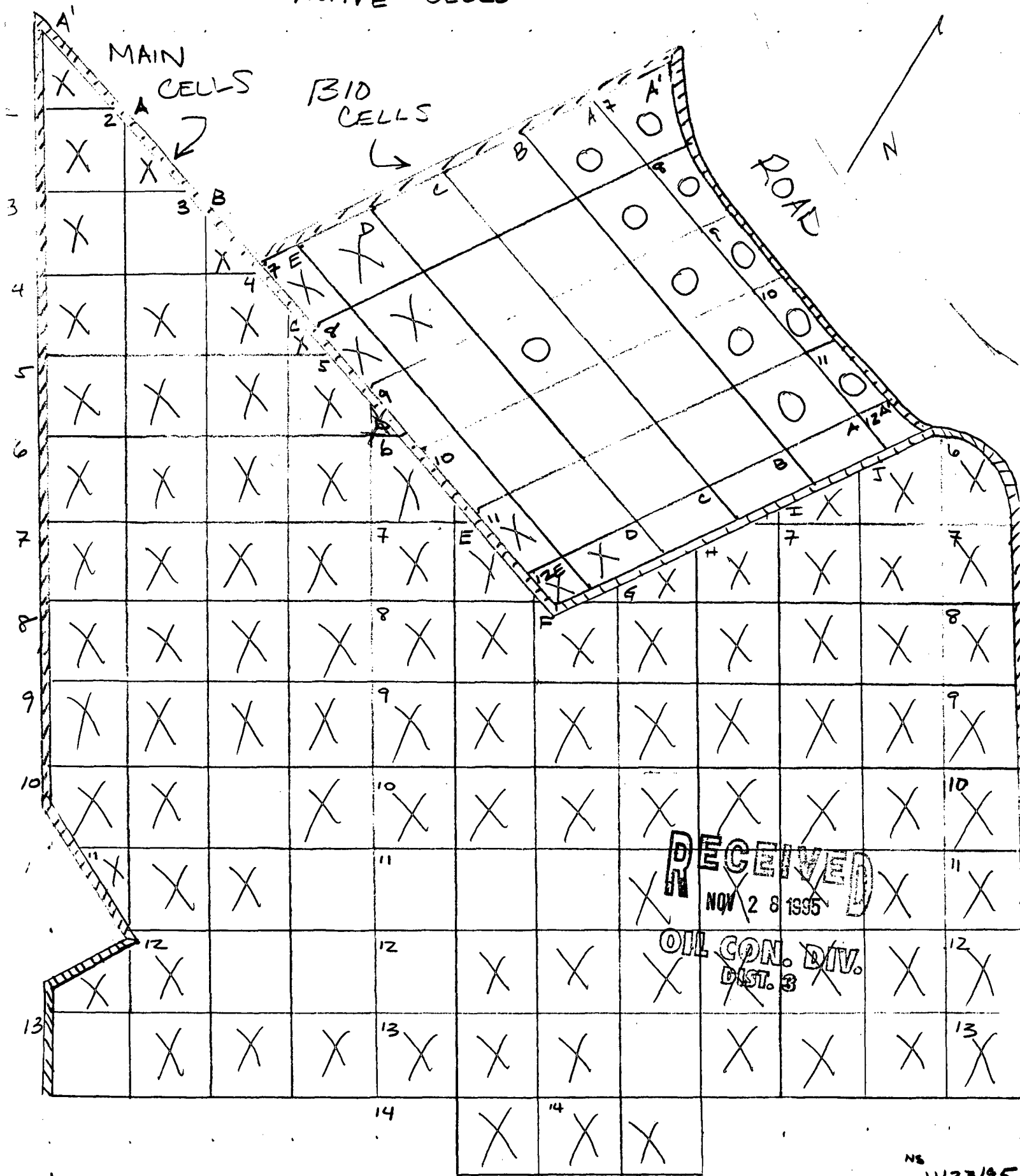
NS/ns
Enclosure

ENVIROTECH, INC. LANDFARM No. 1 ACTIVE CELLS

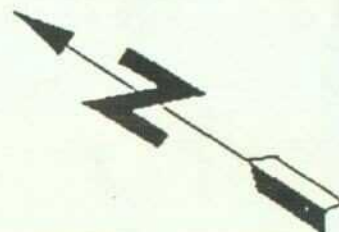


ENVIROTECH, INC. LANDFARM No. 1

ACTIVE CELLS



 SEPARATE SECURED HOLDING AREA.



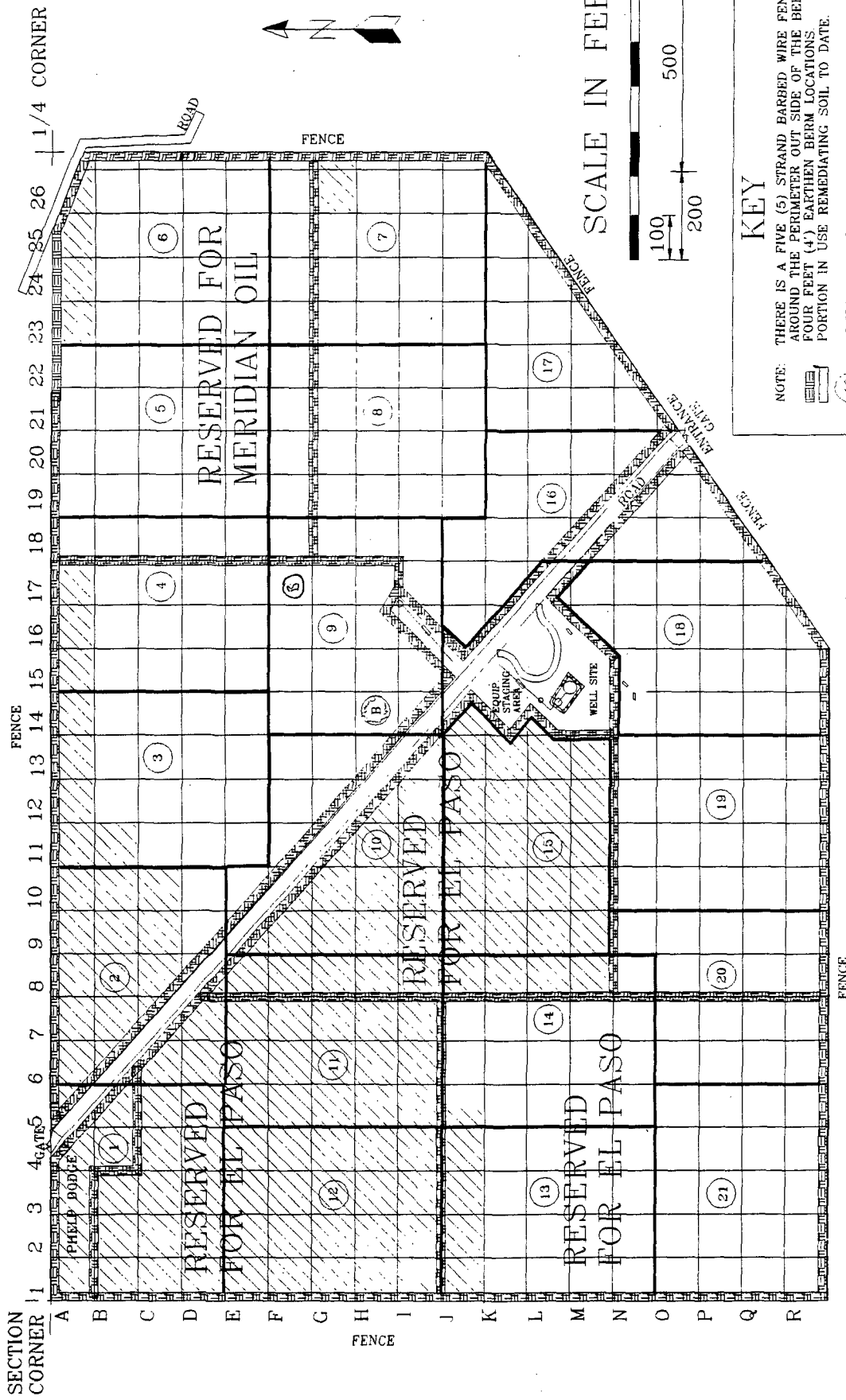
Landfarm I

yellow areas are empty

ENVIROTECH SOIL REMEDIATION SITE
HILL TOP, NEW MEXICO

DATE: OCTOBER 28, 1991
DRAWN BY: J. DEWEY

Background



ENVIROTECH INC.
LAND FARM #2
SAMPLE LOCATIONS
FOR CONTROL

NORTHERN 100 ACRES
OF THE NORTHWEST
1/4 OF SECTION 6,
TOWNSHIP 26 NORTH,
RANGE 10 WEST, NMPM

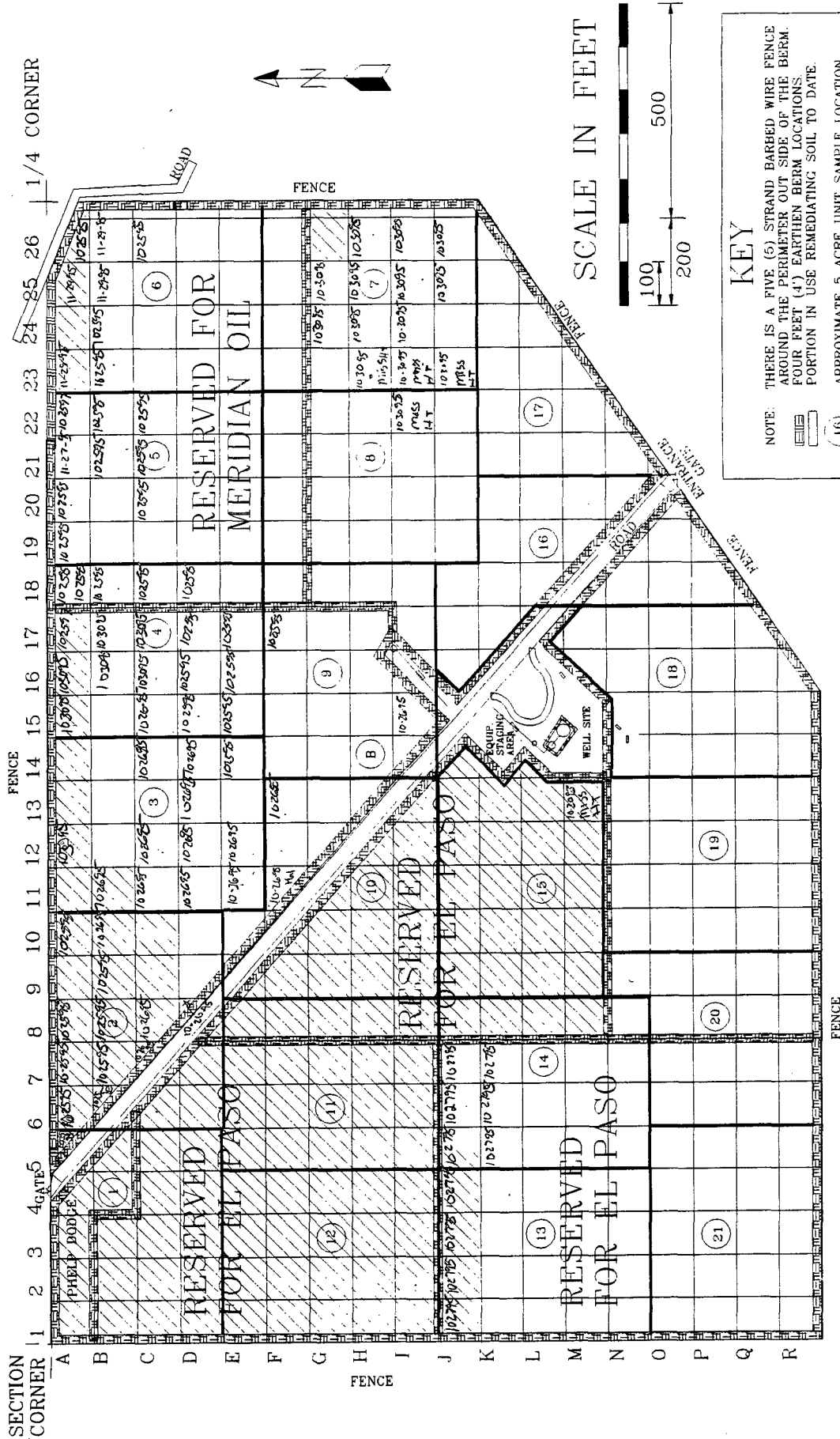
SITE PLAN

SHEET: 1	DRAWN: 4/27/93
DRAWN BY: JDD	PRJ MGR: HJ
FILE: 91020SP2	REV: 4/28/93

F-17 at 2' CS-C10=ND
C10-C28=14.3 mg/m³
C28-C36=ND

at 2' A-14 → TPH-B.5 AR-ND, Ba-ND, Cd-ND, Cr-ND, Pb-ND, Hg-0.002, Se ND, Ag-ND

Box of Sample Data



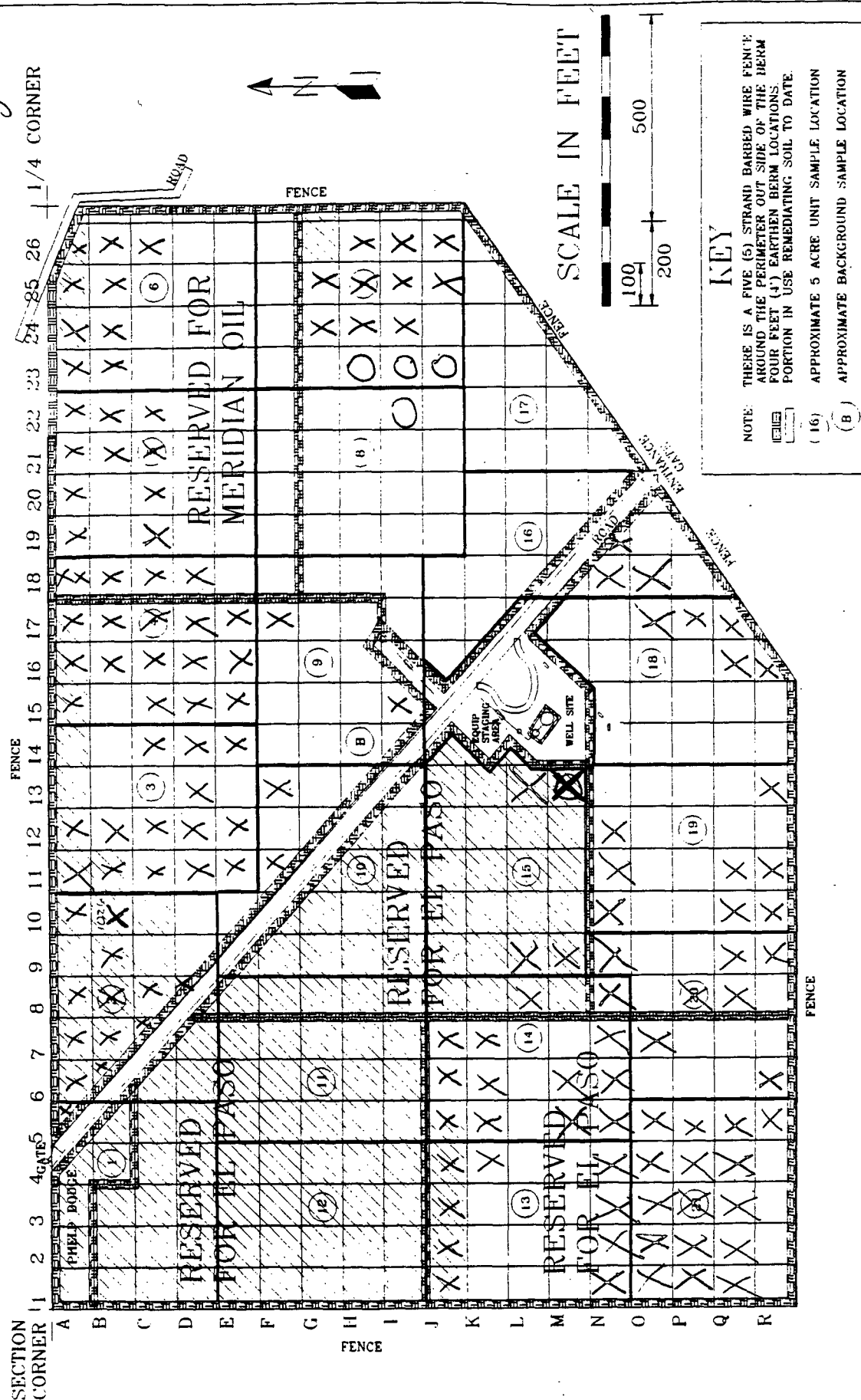
ENVIROTECH INC.
LAND FARM #2
SAMPLE LOCATIONS
FOR CONTROL

NORTHERN 100 ACRES
OF THE NORTHWEST
1/4 OF SECTION 6,
TOWNSHIP 26 NORTH,
RANGE 10 WEST, NMPM.

SITE PLAN

SHEET: 1	DRAWN: 4/27/93
DRAWN BY: JDD	PRJ MGR: HJ
FILE: 91020SP2	REV: 4/28/93

Approved April 1, 1998
~~January 24, 1998~~
February



SITE PLAN

NORTHERN 100 ACRES
OF THE NORTHWEST
1/4 OF SECTION 6,
TOWNSHIP 26 NORTH,
RANGE 10 WEST, NMPM

ENVIROTECH INC.
LAND FARM #2
SAMPLE LOCATIONS
FOR CONTROL

CHEET: I	DPAWN: 4/27/92
DPAWN BY: JUD	PRJ MGR: HJ
FILE: S0020JF2	REV: 4/28/95

November 16, 1993

CERTIFIED MAIL
RETURN RECEIPT NO. P-667-241-149

Mr. Robert Young
Envirotech Inc.
5796 U.S. Highway 64 - 3014
Farmington, New Mexico 87401

**RE: APPROVAL OF DISCONTINUED MAINTENANCE STATUS
ENVIROTECH LANDFARM NO. 1 & NO. 2
SAN JUAN COUNTY, NEW MEXICO**

Dear Mr. Young:

The New Mexico Oil Conservation Division (OCD) has received your request dated November 4, 1993, for authorization to classify appropriate cells within Envirotech's Landfarm No. 1 and No. 2 as "Discontinued Maintenance Status" (DMS). Prior making a DMS classification, a cell will be sampled for the appropriate constituents and approval received from the OCD.

Based on the information provided in your request, the OCD hereby approves the classification of appropriate cells as DMS under the following conditions:

1. One composite sample will be taken per cell. If the soil in a block of cells is from the same point of origination then a composite sample from the block of cells may be taken with no block of cells being larger than 10 acres.
2. The sample will be analyzed for benzene, toluene, ethylbenzene, and total total xylenes (BTEX), and total petroleum hydrocarbons (TPH) using the appropriate USEPA methods. To classify a cell or block of cells as DMS the TPH will be less than 100 mg/l, the total BTEX will be less than 50 mg/l, and the benzene will be

Mr. Robert Young
February 7, 1996
Page 2

less than 10 mg/l.

Mr. Robert Young

February 7, 1996

Page 3

3. A written request with the appropriate analysis included will be submitted to the OCD Santa Fe Office and written approval received prior to classification of a cell as DMS.
4. DMS cells may have tilling and quarterly monitoring requirements discontinued as long as no contaminated soils are added to the cell. If any DMS cells are reopened then the tilling and quarterly monitoring requirements will again become effective.

Please be advised that this approval does not relieve you of liability should your operation result in actual pollution of surface waters, ground waters, or the environment actionable under other laws and/or regulations. In addition, the OCD approval does not relieve you of liability for compliance with any other laws and/or regulations.

If you have any questions please do not hesitate to contact me at (505) 827-5884.

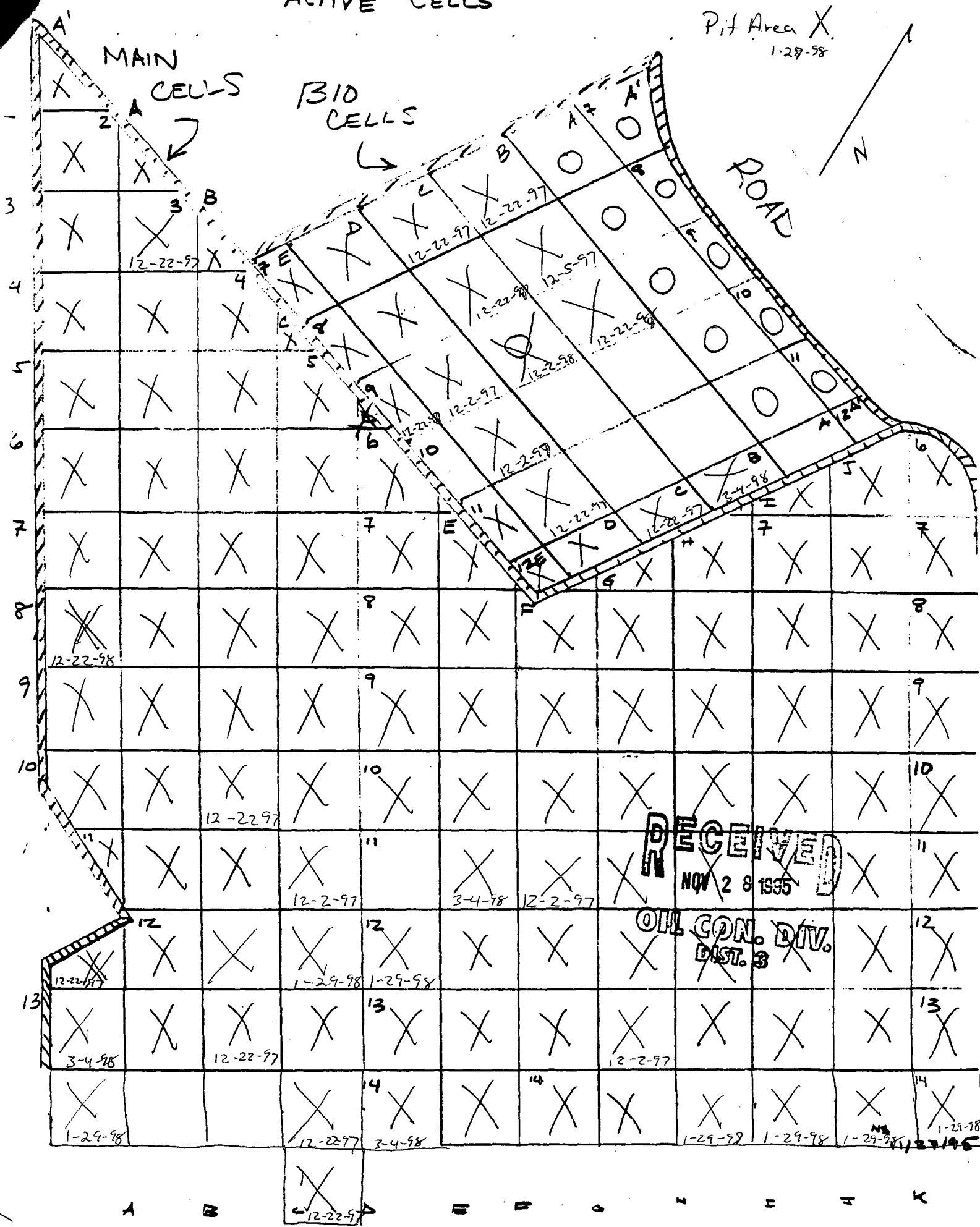
Sincerely,

Kathy M. Brown
Geologist

xc: Denny Foust, OCD Aztec Office

January 29, 1998

Pit Area X
1-28-58





BRUCE KING
GOVERNOR

ANITA LOCKWOOD
CABINET SECRETARY

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

February 17, 1994

CERTIFIED MAIL
RETURN RECEIPT NO. P-111-334-059

Mr. Robert M. Young
Envirotech Inc.
5796 U.S. Highway 64 - 3014
Farmington, New Mexico 87401

**RE: STABILIZATION FACILITY APPROVAL
ENVIROTECH LANDFARM NO. 2
SAN JUAN COUNTY, NEW MEXICO**

Dear Mr. Young:

The New Mexico Oil Conservation Division (OCD) has received your request dated January 5, 1994, for authorization to construct a stabilization basin to accept non-hazardous semi-solid oilfield wastes at Envirotech's Landfarm No. 2 located in Section 6, Township 26 North, Range 10 West, NMPM, San Juan County, New Mexico. The wastes which fail the paint filter test will be placed in either the stabilization basin or a flow-through above ground storage tank and blended with clean soil and organic materials to achieve a moisture content acceptable for distribution at the landfarm.

Based on the information provided in your original request and the materials dated February 4, 1994, submitted as supplements to the application, the OCD hereby approves the construction and utilization of a stabilization area under the following conditions:

1. The stabilization basin will be constructed with the following specifications:
 - a. The basin will be constructed with 12 inches of concrete reinforced with re-bar. The basin will have a berm approximately 3 feet high.

Mr. Robert M. Young
February 17, 1994
Page 2

- b. The concrete basin will be underlain with a double-lined (30 mil) containment system equipped with leak detection.
 - c. The OCD Aztec Office will be notified prior to installation of the liners and leak detection system so that they may witness the construction.
 - d. As built engineering designs for the staging area will be submitted to the OCD within 60 days of completion.
- 2. The leak detection monitor well for the staging area will be checked weekly and records of such inspections will be made and kept on file at the facility for five (5) years from the date of record. If fluids are found in the sump the operator shall notify the OCD Aztec District Office within twenty-four (24) hours of discovery.
 - 3. The above ground flow-through storage tanks will be placed in an above ground concrete basin with adequate berming.
 - 4. Every load received at the facility for pretreatment in the staging area will be tested for the percentage of oil using an approved OCD method. Test results will be recorded, retained at the facility, and reported to the OCD quarterly. This approval is subject to administrative change based upon the test results and changes in oil recovery technology.
 - 5. The operator shall file forms C-117-A, C-118, and C-120-A with the OCD Aztec District Office as required by OCD Rules 1118 and 1120.
 - 6. All materials accepted at stabilization facility will be stabilized within 24 hours of receipt. No free liquids or soils with free liquids will be moved from the pretreatment staging area to the landfarm.
 - 7. Comprehensive records of all materials received in the staging area will be maintained at the facility for five (5) years from the date of record. The records for each load will include: 1) the origin, 2) transporter, 3) test results, 4) amount, type and origin of soil and/or bulking agents added to each load, and 5) exact cell location where the material is to be remediated.
 - 8. The pretreatment staging area is authorized to accept only oilfield wastes which are exempt from RCRA Subtitle C regulations or "nonhazardous" non-exempt oilfield wastes on a case-by-case basis after conducting an analysis for hazardous characteristics and receiving OCD approval.

Mr. Robert M. Young
February 17, 1994
Page 3

Please be advised that this approval does not relieve you of liability should your operation result in actual pollution of surface waters, ground waters, or the environment actionable under other laws and/or regulations. In addition, the OCD approval does not relieve you of liability for compliance with any other laws and/or regulations.

Please be advised that in accordance with OCD Rule 310, oil shall not be stored or retained in earthen reservoirs, or in open receptacles.

If you have any questions please do not hesitate to contact me at (505) 827-5884.

Sincerely,



Kathy M. Brown
Geologist

xc: Denny Foust, OCD Aztec Office

your RETURN ADDRESS completed on the reverse side?	SENDER: <ul style="list-style-type: none">• Complete items 1. and/or 2. for additional services.• Complete items 3, and 4a. 8. b. c.• Print your name and address on the reverse of this form so that we can return this card to you.• Attach this form to the front of the mailpiece, or on the back if space does not permit.• Write "Return Receipt Requested" on the mailpiece below the article number.• The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): <ul style="list-style-type: none">1. <input type="checkbox"/> Addressee's Address2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
	3. Article Addressed to: Mr. Robert M. Young Envirotech Inc. 5796 U.S. Highway 64-3014 Farmington, N.M. 87401 <i>Robert M. Young</i>		4a. Article Number P-111-334-059	
	5. Signature (Addressee)		4b. Service Type <ul style="list-style-type: none"><input type="checkbox"/> Registered <input type="checkbox"/> Insured<input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD<input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
	6. Signature (Agent)		7. Date of Delivery 2/15/94	
			8. Addressee's Address (Only if requested and fee is paid)	

PS Form 3811, December 1991 *U.S. GPO: 1992-323-402

Thank you for using Return Receipt Service.

DOMESTIC RETURN RECEIPT

ENVIROTECH INC.

UNDERGROUND TANK TESTING • SITE ASSESSMENT • SITE REMEDIATION

5796 U.S. HIGHWAY 64 - 3014

FARMINGTON, NEW MEXICO 87401

PHONE: (505) 632-0615

RECEIVED
ENVIRONMENTAL DIVISION

94 FEB 7 AM 8 35

February 4, 1994

Ms. Kathy Brown
State of New Mexico Oil Conservation Division
P.O. Box 2088
State Land Office Building
Santa Fe, New Mexico 87504

Re: Supplemental Information
Modification of Rule 711 Permit for Landfarm #2
Envirotech Soil Remediation Facility

Dear Ms. Brown:

This correspondence is per the request of Mr. Denny Foust of the New Mexico Oil Conservation Division (NMOCD) to provide supplemental information and drawings for Envirotech's request the modification of our Rule 711 Permit for Landfarm #2, Envirotech Soil Remediation Facility, Hilltop, New Mexico. This request was submitted to NMOCD on January 5, 1994.

Mr. Foust requested several specific cross section views of the stabilization basin. As per his request, cross sections for A-A' and for B-B', as noted on the diagram labeled "Waste Stabilization Facility, Sheet: 1" are illustrated on the diagram "Waste Stabilization Facility, Sheet: 2".

At this time Envirotech has not acquired the flow through-tanks that are noted in the diagram "Waste Stabilization Facility, Sheet: 1". Envirotech would like permission to construct and operate the stabilization basin without the flow through-tanks until the tanks can be installed. We do not anticipate this to disrupt, in any way, the effectiveness or performance of the stabilization facility.

Thank you for your assistance in this matter. If you have any additional questions or, please feel free to contact me at (505) 632-0615.

Respectfully submitted,

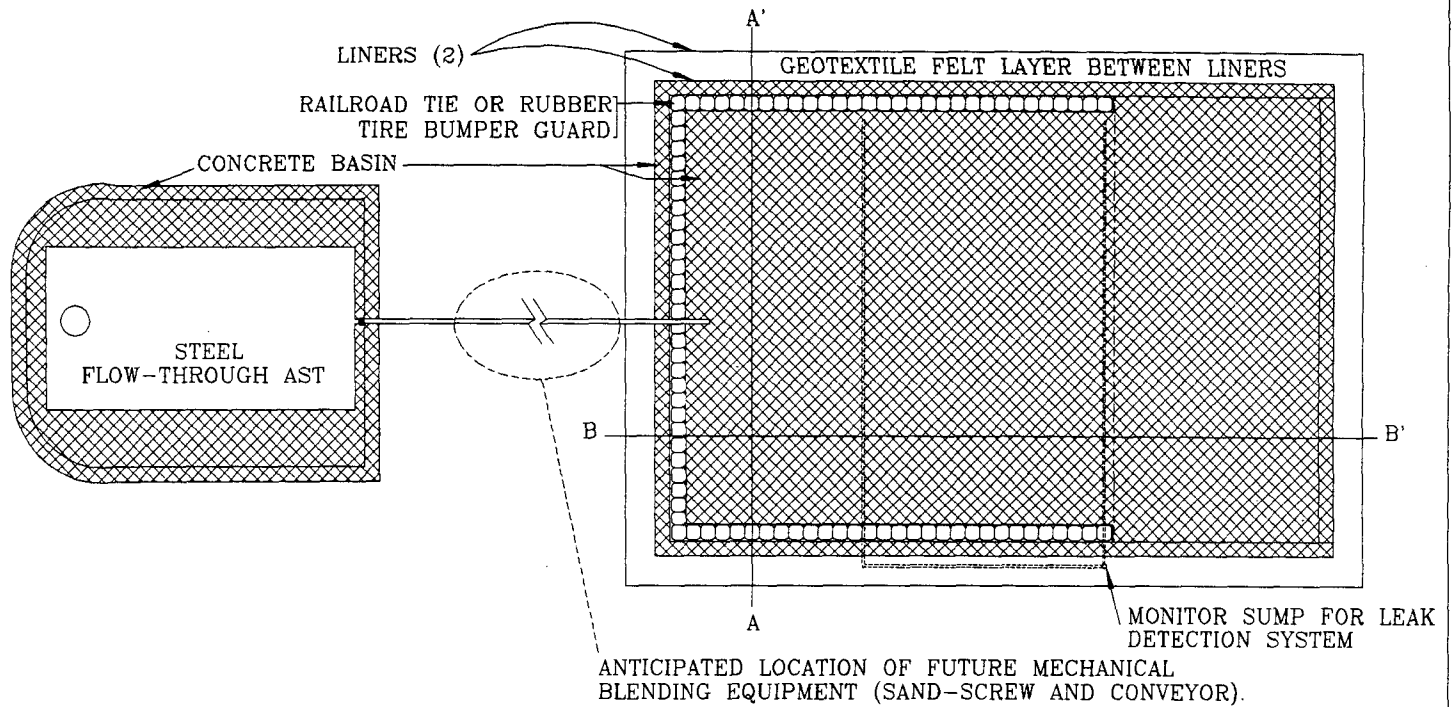
ENVIROTECH, INC.

Robert M. Young
Robert M. Young

Environmental Biologist

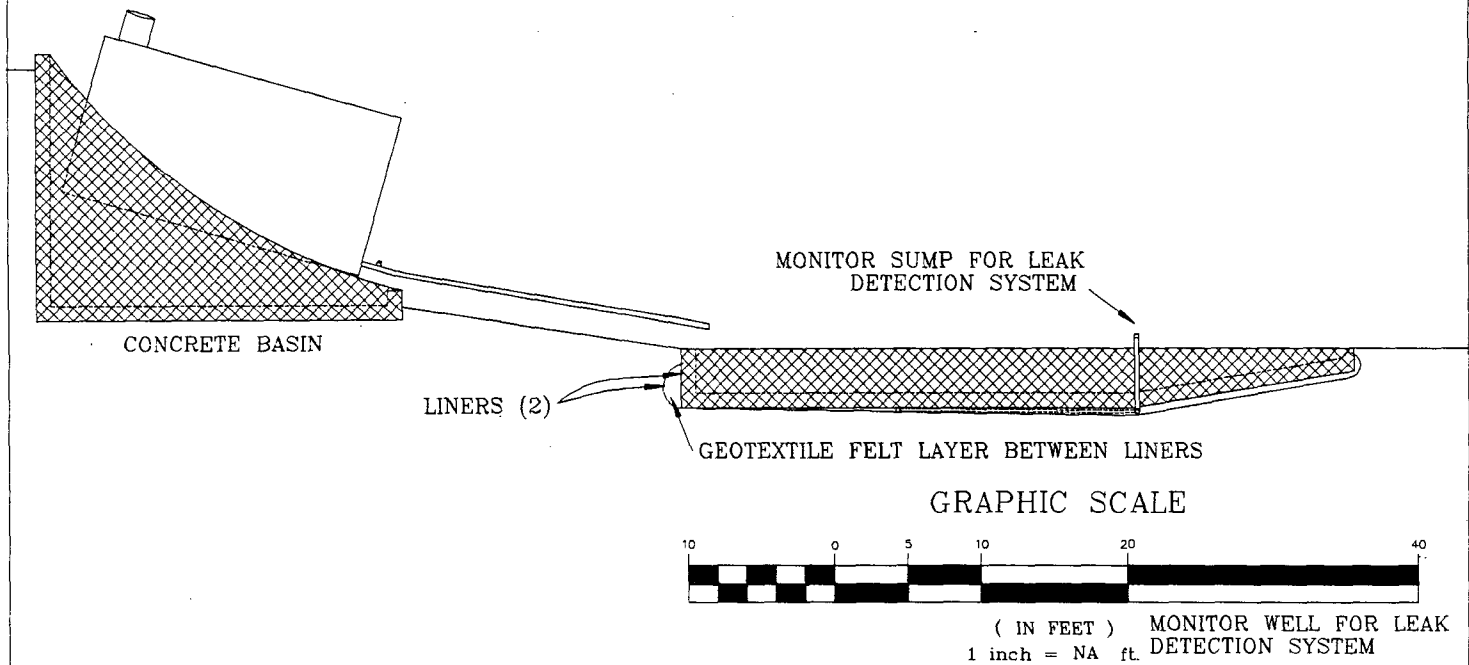
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cc: Mr. Denny Foust, NMOCD Aztec, NM office.
File
RMY/rmy



TOP VIEW

SIDE VIEW



ENVIROTECH SOIL
REMEDIAITON FACILITY

HILLTOP, NEW MEXICO

OIL CONSERVATION DIVISION

ENVIROTECH INC.

ENVIRONMENTAL SCIENTISTS & ENGINEERS

5796 U.S. HIGHWAY 64-3014

FARMINGTON, NEW MEXICO 87401

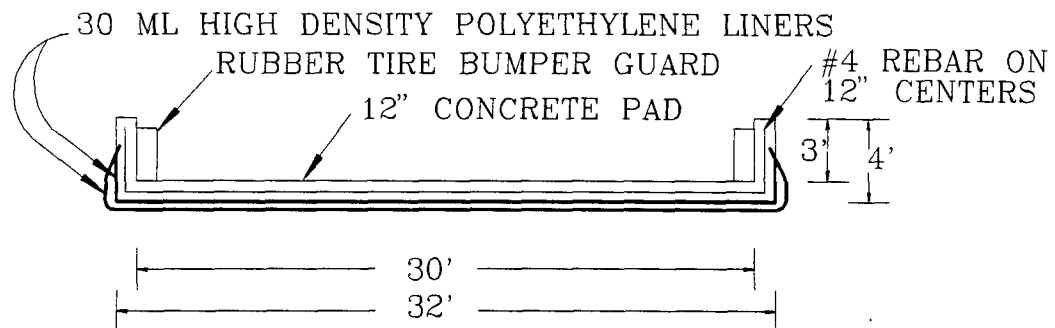
PHONE (505) 632-0615

WASTE STABILIZATION FACILITY

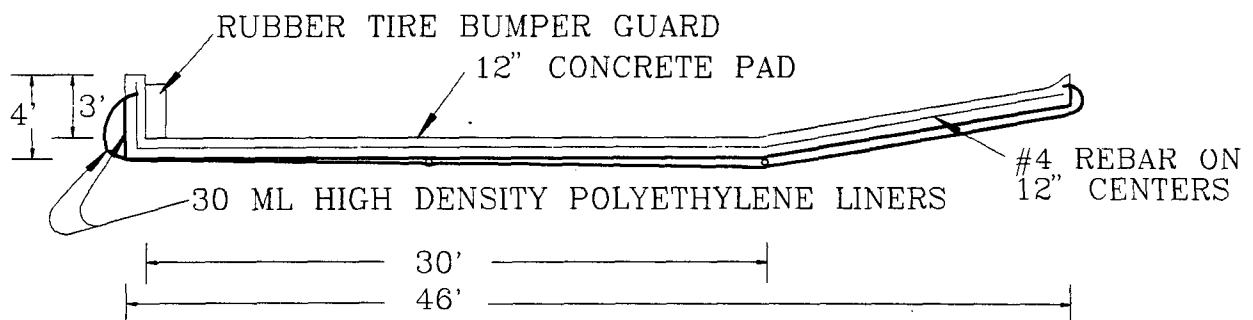
SHEET: 1 DATE: 1/94

DRW: RMY PRJ MGR: RMY

A-A' CROSS SECTION



B-B' CROSS SECTION



ENVIROTECH SOIL
REMEDIATION FACILITY
HILLTOP, NEW MEXICO
OIL CONSERVATION DIVISION

ENVIROTECH INC.
ENVIRONMENTAL SCIENTISTS & ENGINEERS
5796 U.S. HIGHWAY 64-3014
FARMINGTON, NEW MEXICO 87401
PHONE (505) 632-0615

WASTE STABILIZATION FACILITY
SHEET: 2 DATE: 2/94
DRW: RMY PRJ MGR: RMY

ENVIROTECH INC.

SERVICES DIVISION

UNDERGROUND TANK TESTING • SITE ASSESSMENT • SITE REMEDIATION

5796 U.S. HIGHWAY 64 - 3014
FARMINGTON, NEW MEXICO 87401
PHONE: (505) 632-0615

'94 JAN 10 AM 8 16

January 5, 1994

Ms. Kathy Brown
State of New Mexico Oil Conservation Division
P.O. Box 2088
State Land Office Building
Santa Fe, New Mexico 87504

Re: Modification of Rule 711 Permit for Landfarm #2
Envirotech Soil Remediation Facility

Dear Ms. Brown:

This correspondence is to request the modification of our Rule 711 Permit for Landfarm #2, Envirotech Soil Remediation Facility, Hilltop, New Mexico.

Envirotech has received numerous requests for acceptance of non-hazardous oilfield semi-solid wastes that fail the paint-filter test (United States Environmental Protection Agency Method 9095, as outlined in SW-846). Although there are many sources of semi-solid waste material, the following is a partial list of some of the anticipated sources:

- Mixed drilling mud.
- Wash-bay solids from oilfield companies.
- Solids from produced water injection wells.
- Tank bottoms.
- Hydrocarbon saturated soils.

We request the modification to our permit to allow us to accept these wastes for stabilization followed by thin-spread landfarming.

We anticipate receiving approximately 500 tons of semi-solid material on an annual basis that would require stabilization at this facility.

Materials approved by NMOCD for acceptance at Landfarm #2 will be tested per the paint filter test to determine if stabilization is required. If stabilization is required, materials will be placed at the facility. Depending on the amount of free liquid in the materials, they will either be placed directly into the stabilization basin or they will be placed into the flow-through above-ground storage tank to regulate flow into the stabilization basin. All wastes accepted at the stabilization facility will be stabilized within 24 hours of receipt of the material.

Stabilization will entail the mechanical blending of the semi-solid waste with a mixture of clean soil and organic materials (ie. manure, saw-dust, straw, etc.). Organic materials will be approved by NMOCD prior to initial application.

The stabilization basin will be constructed of 12" concrete reinforced with re-bar. This basin will be placed within a earthen basin that is double-lined with 30 mil. PVC liner equipped with leak detection. The flow-through tank will be placed into a concrete basin of similar construction, however, leak detection is not anticipated for this tank and concrete basin. These measures are to minimize possible release of liquids into the soils below the facility.

Refer to the attached Waste Stabilization Facility diagram for a schematic of the proposed stabilization facility.

Thank you for your assistance in this matter. We sincerely appreciate working with you on our landfarms.

Respectfully submitted,
ENVIROTECH, INC.

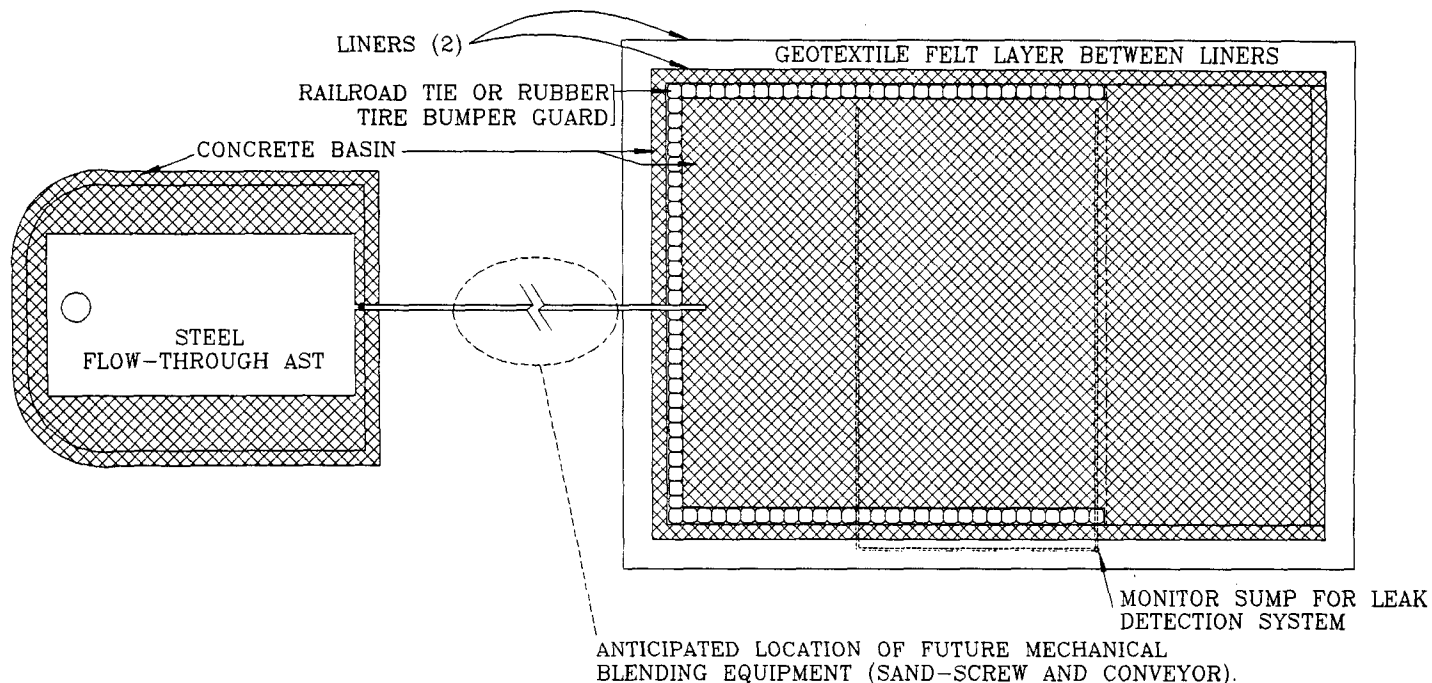
Robert M Young

Robert M. Young
Environmental Biologist

BLEND.LTR

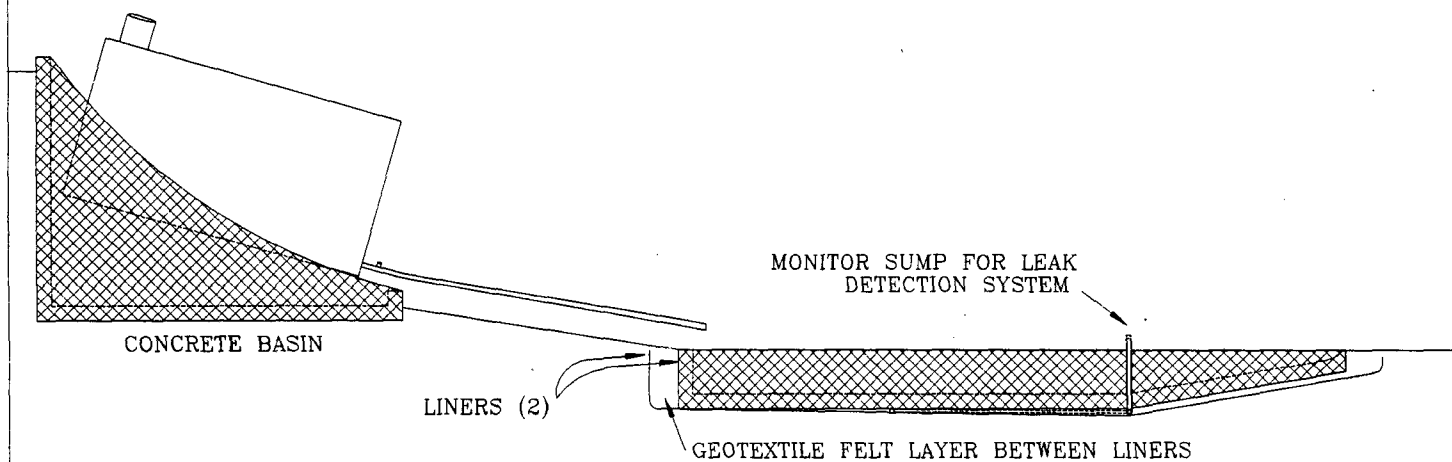
cc: Mr. Denny Foust, NMOCD Aztec, NM office.
File

RMY/rmy



TOP VIEW

SIDE VIEW



GRAPHIC SCALE



(IN FEET) MONITOR WELL FOR LEAK DETECTION SYSTEM
1 inch = NA ft.

ENVIROTECH SOIL
REMEDIAITON FACILITY

HILLTOP, NEW MEXICO

OIL CONSERVATION DIVISION

ENVIROTECH INC.

ENVIRONMENTAL SCIENTISTS & ENGINEERS

5796 U.S. HIGHWAY 64-3014

FARMINGTON, NEW MEXICO 87401

PHONE (505) 632-0615

WASTE STABILIZATION FACILITY

SHEET: 1 DATE: 1/94

DRW: RMY PRJ MGR: RMY



BRUCE KING
GOVERNOR

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

*Received Sept 29/92
Morris D. Young*

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

September 29, 1992

CERTIFIED MAIL
RETURN RECEIPT NO. P-670-683-590

Mr. Morris D. Young
Envirotech Inc.
5796 U.S. Highway 64 - 3014
Farmington, New Mexico 87401

RE: Envirotech Inc. Landfarm Application
OCD Rule 711 Permit Approval

Dear Mr. Morris:

*26 kmB
3/5/93*

The Oil Conservation Division (OCD) has received your July 7, 1992, request for an expansion of your current soil remediation facility located in Section ~~28~~, Township 27 North, Range 11 West, NMPM, San Juan County, New Mexico. Because the proposed landfarm expansion is not contiguous with the current facility (ie. approximately a mile away) the OCD considers the proposed site a new facility. A separate bond for \$25,000 is required for the proposed landfarm since it is a new facility.

The permit application for the Envirotech Inc. Landfarm located in the NW/4, Section 6, Township 26 North, Range 10 West, NMPM, San Juan County, New Mexico, is hereby approved in accordance with the OCD Rule 711 under the conditions contained in the enclosed attachment. The application consists of the original application dated July 7, 1992.

The operation, monitoring and reporting shall be as specified in the enclosed attachment. All modifications and alternatives to the approved landfarming methods must receive prior OCD approval. You are required to notify the Director of any facility expansion or process modification and to file the appropriate materials with the Division.

Please be advised approval of this facility does not relieve you of liability should your operation result in actual pollution of surface or ground waters or the environment actionable under other laws and/or regulations.

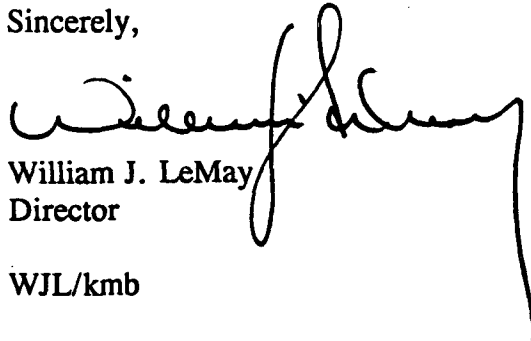
Mr. Morris D. Young
September 29, 1992
Page 2

Please be advised that all tanks exceeding 16 feet in diameter and exposed pits, ponds or lagoons must be screened, netted or otherwise rendered nonhazardous to migratory birds.

This permit approval is for a period of five (5) years. This approval will expire on September 29, 1997 and you should submit an application for renewal in ample time before that date. The Division shall have the authority to administratively change this permit to protect fresh water, human health and the environment.

If you have any questions, please do not hesitate to contact Kathy Brown at (505) 827-5884.

Sincerely,

A handwritten signature in black ink, appearing to read 'William J. LeMay', with a long, sweeping horizontal stroke extending to the right.

William J. LeMay
Director

WJL/kmb

Attachment

xc: Denny Foust, OCD Aztec Office

ATTACHMENT TO OCD 711 PERMIT APPROVAL
ENVIROTECH INC.
COMMERCIAL LANDFARM
(September 29, 1992)

LANDFARM OPERATION

1. All contaminated soils received at the facility will be spread and disked within 72 hours of receipt.
2. Soils will be spread on the surface in six inch lifts or less.
3. Soils will be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
4. Successive lifts of contaminated soils will not be spread until a laboratory measurement of Total Petroleum Hydrocarbons (TPH) in the previous lift is less than 100 parts per million (ppm), and the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and the benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations will be maintained at the facility. Authorization from the OCD will be obtained prior to application of successive lifts.
5. Only solids which are exempt from the RCRA Subtitle C regulations or non-hazardous by characteristic testing will be accepted at the facility. Solids from operations not currently exempt under RCRA Subtitle C or mixed exempt/non-exempt solids will be tested for appropriate hazardous constituents. Test results must be submitted to the OCD along with a request to receive the non-exempt solids, and a written OCD approval (case specific) must be obtained prior to disposal. Any non-oilfield wastes which are RCRA Subtitle C exempt or are non-hazardous by characteristic testing will only be accepted on a case-by-case basis and with prior OCD approval.
6. Moisture will be added as necessary to control blowing dust and to enhance bioremediation. There will be no ponding, pooling or run-off of water allowed. Any ponding of precipitation will be removed within seventy-two (72) hours of discovery.
7. Enhanced bio-remediation through the application of microbes (bugs) will only be permitted after prior approval from the OCD. Request for application of microbes must include the location of the area designated for the bio-remediation program, composition of additives, and the method, amount and frequency of application.
8. No free liquids or soils with free liquids will be accepted at the facility.
9. Comprehensive records of all material disposed of at the facility will be maintained at the facility. The records for each load will include: 1) the origin, 2) analysis for hazardous constituents if required, 3) transporter, and 4) exact cell location and method of remediation.

TREATMENT ZONE MONITORING

1. One (1) background soil sample will be taken from the center portion of the landfarm two (2) feet below the native ground surface. The sample will be analyzed for total petroleum hydrocarbons (TPH), general chemistry, and heavy metals using approved EPA methods.
2. A treatment zone not to exceed two (2) feet beneath the land farm will be monitored. A minimum of one random soil sample will be taken from each individual cell, with no cell being larger than five (5) acres, six (6) months after the first contaminated soils are received in the cell and then quarterly thereafter. The sample will be taken at two to three (2-3) feet below the native ground surface.
3. The soil samples will be analyzed for TPH, volatile aromatic organics (BTEX) quarterly and general chemistry and heavy metals annually using approved EPA methods.
4. After obtaining the soil samples the boreholes will be filled with an impermeable material such as bentonite cement.

REPORTING

1. Analytical results from the treatment zone monitoring will be submitted to the OCD Santa Fe Office within thirty (30) days of receipt from the laboratory.
2. The OCD will be notified of any break, spill, blow out, or fire or any other circumstance that could constitute a hazard or contamination in accordance with OCD Rule 116.

BOND

Pursuant to OCD Rule 711 a surety or cash bond in the amount of \$25,000, in a form approved by the Division, is required prior to commencing construction of the commercial surface disposal facility.

CLOSURE

When the facility is to be closed no new material will be accepted. Existing soils will be remediated until they meet the OCD standards in effect at the time of closure. The area will then be reseeded with natural grasses and allowed to return to its natural state. Closure will be pursuant to all OCD requirements in effect at the time of closure.